

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

The department shall act to protect infants born identified as being affected by substance use or withdrawal symptoms resulting from prenatal drug exposure, whether the prenatal exposure was to legal or illegal drugs, or having a fetal alcohol spectrum disorder, regardless of whether the infant is abused or neglected. The department shall: [PL 2019, c. 342, §2 (AMD).]

**1. Receive notifications.** Receive notifications of infants who may be affected by substance use or withdrawal symptoms resulting from prenatal drug exposure or who have a fetal alcohol spectrum disorder; [PL 2019, c. 342, §2 (AMD).]

**2. Investigate.** Promptly investigate notifications received of infants born who may be affected by substance use or withdrawal symptoms resulting from prenatal drug exposure or who have a fetal alcohol spectrum disorder as determined to be necessary by the department to protect the infant; [PL 2019, c. 342, §2 (AMD).]

**3. Determine if infant is affected.** Determine whether each infant for whom the department conducts an investigation is affected by substance use or withdrawal symptoms resulting from prenatal drug exposure or has a fetal alcohol spectrum disorder; [PL 2019, c. 342, §2 (AMD).]

**4. Determine if infant is abused or neglected.** Determine whether the infant for whom the department conducts an investigation is abused or neglected and, if so, determine the degree of harm or threatened harm in each case; [PL 2013, c. 192, §2 (AMD).]

**5. Develop plan for safe care.** For each infant who the department determines to be affected by substance use or withdrawal symptoms resulting from prenatal drug exposure or who has a fetal alcohol spectrum disorder, develop, with the assistance of any health care provider involved in the caregiver's or the child's medical or mental health care, a plan for the safe care of the infant and, in appropriate cases, refer the child or caregiver or both to a social service agency, a health care provider or a voluntary substance use disorder prevention service. For purposes of this subsection, "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); and [PL 2019, c. 342, §2 (AMD).]

**6. Comply with section 4004.** For each infant who the department determines to be abused or neglected, comply with section 4004, subsection 2, paragraphs E and F. [PL 2019, c. 342, §2 (AMD).]

**SECTION HISTORY**

PL 2003, c. 673, §Z1 (NEW). PL 2013, c. 192, §2 (AMD). PL 2017, c. 407, Pt. A, §83 (AMD). PL 2019, c. 342, §2 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 129th Maine Legislature and is current through October 1, 2020. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.