

MedChi

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TO: The Honorable Joseph F. Vallario, Jr., Chairman
Members, House Judiciary Committee

FROM: Joseph A. Schwartz, III
Pamela Metz Kasemeyer
J. Steven Wise

DATE: February 21, 2013

RE: **SUPPORT** – House Bill 245 – *Family Law – Substance-Exposed Newborns*

The Maryland State Medical Society (MedChi), which represents over 7,500 Maryland physicians and their patients, supports House Bill 245.

The federal Child Abuse Prevention and Treatment Act (CAPTA) requires states to establish programs and/or reporting requirements to identify and address the needs of newborn infants that are born substance-exposed or exhibit signs of fetal alcohol spectrum disorder. Legislation introduced last year would have implemented the CAPTA requirements by amending the general child abuse and neglect mandatory report section of the law. MedChi objected to that approach as it believed it did not appropriately reflect the balance necessary to protect the interests of both mother and child. Furthermore, it would have created significant disincentives for pregnant women to access prenatal and obstetrical services thereby creating significant risk to the newborn for failure to seek appropriate health care services. Fortunately that bill received an unfavorable report.

During the interim, the Department of Human Resources (DHR) worked collaboratively with the relevant stakeholders to craft House Bill 245. MedChi appreciates the commitment of the Department to address the various concerns of the interested parties and to craft a legislative proposal that provides the appropriate balance of interests. Passage of House Bill 245 will strengthen the state's ability to better address the needs of a substance exposed newborn. Immediate and proactive assessment will enable the Department to connect families in need of assistance with necessary resources including treatment and provide necessary follow-up, oversight, and support. MedChi urges a favorable report.

For more information call:

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