
HOUSE BILL 2913

State of Washington

52nd Legislature

1992 Regular Session

By Representatives Anderson, Brekke, Leonard, Paris, Dellwo, Brough, Wineberry and Winsley

Read first time 01/31/92. Referred to Committee on Human Services/Appropriations.

1 AN ACT Relating to providing drug and alcohol education and
2 counseling to pregnant women; amending RCW 70.96A.020; adding a new
3 section to chapter 70.96A RCW; creating a new section; and making an
4 appropriation.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature recognizes that the use
7 of alcohol and other drugs during pregnancy can cause medical,
8 psychological, and social problems for women and infants. The
9 legislature further recognizes that communities are increasingly
10 concerned about this problem and the associated costs to the mothers,
11 infants, and society as a whole. The legislature recognizes that the
12 department of health and other agencies are focusing on primary
13 prevention activities to reduce the use of alcohol or drugs during
14 pregnancy but few efforts have focused on secondary prevention efforts

1 aimed at intervening in the lives of women already involved in the use
2 of alcohol or other drugs during pregnancy. The legislature recognizes
3 that the best way to prevent problems for chemically dependent pregnant
4 women and their resulting children is to engage the women in alcohol or
5 drug treatment. The legislature acknowledges that treatment
6 professionals find pretreatment services to clients to be important in
7 engaging women in alcohol or drug treatment. Therefore the legislature
8 intends to prevent the detrimental effects of alcohol or other drug use
9 to women and their resulting infants by promoting the establishment of
10 local programs to help facilitate a pregnant woman's entry into alcohol
11 or other drug treatment. These programs shall provide secondary
12 prevention services and provision of opportunities for immediate
13 treatment so that women who seek help are welcomed rather than
14 ostracized.

15 **Sec. 2.** RCW #1070.96A.020 and 1991 c 364 s 8 are each amended to
16 read as follows:

17 For the purposes of this chapter the following words and phrases
18 shall have the following meanings unless the context clearly requires
19 otherwise:

20 (1) "Alcoholic" means a person who suffers from the disease of
21 alcoholism.

22 (2) "Alcoholism" means a disease, characterized by a dependency on
23 alcoholic beverages, loss of control over the amount and circumstances
24 of use, symptoms of tolerance, physiological or psychological
25 withdrawal, or both, if use is reduced or discontinued, and impairment
26 of health or disruption of social or economic functioning.

27 (3) "Approved treatment program" means a discrete program of
28 chemical dependency treatment provided by a treatment program certified

1 by the department of social and health services as meeting standards
2 adopted under this chapter.

3 (4) "Assessment" means an interview with an individual to determine
4 if he or she is chemically dependent and in need of referral to an
5 approved treatment program.

6 (5) "Chemical dependency" means alcoholism or drug addiction, or
7 dependence on alcohol and one or more other psychoactive chemicals, as
8 the context requires.

9 (~~(5)~~) (6) "Chemical dependency program" means expenditures and
10 activities of the department designed and conducted to prevent or treat
11 alcoholism and other drug addiction, including reasonable
12 administration and overhead.

13 (~~(6)~~) (7) "Chemically dependent individual" means someone
14 suffering from alcoholism or drug addiction, or dependence on alcohol
15 or one or more other psychoactive chemicals.

16 (8) "Department" means the department of social and health
17 services.

18 (~~(7)~~) (9) "Designated chemical dependency specialist" means a
19 person designated by the county alcoholism and other drug addiction
20 program coordinator designated under RCW 70.96A.310 to perform the
21 commitment duties described in RCW 70.96A.140 and qualified to do so by
22 meeting standards adopted by the department.

23 (~~(8)~~) (10) "Director" means the person administering the chemical
24 dependency program within the department.

25 (~~(9)~~) (11) "Drug addict" means a person who suffers from the
26 disease of drug addiction.

27 (~~(10)~~) (12) "Drug addiction" means a disease characterized by a
28 dependency on psychoactive chemicals, loss of control over the amount
29 and circumstances of use, symptoms of tolerance, physiological or
30 psychological withdrawal, or both, if use is reduced or discontinued,

1 and impairment of health or disruption of social or economic
2 functioning.

3 ~~((11))~~ (13) "Emergency service patrol" means a patrol established
4 under RCW 70.96A.170.

5 ~~((12))~~ (14) "Gravely disabled by alcohol or other drugs" means
6 that a person, as a result of the use of alcohol or other drugs: (a)
7 Is in danger of serious physical harm resulting from a failure to
8 provide for his or her essential human needs of health or safety; or
9 (b) manifests severe deterioration in routine functioning evidenced by
10 a repeated and escalating loss of cognition or volitional control over
11 his or her actions and is not receiving care as essential for his or
12 her health or safety.

13 ~~((13))~~ (15) "Incapacitated by alcohol or other psychoactive
14 chemicals" means that a person, as a result of the use of alcohol or
15 other psychoactive chemicals, has his or her judgment so impaired that
16 he or she is incapable of realizing and making a rational decision with
17 respect to his or her need for treatment and constitutes a danger to
18 himself or herself, to any other person, or to property.

