

SENATE BILL REPORT

SB 6538

As of January 29, 1996

Title: An act relating to defining child abuse.

Brief Description: Including in the definition of child abuse breastfeeding an infant by a mother addicted to a controlled substance.

Sponsors: Senators Prentice, Owen and Oke.

Brief History:

Committee Activity: Human Services & Corrections: 1/30/96.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Jodi Walker (786-7464)

Background: Currently, a mother may breastfeed her child while she is taking a controlled substance. Hospitals and doctors give a mother addicted to a controlled substance complete discretion to breastfeed, which can continue for six months to one year.

The most commonly abused substances that affect breastfeeding babies are cocaine, heroin, and methadones. Withdrawal symptoms include tremors, stomach cramps, diarrhea, headaches from light intolerance, lack of mouth and breath coordination, fluctuating temperature, and skin mottling. The symptoms become more severe as a child gets older and consumes more breast milk containing the controlled substances. Cocaine is currently the most prevalent controlled substance, and it can be assimilated from breast milk in a highly potent form.

Abuse or neglect of a child currently requires a report to a law enforcement agency or to the Department of Social and Health Services. Upon investigation and court hearing, a child may be taken into custody if the court finds reasonable grounds to believe the child is dependent and that the child's health, safety, and welfare will be seriously endangered if not taken into custody. After a fact-finding hearing, a parent can lose custody and the parent child relationship can be terminated.

Summary of Bill: The definition of "abuse or neglect" includes breastfeeding an infant by a mother addicted to a controlled substance.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.