

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 2026**

Chapter 422, Laws of 1993

53rd Legislature  
1993 Regular Session

FETAL ALCOHOL SYNDROME PREVENTION

EFFECTIVE DATE: 7/25/93

Passed by the House April 24, 1993  
Yeas 93 Nays 1

BRIAN EBERSOLE  
**Speaker of the  
House of Representatives**

Passed by the Senate April 24, 1993  
Yeas 44 Nays 0

JOEL PRITCHARD  
**President of the Senate**

Approved May 15, 1993

MIKE LOWRY  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2026** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
**Chief Clerk**

FILED

May 15, 1993 - 1:37 p.m.

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE HOUSE BILL 2026

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AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 1993 Regular Session

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Karahalios, Wood, Leonard and Kessler)

Read first time 03/03/93.

1 AN ACT Relating to notice about fetal alcohol syndrome; adding a  
2 new section to chapter 66.08 RCW; adding new sections to Title 70 RCW;  
3 and creating new sections.

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

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

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

14 The board shall cause to be posted in conspicuous places, in a  
15 number determined by the board, within each state liquor store, notices  
16 in print not less than one inch high warning persons that consumption  
17 of alcohol shortly before conception or during pregnancy may cause

1 birth defects, including fetal alcohol syndrome and fetal alcohol  
2 effects.

3 NEW SECTION. **Sec. 3.** The legislature recognizes that the use of  
4 alcohol and other drugs during pregnancy can cause medical,  
5 psychological, and social problems for women and infants. The  
6 legislature further recognizes that communities are increasingly  
7 concerned about this problem and the associated costs to the mothers,  
8 infants, and society as a whole. The legislature recognizes that the  
9 department of health and other agencies are focusing on primary  
10 prevention activities to reduce the use of alcohol or drugs during  
11 pregnancy but few efforts have focused on secondary prevention efforts  
12 aimed at intervening in the lives of women already involved in the use  
13 of alcohol or other drugs during pregnancy. The legislature recognizes  
14 that the best way to prevent problems for chemically dependent pregnant  
15 women and their resulting children is to engage the women in alcohol or  
16 drug treatment. The legislature acknowledges that treatment  
17 professionals find pretreatment services to clients to be important in  
18 engaging women in alcohol or drug treatment. The legislature further  
19 recognizes that pretreatment services should be provided at locations  
20 where chemically dependent women are likely to be found, including  
21 public health clinics and domestic violence or homeless shelters.  
22 Therefore the legislature intends to prevent the detrimental effects of  
23 alcohol or other drug use to women and their resulting infants by  
24 promoting the establishment of local programs to help facilitate a  
25 woman's entry into alcohol or other drug treatment. These programs  
26 shall provide secondary prevention services and provision of  
27 opportunities for immediate treatment so that women who seek help are  
28 welcomed rather than ostracized.

29 NEW SECTION. **Sec. 4.** Unless the context clearly requires  
30 otherwise, the definitions in this section apply throughout this  
31 chapter.

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

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

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

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

11 (5) "Department" means the department of social and health  
12 services.

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

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

18 (8) "Drug addiction" means a disease characterized by a dependency  
19 on psychoactive chemicals, loss of control over the amount and  
20 circumstances of use, symptoms of tolerance, physiological or  
21 psychological withdrawal, or both, if use is reduced or discontinued,  
22 and impairment of health or disruptions of social or economic  
23 functioning.

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

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

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

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

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

1 (14) "Secretary" means the secretary of the department of social  
2 and health services.

3 (15) "Treatment" means the broad range of emergency detoxification,  
4 residential, and outpatient services and care, including diagnostic  
5 evaluation, chemical dependency education and counseling, medical,  
6 psychiatric, psychological, and social service care, vocational  
7 rehabilitation, and career counseling, that may be extended to  
8 chemically dependent individuals and their families.

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

12 NEW SECTION. **Sec. 5.** The secretary shall develop and promote  
13 state-wide secondary prevention strategies designed to increase the use  
14 of alcohol and drug treatment services by women of child-bearing age,  
15 before, during, and immediately after pregnancy. These efforts are  
16 conducted through the division of alcohol and substance abuse. The  
17 secretary shall:

18 (1) Promote development of three pilot demonstration projects in  
19 the state to be called pretreatment projects for women of child bearing  
20 age.

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

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

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

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

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

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

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

37 (e) Making referrals for chemical dependency treatment if  
38 indicated;

1 (f) Facilitating the women's entry into treatment; and  
2 (g) Advocating on the client's behalf with other social service  
3 agencies or others to ensure and coordinate clients into treatment.  
4 (5) Ensure that administrative costs of the department are limited  
5 to ten percent of the funds appropriated for the project.

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

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

Passed the House April 24, 1993.

Passed the Senate April 24, 1993.

Approved by the Governor May 15, 1993.

Filed in Office of Secretary of State May 15, 1993.