19 ~~((14))~~ (16) "Incompetent person" means a person who has been
20 adjudged incompetent by the superior court.

21 ~~((15))~~ (17) "Intoxicated person" means a person whose mental or
22 physical functioning is substantially impaired as a result of the use
23 of alcohol or other psychoactive chemicals.

24 ~~((16))~~ (18) "Licensed physician" means a person licensed to
25 practice medicine or osteopathy in the state of Washington.

26 ~~((17))~~ (19) "Minor" means a person less than eighteen years of
27 age.

28 ~~((18))~~ (20) "Peace officer" means a law enforcement official of
29 a public agency or governmental unit, and includes persons specifically

1 given peace officer powers by any state law, local ordinance, or
2 judicial order of appointment.

3 ~~((19))~~ (21) "Person" means an individual, including a minor.

4 ~~((20))~~ (22) "Pretreatment" means the period of time prior to an
5 individual's enrollment in alcohol or drug treatment.

6 (23) "Pretreatment services" means activities taking place prior to
7 treatment that include identification of individuals using alcohol or
8 drugs, education, assessment of their use, evaluation of need for
9 treatment, referral to an approved treatment program, and advocacy on
10 a client's behalf with social service agencies or others to ensure and
11 coordinate a client's entry into treatment.

12 (24) "Primary prevention" means providing information about the
13 effects of alcohol or drug use to individuals so they will avoid using
14 these substances.

15 (25) "Secondary prevention" means identifying and obtaining an
16 assessment on individuals using alcohol or other drugs for referral to
17 treatment when indicated.

18 (26) "Secretary" means the secretary of the department of social
19 and health services.

20 ~~((21))~~ (27) "Tertiary prevention" means providing treatment to
21 limit the negative impact of alcohol or drug use on an individual's
22 life.

23 (28) "Treatment" means the broad range of emergency,
24 detoxification, residential, and outpatient services and care,
25 including diagnostic evaluation, chemical dependency education and
26 counseling, medical, psychiatric, psychological, and social service
27 care, vocational rehabilitation and career counseling, which may be
28 extended to alcoholics and other drug addicts and their families,
29 persons incapacitated by alcohol or other psychoactive chemicals, and
30 intoxicated persons.

1 (~~(22)~~) (29) "Treatment program" means an organization,
2 institution, or corporation, public or private, engaged in the care,
3 treatment, or rehabilitation of alcoholics or other drug addicts.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.96A RCW
5 to read as follows:

6 The secretary shall develop and promote state-wide secondary
7 prevention strategies designed to increase the use of alcohol and drug
8 treatment services by women of child-bearing age, before, during, and
9 immediately after pregnancy. These efforts are conducted through the
10 division of alcohol and substance abuse. The secretary shall:

11 (1) Promote development of four pilot demonstration projects in the
12 state to be called pretreatment projects for pregnant women. Two of
13 the pilot projects are in urban areas and two are in rural areas.

14 (2) Ensure that one of the four projects is located in a public
15 health department clinic providing maternity services and one is
16 located in a county correctional facility.

17 (3)(a) Hire a certified chemical dependency counselor to work as a
18 substance abuse educator in the public health clinic for a salary of
19 forty-two thousand dollars, and hire a certified chemical dependency
20 counselor to work as a substance abuse educator in a county
21 correctional facility for a salary of forty-two thousand dollars.

22 (b) Ensure that the duties and activities of the certified chemical
23 dependency counselors include, at a minimum, the following:

24 (i) Identify substance-using pregnant women in the health clinic or
25 correctional facility;

26 (ii) Educate the women on the effects of alcohol or drugs on
27 health, pregnancy, and unborn children;

28 (iii) Determine the extent of the women's substance use;

29 (iv) Evaluate the women's need for treatment;

1 (v) Make referrals for chemical dependency treatment if indicated;
2 (vi) Facilitate the women's entry into treatment; and
3 (vii) Advocate on the client's behalf with other social service
4 agencies or others to ensure and coordinate clients into treatment.

5 (4) Promote development of two pilot projects through a request-
6 for-proposal process. The purpose of the request-for-proposal process
7 is to solicit applications to provide pretreatment services to
8 facilitate a chemically dependent pregnant woman's entry into alcohol
9 or drug treatment.

10 (a) The proposals must address each of the following pretreatment
11 services: Identification of alcohol or drug use, education, assessment
12 of alcohol or drug problems, evaluation, referral, and advocacy with
13 other social service organizations or others to ensure a client's entry
14 into treatment.

15 (b) Proposals must address how applicant will access target
16 population.

17 (c) Eighty thousand dollars per year is provided to each of the two
18 pilot projects.

19 (d) Eligible applicants should have prior experience with alcohol
20 or drug issues.

21 (5) Administrative costs of the department are limited to ten
22 percent of the funds appropriated for the project.

23 NEW SECTION. **Sec. 4.** The sum of four hundred eighty-eight
24 thousand dollars, or as much thereof as may be necessary, is
25 appropriated for the biennium ending June 30, 1993, from the general
26 fund to the department of social and health services for the purposes
27 of this act.