

1 6051.E AMH HS H4972.1

2 ESB 6051 - 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."

1        "NEW SECTION. Sec. 2. DEFINITIONS. As used in this chapter, the  
2 terms in this section have the meanings indicated unless the context  
3 clearly requires otherwise.

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

6        (2) "Health care facility" means a hospital as licensed in chapter  
7 70.41 RCW.

8        (3) "Infant drug exposure assessment" means a procedure established  
9 in rule by the state board of health and conducted by a health care  
10 facility for screening and assessing newborn infants and mothers to  
11 identify those who have been exposed to drugs prior to birth.

12       (4) "Nonmedical purpose" means use of a controlled substance as  
13 defined in chapter 69.50 RCW for purposes other than prescribed by an  
14 authorized health care practitioner as defined in RCW 69.50.101."

15       "NEW SECTION. Sec. 3. ASSESSMENTS--UNIVERSITY OF WASHINGTON  
16 ACTIVITIES. The University of Washington, in consultation with the  
17 state department of health, shall establish standards for conducting  
18 infant drug exposure assessments to determine possible drug exposure of  
19 infants prior to birth. Such standards may be updated from time to  
20 time. To the extent possible, the standards shall ensure accurate,  
21 fair, and consistent medical assessments of newborn infants. The  
22 standards shall ensure that assessments are conducted on a  
23 nondiscriminatory basis. The department of health shall make available  
24 to every health care facility the standards for the purposes of  
25 conducting such assessments at those facilities."

26       "NEW SECTION. Sec. 4. ASSESSMENTS--USE--CONFIDENTIALITY OF  
27 ASSESSMENTS. (1) Health care facilities may conduct infant drug  
28 exposure assessments of newborn infants delivered at the facility to

1 determine the presence of drugs acquired through exposure from the  
2 mother. Such assessments shall be conducted on a nondiscriminatory  
3 basis and should be initiated prior to the discharge of the infant.  
4 The purpose of the assessment shall be to determine the need for  
5 immediate and postdischarge medical care, drug treatment, and support  
6 services for the mother and child.

7 (2) The results of the infant drug exposure assessments shall not  
8 be used in any criminal proceeding as evidence of either guilt or  
9 innocence."

10 "NEW SECTION. **Sec. 5.** INTERAGENCY COORDINATION OF SERVICE  
11 DELIVERY. The department of social and health services and the  
12 department of health shall assure that the delivery of available  
13 services to chemically dependent pregnant women and chemically  
14 dependent mothers and infants are coordinated so that (1) all available  
15 medical and support services offered through or paid by the agencies  
16 are provided to the extent of available resources, (2) existing  
17 community-based services are identified and utilized, (3) to the extent  
18 feasible, services be offered jointly to the mother and infant in a  
19 manner that promotes and preserves positive bonding of the mother and  
20 infant, (4) possible long-term developmental disabilities are  
21 identified early to minimize adverse health consequences, and (5) the  
22 department of social and health services and the department of health  
23 are able to track clients and the services they receive across programs  
24 and agency lines."

25 "NEW SECTION. **Sec. 6.** EDUCATION FOR HEALTH CARE PROFESSIONALS.  
26 The department of health may consult with the University of Washington  
27 and the disciplining authorities for each health care profession under  
28 RCW 18.130.040 whose license holders provide prenatal, obstetrical, and

1 pediatric services and may prepare and distribute appropriate  
2 educational material to such license holders on the effects of  
3 substance abuse by pregnant women. The training and education may  
4 include information on identifying signs of drug usage, the effects of  
5 drug exposure, conducting medical assessments as provided for by this  
6 chapter, and referring patients to appropriate treatment and services."

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

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

11 "NEW SECTION. **Sec. 9.** The sum of forty-five thousand dollars, or  
12 as much thereof as may be necessary, is appropriated for the biennium  
13 ending June 30, 1993, from the general fund to the University of  
14 Washington for the purposes of this act."

15 **ESB 6051** - H COMM AMD  
16 By Committee on Human Services

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18 On page 1, line 1 of the title, after "drugs;" strike the remainder  
19 of the title and insert "adding a new chapter to Title 70 RCW; creating  
20 a new section; and making an appropriation."