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**ENGROSSED SENATE BILL 5522**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** Senators Wojahn, L. Smith, Moore, McDonald, Franklin, Deccio, Fraser, Snyder, West, Roach, Prentice, Pelz, M. Rasmussen and Erwin

Read first time 02/01/93. Referred to Committee on Health & Human Services.

1       AN ACT Relating to the use of alcohol and other drugs during  
2 pregnancy; adding new sections to Title 70 RCW; creating a new section;  
3 and making an appropriation.

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

5       NEW SECTION.   **Sec. 1.** The legislature recognizes that the use of  
6 alcohol and other drugs during pregnancy can cause medical,  
7 psychological, and social problems for women and infants. The  
8 legislature further recognizes that communities are increasingly  
9 concerned about this problem and the associated costs to the mothers,  
10 infants, and society as a whole. The legislature recognizes that the  
11 department of health and other agencies are focusing on primary  
12 prevention activities to reduce the use of alcohol or drugs during  
13 pregnancy but few efforts have focused on secondary prevention efforts  
14 aimed at intervening in the lives of women already involved in the use  
15 of alcohol or other drugs during pregnancy. The legislature recognizes  
16 that the best way to prevent problems for chemically dependent pregnant  
17 women and their resulting children is to engage the women in alcohol or  
18 drug treatment. The legislature acknowledges that treatment  
19 professionals find pretreatment services to clients to be important in

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

12 NEW SECTION. **Sec. 2.** Unless the context clearly requires  
13 otherwise, the definitions in this section apply throughout this  
14 chapter.

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

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

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

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

30 (5) "Department" means the department of social and health  
31 services.

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

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

37 (8) "Drug addiction" means a disease characterized by a dependency  
38 on psychoactive chemicals, loss of control over the amount and

1 circumstances of use, symptoms of tolerance, physiological or  
2 psychological withdrawal, or both, if use is reduced or discontinued,  
3 and impairment of health or disruptions of social or economic  
4 functioning.

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

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

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

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

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

21 (14) "Secretary" means the secretary of the department of social  
22 and health services.

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

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

32 NEW SECTION. **Sec. 3.** The secretary shall develop and promote  
33 state-wide secondary prevention strategies designed to increase the use  
34 of alcohol and drug treatment services by women of child-bearing age,  
35 before, during, and immediately after pregnancy. These efforts are  
36 conducted through the division of alcohol and substance abuse. The  
37 secretary shall:

1 (1) Promote development of four pilot demonstration projects in the  
2 state to be called pretreatment projects for women of child bearing  
3 age. Two of the pilot projects are in urban areas and two are in rural  
4 areas.

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

9 (3) Hire four certified chemical dependency counselors to work as  
10 substance abuse educators in each of the four demonstration projects.  
11 The counselors may rotate between more than one clinic, correctional  
12 facility, or domestic violence program. The 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, correctional facilities, 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. 4.** The sum of fifty thousand dollars, or as  
30 much thereof as may be necessary, is appropriated for the biennium  
31 ending June 30, 1995, from the general fund to the department of social  
32 and health services for the purposes of this act.

33 NEW SECTION. **Sec. 5.** Sections 2 and 3 of this act are each added  
34 to Title 70 RCW.

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