

28-4-520. Definitions. In addition to the definitions terms defined in K.S.A. 65-1,241 and K.S.A. 65-2401 and amendments thereto, each of the following terms, as used in this regulation and in K.A.R. 28-4-521, shall have the meaning assigned specified in this regulation:

(a) “Abnormal condition” means any condition established at conception or acquired in utero that results in a morphologic, metabolic, or functional,~~or behavioral~~ disorder requiring medical or other intervention.

(b) “Birth defects information system” means the Kansas birth defects reporting system, which collects, maintains, analyzes, and disseminates information regarding abnormal conditions, birth defects, and congenital anomalies of each stillbirth and of ~~each child from birth to five years of age with a birth defect~~ children from live birth to five years of age pursuant to K.S.A. 65-101, and amendments thereto.

(c) “Congenital anomaly” means an error of morphogenesis that is established at conception or acquired during intrauterine life,~~which is also referred to as a birth defect.~~

(d) ~~“ICD-9-CM” means the clinical modification of the “international classification of diseases,” ninth revision, published by Ingenix inc., which is used to code and classify morbidity data from inpatient and outpatient records, physician offices, and most surveys from the national center for health statistics. The following portions of volume one of this document are hereby adopted by reference:~~

~~(1) “Genetic and metabolic conditions,” codes 243 through 279.2 on pages 49 through 60;~~

~~(2) “sickle cell anemia and other hemoglobinopathies,” codes 282.4 through 282.7 on pages 61 and 62;~~

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(3) ~~“congenital anomalies,” codes 740 through 759 on pages 227 through 240; and~~

(4) ~~“fetal alcohol syndrome,” code 760.71 on page 241~~ “Notifiable condition” means any abnormal condition or congenital anomaly diagnosed by a physician in a child from live birth to five years of age or stillbirth.

~~(e) “Primary diagnosis” means the principal disease or condition assigned to an infant by a licensed physician based on the history of the disease process, signs and symptoms, laboratory data, and special tests. (Authorized by and implementing K.S.A. 2009-Supp. 65-1,245; effective Dec. 3, 2010; amended P-_____.)~~

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28-4-521. Reporting abnormal conditions and congenital anomalies notifiable conditions.

(a) Reporting requirements. Each physician, hospital, and freestanding birthing center shall report to the birth defects information system, pursuant to K.S.A. 65-1,241 and amendments thereto, the abnormal conditions and congenital anomalies listed in the portions of ICD-9-CM adopted by reference in K.A.R. 28-4-520 The requirements for reporting notifiable conditions shall be those specified in the department's "Kansas birth defects surveillance reporting manual," dated April 18, 2022, which is hereby adopted by reference.

(b) Method of reporting. Each abnormal condition and congenital anomaly that is required to be reported under this regulation shall be reported to the birth defects information system on a form approved by the secretary.

(c) Removal of reported information. Any parent or legal guardian may request the removal of reported information from the birth defects information system by using the removal form in accordance with K.S.A. 65-1,244, and amendments thereto. (Authorized by K.S.A. 2009 Supp. 65-1,245; implementing K.S.A. 2009 Supp. 65-1,241, 65-1,244, and 65-1,245; effective Dec. 3, 2010; amended P-_____.)

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