

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-1158.02 Brita Darling x2241

HOUSE BILL 24-1456

HOUSE SPONSORSHIP

Marvin,

SENATE SPONSORSHIP

Michaelson Jenet,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING TESTING FOR SYPHILIS DURING THE PERINATAL PERIOD.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill expands the existing requirement to test a person who is pregnant for syphilis at the person's first professional visit with a health-care provider or during the first trimester of pregnancy to also require testing for syphilis early in the third trimester of pregnancy and at delivery. The person who is pregnant may decline any testing.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Syphilis is a bacterial infection that, if untreated, can progress
5 to severe infection of the brain, eyes, and other body organs;

6 (b) Congenital syphilis occurs when the infection is passed to a
7 fetus during pregnancy and can cause miscarriage, stillbirth, severe
8 congenital abnormalities, or death. The department of health care policy
9 and financing estimates that the cost of care for a baby born with syphilis
10 is approximately \$30,000 in the baby's first year of life.

11 (c) According to the federal centers for disease control and
12 prevention, over ten times as many babies were born with syphilis in 2022
13 than in 2012, the highest number of infected babies reported in a single
14 year since 1992;

15 (d) Colorado has experienced a 900 percent increase in congenital
16 syphilis cases since 2017, based on 2023 provisional data;

17 (e) During the first quarter of 2024, there have already been 22
18 reported congenital syphilis cases, including five stillbirths and two fetal
19 deaths;

20 (f) Congenital syphilis disproportionately impacts Hispanic and
21 Black communities;

22 (g) The spread of syphilis and congenital syphilis is preventable
23 when caught early and treated in a timely manner with routine and
24 inexpensive antibiotics like penicillin;

25 (h) Currently, Colorado requires only one syphilis test during the
26 prenatal period: In the first trimester or when initiating prenatal care;

27 (i) Reinfection or inadequate treatment can result in a syphilis

1 infection being present after the first trimester, putting the baby at risk of
2 congenital syphilis;

3 (j) Additional syphilis testing in the third trimester and at delivery
4 provides additional opportunities to identify and treat an infection;

5 (k) At least 17 other states require testing later in pregnancy in
6 addition to testing during the first trimester, including North Carolina,
7 Texas, Georgia, and Arizona, which have laws that require testing during
8 the first trimester, during the third trimester, and at delivery of the baby;
9 and

10 (l) Therefore, to reduce the rapidly increasing rates of syphilis and
11 congenital syphilis infection in Colorado, it is necessary and appropriate
12 to require additional testing throughout the prenatal period, including
13 during the third trimester and at delivery of the baby.

14 **SECTION 2.** In Colorado Revised Statutes, **amend** 25-4-201 as
15 follows:

16 **25-4-201. Blood testing during pregnancy - HIV - syphilis.**

17 (1) (a) ~~Every~~ EACH licensed health-care provider authorized to provide
18 care to a ~~pregnant woman~~ PERSON WHO IS PREGNANT in this state for
19 conditions relating to ~~her~~ THE pregnancy during the period of gestation or
20 at delivery shall take or cause to be taken a sample of blood of the ~~woman~~
21 PERSON at the time of the first professional visit or during the first
22 trimester for testing pursuant to this section. The blood specimen obtained
23 shall be submitted to an approved laboratory for a standard serological
24 test for syphilis and HIV. Every other person permitted by law to attend
25 TO A PERSON WHO IS pregnant ~~women~~ in this state but not permitted by
26 law to take blood samples shall cause a sample of blood of each PERSON
27 UNDER THE ATTENDANT'S CARE WHO IS pregnant ~~woman~~ to be taken by a

1 licensed health-care provider authorized to take blood samples and shall
2 have the sample submitted to an approved laboratory for a standard
3 serological test for syphilis and HIV. A PERSON WHO IS pregnant ~~woman~~
4 may decline to be tested as specified in this subsection ~~(1)~~(1)(a), in which
5 case the licensed health-care provider shall document that fact in ~~her~~ THE
6 PERSON'S medical record.

7 (b) IN ADDITION TO THE REQUIREMENT SPECIFIED IN SUBSECTION
8 (1)(a) OF THIS SECTION TO TEST A PERSON WHO IS PREGNANT FOR SYPHILIS
9 AT THE TIME OF THE PERSON'S FIRST PROFESSIONAL VISIT TO A LICENSED
10 HEALTH-CARE PROFESSIONAL OR DURING THE FIRST TRIMESTER, A
11 LICENSED HEALTH-CARE PROVIDER AUTHORIZED TO PROVIDE CARE TO A
12 PERSON WHO IS PREGNANT SHALL TEST THE PERSON FOR SYPHILIS, IN THE
13 MANNER DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, EARLY IN THE
14 THIRD TRIMESTER, BETWEEN TWENTY-EIGHT AND THIRTY-TWO WEEKS
15 GESTATION, AND AT DELIVERY. A PERSON MAY DECLINE TO BE TESTED AS
16 SPECIFIED IN THIS SUBSECTION (1)(b), IN WHICH CASE THE LICENSED
17 HEALTH-CARE PROVIDER SHALL DOCUMENT THAT FACT IN THE PERSON'S
18 MEDICAL RECORD.

19 (2) If a PERSON WHO IS pregnant ~~woman~~ ~~entering~~ ENTERS a
20 hospital for delivery AND has not been tested for HIV AND SYPHILIS
21 during ~~her~~ THE pregnancy OR THERE IS NO AVAILABLE RECORD OF
22 TESTING, the hospital shall notify the ~~woman~~ PERSON WHO IS PREGNANT
23 that ~~she~~ THE PERSON will be tested for HIV AND SYPHILIS unless ~~she~~ THE
24 PERSON objects and declines the test. If the ~~woman~~ PERSON declines to be
25 tested, the hospital shall document that fact in the ~~pregnant woman's~~
26 PERSON'S medical record.

27 **SECTION 3. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate
2 preservation of the public peace, health, or safety or for appropriations for
3 the support and maintenance of the departments of the state and state
4 institutions.