

2 **SSB 5391** - H COMM AMD
3 By Committee on Human Services

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** LEGISLATIVE INTENT. The legislature finds
8 that chemical drug exposure during pregnancy jeopardizes the long-term
9 health and well-being of infants. The legislature declares that
10 adequate medical care during and after pregnancy, chemical abuse
11 treatment for pregnant women, and other support services for the child
12 and mother are needed to minimize the adverse effects of chemical
13 abuse. The legislature has demonstrated its commitment to providing
14 these services through a significant expansion of maternity care and
15 child health services. It has also expanded chemical abuse treatment
16 and support services for pregnant women through the enhancement of
17 inpatient and outpatient services, transitional housing, case
18 management, and child care. The legislature further finds that early
19 identification through medical assessment of chemically exposed infants
20 can reduce long-term adverse medical, social, and economic consequences
21 only when such identification results in the provision of needed
22 medical and support services. It further declares that well integrated
23 and coordinated delivery of services to mothers and infants is
24 essential to promote the long-term health and well-being of chemically
25 exposed infants.

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

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

31 (2) "Fetal alcohol syndrome assessment" means a procedure
32 established by section 3 of this act and conducted by a health care
33 facility for screening and assessing infants to identify those who have
34 a cluster of congenital features associated with the syndrome.

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

3 (4) "Infant drug exposure assessment" means a procedure established
4 by section 3 of this act and conducted by a health care facility for
5 screening and assessing newborn infants and mothers to identify those
6 who have been exposed to drugs prior to birth.

7 (5) "Nonmedical purpose" means use of a controlled substance as
8 defined in chapter 69.50 RCW for purposes other than prescribed by an
9 authorized health care practitioner as defined in RCW 69.50.101.

10 NEW SECTION. **Sec. 3.** ASSESSMENTS--UNIVERSITY OF WASHINGTON
11 ACTIVITIES. The University of Washington shall, within existing
12 resources, in consultation with the department of health, develop
13 standards for conducting infant drug exposure assessments to determine
14 possible drug exposure of infants prior to birth. The University of
15 Washington shall also develop, within existing resources, in
16 consultation with the department of health, standards for conducting
17 fetal alcohol syndrome assessments to identify infants who may have the
18 fetal alcohol syndrome. The standards may be updated from time to
19 time. To the extent possible, the standards shall assure accurate,
20 fair, and consistent medical assessments of newborn infants. The
21 University of Washington shall, within existing resources, make the
22 assessment standards available to every health care facility for the
23 purposes of conducting the assessments.

24 NEW SECTION. **Sec. 4.** ASSESSMENTS--USE--CONFIDENTIALITY OF
25 ASSESSMENTS. (1) Health care facilities may conduct infant drug
26 exposure assessments of newborn infants delivered at the facility to
27 determine the presence of drugs acquired through exposure from the
28 mother. The health care facilities may also conduct fetal alcohol
29 syndrome assessments on infants in their facility to determine the
30 possible presence of the syndrome. The assessments should be initiated
31 prior to the discharge of the infant. The purpose of the assessments
32 shall be to determine the need for immediate and postdischarge medical
33 care, drug treatment, and support services for the mother and child.

34 (2) The results of the infant drug exposure assessments and the
35 fetal alcohol syndrome assessments shall not be used in any criminal
36 proceeding as evidence of either guilt or innocence.

1 NEW SECTION. **Sec. 5.** INTERAGENCY COORDINATION OF SERVICE
2 DELIVERY. The department of social and health services and the
3 department of health shall, within existing resources, assure that the
4 delivery of available services to chemically dependent pregnant women
5 and chemically dependent mothers and infants are coordinated so that
6 (1) all available medical and support services offered through or paid
7 by the agencies are provided to the extent of available resources, (2)
8 existing community-based services are identified and utilized, (3) to
9 the extent feasible, services be offered jointly to the mother and
10 infant in a manner that promotes and preserves positive bonding of the
11 mother and infant, and (4) possible long-term developmental
12 disabilities are identified early to minimize adverse health
13 consequences.

14 NEW SECTION. **Sec. 6.** EDUCATION FOR HEALTH CARE PROFESSIONALS.
15 The department of health may provide prenatal, obstetrical, and
16 pediatric health care services providers with appropriate educational
17 materials on the effects of substance abuse by pregnant women. The
18 educational materials may include information on identifying signs of
19 alcohol and drug usage, the effects of alcohol and drug exposure,
20 conducting medical assessments as provided for by this chapter, and
21 referring patients to appropriate treatment and services.

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

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

--- END ---