

# MAINE STATE LEGISLATURE

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L.D. 257

Date: 5/23/13 minority

(Filing No. H-235)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 194, L.D. 257, Bill, "An Act To Protect Newborns Exposed to Drugs or Alcohol"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 22 MRSA §4002, sub-§5-B is enacted to read:

**5-B. Fetal alcohol spectrum disorders.** "Fetal alcohol spectrum disorders" means conditions whose effects include having facial characteristics, growth restriction, central nervous system abnormalities or other characteristics consistent with prenatal alcohol exposure identified in a child from birth to 12 months of age.

Sec. 2. 22 MRSA §4004-B, as enacted by PL 2003, c. 673, Pt. Z, §1, is amended to read:

**§4004-B. Infants born affected by substance abuse or after prenatal exposure to drugs or with fetal alcohol spectrum disorders**

The department shall act to protect infants born identified as being affected by illegal substance abuse ~~or suffering from demonstrating~~ withdrawal symptoms resulting from prenatal drug exposure, whether ~~or not~~ the prenatal exposure was to legal or illegal drugs, or having fetal alcohol spectrum disorders, regardless of whether ~~or not~~ the infant is abused or neglected. The department shall:

**1. Receive notifications.** Receive ~~reports~~ notifications of infants who may be affected by illegal substance abuse or ~~suffering from demonstrating~~ withdrawal symptoms resulting from prenatal drug exposure or who have fetal alcohol spectrum disorders;

**2. Investigate.** Promptly investigate ~~all reports~~ notifications received of infants born who may be affected by illegal substance abuse or ~~suffering from demonstrating~~ withdrawal symptoms resulting from prenatal drug exposure or who have fetal alcohol spectrum disorders as determined to be necessary by the department to protect the infant;

**COMMITTEE AMENDMENT**



ROFS

COMMITTEE AMENDMENT "B" to H.P. 194, L.D. 257

1 Services by a health care provider involved in the delivery or care of an infant with  
2 prenatal exposure to drugs as follows:

3 1. The amendment changes "reports" to the department to "notifications" to the  
4 department and changes "suffering from withdrawal symptoms" to "demonstrating  
5 withdrawal symptoms";

6 2. The amendment repeals the requirement that the department investigate all reports  
7 and authorizes the department to investigate as it determines to be necessary to protect an  
8 infant for whom the department has received notification; and

9 3. The amendment defines "fetal alcohol spectrum disorders" and adds it to the  
10 conditions of an infant that require notification to the department.

11 **FISCAL NOTE REQUIRED**

12 **(See attached)**



# 126th MAINE LEGISLATURE

LD 257

LR 519(03)

**An Act To Protect Newborns Exposed to Drugs or Alcohol**

**Fiscal Note for Bill as Amended by Committee Amendment**

*B (H-235)*

**Committee: Health and Human Services**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services are expected to be minor and can be absorbed within existing budgeted resources.