

2 ESHB 2026 - CONF REPT - S3440.4
3 By Conference Committee

4 ADOPTED 4/24/93

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

7 NEW SECTION. **Sec. 1.** The United States surgeon general warns
8 that women should not drink alcoholic beverages during pregnancy
9 because of the risk of birth defects. The legislature finds that these
10 defects include fetal alcohol syndrome, a birth defect that causes
11 permanent antisocial behavior in the sufferer, disrupts the functions
12 of his or her family, and, at an alarmingly increasing rate, extracts
13 a safety and fiscal toll on society.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 66.08 RCW
15 to read as follows:

16 The board shall cause to be posted in conspicuous places, in a
17 number determined by the board, within each state liquor store, notices
18 in print not less than one inch high warning persons that consumption
19 of alcohol shortly before conception or during pregnancy may cause
20 birth defects, including fetal alcohol syndrome and fetal alcohol
21 effects.

22 NEW SECTION. **Sec. 3.** The legislature recognizes that the use of
23 alcohol and other drugs during pregnancy can cause medical,
24 psychological, and social problems for women and infants. The
25 legislature further recognizes that communities are increasingly
26 concerned about this problem and the associated costs to the mothers,
27 infants, and society as a whole. The legislature recognizes that the
28 department of health and other agencies are focusing on primary
29 prevention activities to reduce the use of alcohol or drugs during
30 pregnancy but few efforts have focused on secondary prevention efforts
31 aimed at intervening in the lives of women already involved in the use
32 of alcohol or other drugs during pregnancy. The legislature recognizes
33 that the best way to prevent problems for chemically dependent pregnant
34 women and their resulting children is to engage the women in alcohol or

1 drug treatment. The legislature acknowledges that treatment
2 professionals find pretreatment services to clients to be important in
3 engaging women in alcohol or drug treatment. The legislature further
4 recognizes that pretreatment services should be provided at locations
5 where chemically dependent women are likely to be found, including
6 public health clinics and domestic violence or homeless shelters.
7 Therefore the legislature intends to prevent the detrimental effects of
8 alcohol or other drug use to women and their resulting infants by
9 promoting the establishment of local programs to help facilitate a
10 woman's entry into alcohol or other drug treatment. These programs
11 shall provide secondary prevention services and provision of
12 opportunities for immediate treatment so that women who seek help are
13 welcomed rather than ostracized.

14 NEW SECTION. **Sec. 4.** Unless the context clearly requires
15 otherwise, the definitions in this section apply throughout this
16 chapter.

17 (1) "Alcoholism" means a disease, characterized by a dependency on
18 alcoholic beverages, loss of control over the amount and circumstances
19 of alcohol use, symptoms of tolerance, physiological or psychological
20 withdrawal, or both, if use is reduced or discontinued, and impairment
21 of health or disruption of social or economic functioning.

22 (2) "Approved treatment program" means a discrete program of
23 chemical dependency treatment provided by a treatment program certified
24 by the department of social and health services as meeting standards
25 adopted under this chapter.

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

29 (4) "Chemically dependent individual" means someone suffering from
30 alcoholism or drug addiction, or dependence on alcohol or one or more
31 other psychoactive chemicals.

32 (5) "Department" means the department of social and health
33 services.

34 (6) "Domestic violence" is a categorization of offenses, as defined
35 in RCW 10.99.020, committed by one family or household member against
36 another.

37 (7) "Domestic violence program" means a shelter or other program
38 which provides services to victims of domestic violence.

1 (8) "Drug addiction" means a disease characterized by a dependency
2 on psychoactive chemicals, loss of control over the amount and
3 circumstances of use, symptoms of tolerance, physiological or
4 psychological withdrawal, or both, if use is reduced or discontinued,
5 and impairment of health or disruptions of social or economic
6 functioning.

7 (9) "Family or household members" means a family or household
8 member as defined in RCW 10.99.020.

9 (10) "Pretreatment" means the period of time prior to an
10 individual's enrollment in alcohol or drug treatment.

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

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

20 (13) "Secondary prevention" means identifying and obtaining an
21 assessment on individuals using alcohol or other drugs for referral to
22 treatment when indicated.

23 (14) "Secretary" means the secretary of the department of social
24 and health services.

25 (15) "Treatment" means the broad range of emergency detoxification,
26 residential, and outpatient services and care, including diagnostic
27 evaluation, chemical dependency education and counseling, medical,
28 psychiatric, psychological, and social service care, vocational
29 rehabilitation, and career counseling, that may be extended to
30 chemically dependent individuals and their families.

31 (16) "Treatment program" means an organization, institution, or
32 corporation, public or private, engaged in the care, treatment, or
33 rehabilitation of chemically dependent individuals.

34 NEW SECTION. **Sec. 5.** The secretary shall develop and promote
35 state-wide secondary prevention strategies designed to increase the use
36 of alcohol and drug treatment services by women of child-bearing age,
37 before, during, and immediately after pregnancy. These efforts are

1 conducted through the division of alcohol and substance abuse. The
2 secretary shall:

3 (1) Promote development of three pilot demonstration projects in
4 the state to be called pretreatment projects for women of child bearing
5 age.

6 (2) Ensure that two of the projects are located in public health
7 department clinics that provide maternity services and one is located
8 with a domestic violence program.

9 (3) Hire three certified chemical dependency counselors to work as
10 substance abuse educators in each of the three demonstration projects.
11 The counselors may rotate between more than one clinic or domestic
12 violence program. The chemical dependency counselor for the domestic
13 violence program shall also be trained in domestic violence issues.

14 (4) Ensure that the duties and activities of the certified chemical
15 dependency counselors include, at a minimum, the following:

16 (a) Identifying substance-using pregnant women in the health
17 clinics and domestic violence programs;

18 (b) Educating the women and agency staff on the effects of alcohol
19 or drugs on health, pregnancy, and unborn children;

20 (c) Determining the extent of the women's substance use;

21 (d) Evaluating the women's need for treatment;

22 (e) Making referrals for chemical dependency treatment if
23 indicated;

24 (f) Facilitating the women's entry into treatment; and

25 (g) Advocating on the client's behalf with other social service
26 agencies or others to ensure and coordinate clients into treatment.

27 (5) Ensure that administrative costs of the department are limited
28 to ten percent of the funds appropriated for the project.

29 NEW SECTION. **Sec. 6.** If specific funding for the purposes of
30 sections 3, 4, and 5 of this act, referencing these sections by bill
31 and section number, is not provided by June 30, 1993, in the omnibus
32 appropriations act, sections 3, 4, and 5 of this act shall be null and
33 void.

34 NEW SECTION. **Sec. 7.** Sections 4 and 5 of this act are each added
35 to Title 70 RCW."

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4 On page 1, line 1 of the title, after "syndrome;" strike the
5 remainder of the title and insert "adding a new section to chapter
6 66.08 RCW; adding new sections to Title 70 RCW; and creating new
7 sections."

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