

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE DRS45307-LU-56D (02/11)

Short Title: Reporting of Substance-Exposed Newborns. (Public)

Sponsors: Senators D. Davis, Pate, and B. Jackson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE USE OF DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES, DIVISION OF SOCIAL SERVICES, POLICIES REGARDING
4 APPROACHES TO ADDRESSING THE REPORTING OF SUBSTANCE-EXPOSED
5 NEWBORNS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 3 of Chapter 7B of the General Statutes is amended by adding
8 a new section to read:

9 **"§ 7B-300A. Reporting of substance-exposed newborns.**

10 (a) The General Assembly recognizes that there are instances when children are born
11 having been exposed to addictive substances and that such situations may require a child
12 protective services social worker to approach the situation with certain sensitivities and a level
13 of awareness of this special population of children. For purposes of this section, "special
14 population" refers to children who are at greater risk because of various physical, emotional,
15 cultural, or environmental factors that make children more vulnerable to abuse or less able to
16 communicate their fears.

17 (b) To that end, county departments of social services shall use the policies developed
18 from time to time by the Department of Health and Human Services, Division of Social
19 Services, regarding the development of protection plans for substance-exposed newborns and
20 the conduct of child protective services assessments of those newborns, when based on various
21 factors, an assessment is warranted. Further, pursuant to the policies set forth by the Division,
22 county departments of social services shall use the structured decision-making tools and family
23 services agreements throughout the life of substance-exposed newborn cases to ensure the
24 well-being of the newborn and a safe living environment for the newborn, as well as address
25 any other issues regarding the newborn, including, but not limited to, (i) the need for medical
26 care appointments, (ii) access and cooperation with health care resources, (iii) the parent's
27 participation in substance abuse treatment, (iv) the need for routine substance abuse screenings,
28 and (v) visitation planning if the child is placed out of the home."

29 **SECTION 2.** This act is effective when it becomes law.

