
ENGROSSED SENATE BILL 6051

State of Washington

52nd Legislature

1992 Regular Session

By Senators L. Smith and Talmadge

Read first time 01/13/92. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to infants exposed to drugs; adding a new chapter
2 to Title 70 RCW; creating a new section; and making an appropriation.

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

4 NEW SECTION. **Sec. 1.** LEGISLATIVE INTENT. The legislature
5 finds that chemical drug exposure during pregnancy jeopardizes the
6 long-term health and well-being of infants. The legislature declares
7 that adequate medical care during and after pregnancy, chemical abuse
8 treatment for pregnant women, and other support services for the child
9 and mother are needed to minimize the adverse effects of chemical
10 abuse. The legislature has demonstrated its commitment to providing
11 these services through a significant expansion of maternity care and
12 child health services. It has also expanded chemical abuse treatment
13 and support services for pregnant women through the enhancement of
14 inpatient and outpatient services, transitional housing, case

1 management, and child care. The legislature further finds that early
2 identification through medical assessment of chemically exposed infants
3 can reduce long-term adverse medical, social, and economic consequences
4 only when such identification results in the provision of needed
5 medical and support services. It further declares that well integrated
6 and coordinated delivery of services to mothers and infants is
7 essential to promote the long-term health and well-being of chemically
8 exposed infants.

9 NEW SECTION. **Sec. 2.** DEFINITIONS. As used in this chapter,
10 the terms in this section have the meanings indicated unless the
11 context clearly requires otherwise.

12 (1) "Drug" means a controlled substance under chapter 69.50 RCW
13 used for nonmedical purposes.

14 (2) "Health care facility" means a hospital as licensed in chapter
15 70.41 RCW.

16 (3) "Infant drug exposure assessment" means a procedure established
17 in rule by the state board of health and conducted by a health care
18 facility for screening and assessing newborn infants and mothers to
19 identify those who have been exposed to drugs prior to birth.

20 (4) "Nonmedical purpose" means use of a controlled substance as
21 defined in chapter 69.50 RCW for purposes other than prescribed by an
22 authorized health care practitioner as defined in RCW 69.50.101.

23 NEW SECTION. **Sec. 3.** ASSESSMENTS--UNIVERSITY OF WASHINGTON
24 ACTIVITIES. The University of Washington, in consultation with the
25 state department of health, shall establish standards for conducting
26 infant drug exposure assessments to determine possible drug exposure of
27 infants prior to birth. Such standards may be updated from time to
28 time. To the extent possible, the standards shall assure accurate,

1 fair, and consistent medical assessments of newborn infants. The
2 department of health shall make available to every health care facility
3 the standards for the purposes of conducting such assessments at those
4 facilities.

5 NEW SECTION. **Sec. 4.** ASSESSMENTS--USE--CONFIDENTIALITY OF
6 ASSESSMENTS. (1) Health care facilities may conduct infant drug
7 exposure assessments of newborn infants delivered at the facility to
8 determine the presence of drugs acquired through exposure from the
9 mother. Such assessments should be initiated prior to the discharge of
10 the infant. The purpose of the assessment shall be to determine the
11 need for immediate and postdischarge medical care, drug treatment, and
12 support services for the mother and child.

13 (2) The results of the infant drug exposure assessments shall not
14 be used in any criminal proceeding as evidence of either guilt or
15 innocence.

16 NEW SECTION. **Sec. 5.** INTERAGENCY COORDINATION OF SERVICE
17 DELIVERY. The department of social and health services and the
18 department of health shall assure that the delivery of available
19 services to chemically dependent pregnant women and chemically
20 dependent mothers and infants are coordinated so that (1) all available
21 medical and support services offered through or paid by the agencies
22 are provided to the extent of available resources, (2) existing
23 community-based services are identified and utilized, (3) to the extent
24 feasible, services be offered jointly to the mother and infant in a
25 manner that promotes and preserves positive bonding of the mother and
26 infant, (4) possible long-term developmental disabilities are
27 identified early to minimize adverse health consequences, and (5) the
28 department of social and health services and the department of health

1 are able to track clients and the services they receive across programs
2 and agency lines.

3 NEW SECTION. **Sec. 6.** EDUCATION FOR HEALTH CARE PROFESSIONALS.

4 The department of health may consult with the University of
5 Washington and the disciplining authorities for each health care
6 profession under RCW 18.130.040 whose license holders provide prenatal,
7 obstetrical, and pediatric services and may prepare and distribute
8 appropriate educational material to such license holders on the effects
9 of substance abuse by pregnant women. The training and education may
10 include information on identifying signs of drug usage, the effects of
11 drug exposure, conducting medical assessments as provided for by this
12 chapter, and referring patients to appropriate treatment and services.

13 NEW SECTION. **Sec. 7.** CAPTIONS NOT LAW. Section captions as
14 used in this act constitute no part of the law.

15 NEW SECTION. **Sec. 8.** Sections 1 through 6 of this act shall
16 constitute a new chapter in Title 70 RCW.

17 NEW SECTION. **Sec. 9.** The sum of forty-five thousand dollars,
18 or as much thereof as may be necessary, is appropriated for the
19 biennium ending June 30, 1993, from the general fund to the University
20 of Washington for the purposes of this act.