

5480-S

Sponsor(s): Senate Committee on Human Services & Corrections (originally sponsored by Senators Patterson, Hargrove, Long, Eide, Franklin, Shin, McCaslin, Haugen, Goings, Gardner, Prentice, Kline, T. Sheldon, Wojahn, Benton, Spanel, B. Sheldon, Bauer, McAuliffe, Jacobsen, Rossi, Horn, Johnson, West, Winsley, Oke and Rasmussen)

Brief Title: Requiring identification of drug-affected infants and providing treatment services to their mothers.

SB 5480-S.E - DIGEST

(AS OF SENATE 2ND READING 3/16/99)

Provides that, in an effort to reduce the harmful effects of drug-affected infants: (1) A woman's primary health care provider shall: (i) screen pregnant and lactating women for nonprescription use of controlled substances while pregnant. Screening criteria may include, but is not limited to, the criteria developed by the department of health pursuant to chapter 70.83E RCW; (ii) convey to the infant's primary health care provider screening findings that would suggest the need for testing of the infant, or conduct the testing; (iii) inform each woman identified by screening for testing of her infant that if her infant is born drug-affected she can have a tubal ligation at no cost to her within six months following the birth if she is eligible for support under RCW 74.09.310, and how to access appropriate chemical dependency treatment.

(2) The provider shall not be liable for a decision regarding testing or reporting unless the decision amounts to gross negligence or intentional misconduct.

Provides that the health care provider of a newborn infant shall: (1) Test any infant the provider reasonably believes is drug-affected; and

(2) notify the department of the name and address of the parent or parents of a drug-affected infant.

Declares that the provider shall not be liable for a decision regarding testing or reporting unless the decision amounts to gross negligence or intentional misconduct.

Directs the department to investigate all reports received under this act.

Establishes procedures for the filing of dependency petitions.

Requires the Washington institute for public policy to evaluate the outcomes of this act and report its findings to the legislature and governor not later than December 1, 2001. The evaluation shall include: (1) The number of women who use nonprescription controlled substances during pregnancy and give birth to drug-affected infants;

(2) the number of women who use nonprescription controlled substances during pregnancy and give birth to subsequent drug-affected infants;

(3) the number of women who accept pharmaceutical pregnancy prevention while in chemical dependency treatment;

(4) the number of women who continue to engage in

pharmaceutical pregnancy prevention or other reliable pregnancy prevention methods after concluding chemical dependency treatment;

(5) the number of women who accept the offer of free tubal ligation;

(6) the rate of successful completion of chemical dependency treatment among women who enter treatment under this act;

(7) the number of dependencies filed and deferred under this act and outcomes of the deferrals; and

(8) a description of the mother's chemical dependency including identification of the drugs and/or alcohol abused.

Repeals RCW 18.57.930, 18.71.960, 18.79.904, 70.96A.330, and 70.96A.340.