

§4011-B. Notification of prenatal exposure to drugs or having a fetal alcohol spectrum disorder

1. Notification of prenatal exposure to drugs or having a fetal alcohol spectrum disorder. A health care provider involved in the delivery or care of an infant who the provider knows or has reasonable cause to suspect has been born affected by substance use, has withdrawal symptoms that require medical monitoring or care beyond standard newborn care when those symptoms have resulted from or have likely resulted from prenatal drug exposure, whether the prenatal exposure was to legal or illegal drugs, or has a fetal alcohol spectrum disorder shall notify the department of that condition in the infant. The notification required by this subsection must be made in the same manner as reports of abuse or neglect required by this subchapter.

A. This section, and any notification made pursuant to this section, may not be construed to establish a definition of "abuse" or "neglect." [PL 2003, c. 673, Pt. Z, §5 (NEW).]

B. This section, and any notification made pursuant to this section, may not be construed to require prosecution for any illegal action, including, but not limited to, the act of exposing a fetus to drugs or other substances. [PL 2003, c. 673, Pt. Z, §5 (NEW).]

[PL 2019, c. 342, §3 (AMD).]

2. Definition. For purposes of this section, "health care provider" means a person described in section 4011-A, subsection 1, paragraph A, subparagraphs (1) to (10), (15), (17) to (20) or (22) or any person who assists in the delivery or birth of a child for compensation, including, but not limited to, a midwife.

[PL 2003, c. 673, Pt. Z, §5 (NEW).]

SECTION HISTORY

PL 2003, c. 673, §Z5 (NEW). PL 2013, c. 192, §3 (AMD). PL 2017, c. 407, Pt. A, §84 (AMD). PL 2019, c. 342, §3 (AMD).

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