

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 7281

BILL NUMBER: HB 1447

NOTE PREPARED: Jan 11, 2011

BILL AMENDED:

SUBJECT: Maternal and Newborn Drug Screening.

FIRST AUTHOR: Rep. Cheatham

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ___ **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: This bill has the following provisions:

- (1) Establishes a maternal and newborn drug screening protocol to standardize testing of: (a) maternal patients for drug use during pregnancy; and (b) drug impaired newborns.
- (2) Establishes the purposes of the drug screening protocol.
- (3) Lists factors for a physician to consider in deciding whether to order maternal or newborn drug testing.
- (4) Specifies that no single indicator justifies maternal or newborn drug testing and that the decision to order the testing must be based on the physician's best medical judgment after considering the totality of the circumstances.
- (5) Requires the Department of Child Services (DCS) to do the following: (a) Develop procedures for child abuse and neglect investigations involving drug impaired fetuses and newborns. (b) Implement a plan to establish response teams for drug impaired fetuses and newborns throughout Indiana.
- (6) Provides that whenever a child abuse or neglect case involves a drug impaired fetus or newborn, the County Office of Family and Children shall require the mother of the fetus or newborn to participate in a substance abuse treatment plan.
- (7) Requires the response team for drug impaired infants to meet on a regular basis to: (a) review the status of the treatment plan and the progress of the family; and (b) recommend changes, if any.
- (8) Requires the County Office of Family and Children to file a child in need of services (CHINS) petition if the mother refuses to voluntarily cooperate with the treatment plan.

Effective Date: July 1, 2011.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been*

completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Bill Brumbach, 232-9559.