

Fetal Alcohol Spectrum Disorders Legislation Report (As of October 2008)

INTRODUCTION

The Substance Abuse and Mental Health Services Administration (SAMHSA) Fetal Alcohol Spectrum Disorders (FASD) Center for Excellence (the Center) is a federally funded initiative devoted to preventing and addressing FASD. The Center has joined the National Institute on Alcohol Abuse and Alcoholism, the Centers for Disease Control and Prevention, and others in adopting the term Fetal Alcohol Spectrum Disorders to describe the wide range of problems that can develop when a fetus is exposed to alcohol in the womb. The Center provides resources and information on FASD to expand the knowledge base and promote best practices in both FASD prevention and treatment.

One of the many resources and products the Center offers is the FASD Legislation Report. The FASD Legislation Report is a bi-annual report that includes legislation related to FASD introduced since 2003. This latest report updates the December 2007 report, including legislation introduced, updated, or passed through October 2008.

METHODOLOGY

The FASD legislative report is compiled by searching State legislative databases using the search terms in Table 1.0. Since 2003, the Center has identified 147 FASD-related bills, distributed across 35 States (see Table 1.4). Of these, 15 bills have been withdrawn or defeated (see Table 1.5).

The FASD-related bills identified in this report are categorized as follows:

1. **Criminalization**—legislation that either prohibits or enables prosecution of women for alcohol use during pregnancy or giving birth to a child affected by an FASD.
2. **Funding**—legislation appropriating funds for FASD prevention or treatment.
3. **Involuntary Commitment**—legislation permitting a State to involuntarily commit a woman into treatment where there is evidence of alcohol use during pregnancy.
4. **Prevention**—research, public information, awareness, and warning signs.
5. **Treatment**—treatment for individuals affected by an FASD or for women who drink during pregnancy.
6. **Requirements for Professionals**—including teacher certification, physician licensing, mandatory training, and reporting requirements.

SUMMARY

Legislation in 2008

In 2008, 24 bills were introduced across 15 States. States that introduced FASD-related legislation in 2008 are presented in Table 1.2. Two States, California and Oklahoma, introduced and passed legislation for the first time since 2003. The legislation introduced in these two States

involved treatment and prevention of FASD. Additionally, legislative action in 2008 was almost equally represented across the foregoing categories. Of the 24 bills introduced, 4 bills passed.

Notable Trends since 2003

- Seven bills were introduced that addressed the posting of warning signs or notices in establishments selling alcohol. These bills are categorized under Prevention.
- Twelve out of 23 bills introduced in the Treatment category refer to the treatment of women as opposed to the treatment of individuals affected by FASD.
- Of the 147 bills introduced, 55 bills passed.
 - 2003: 4 passed
 - 2004: 10 passed
 - 2005: 10 passed
 - 2006: 3 passed
 - 2007: 23 passed
 - 2008: 5 passed
- Fifteen States introduced 35 pieces of legislation on Funding; 7 bills were passed.
 - 2003: Hawaii
 - 2004: Missouri, Minnesota
 - 2005: Alaska, Maine, Missouri, Montana, New Mexico
 - 2006: Missouri, Nebraska, New Mexico
 - 2007: Arkansas, Connecticut, Minnesota, Nebraska, Nevada, New Mexico, Ohio, Oregon
 - 2008: Florida, Illinois, Missouri
- Twelve States have introduced 23 pieces of legislation dealing with Criminalization, as defined above. Eight have passed.
 - Eighteen pieces of legislation address the definition of child abuse and neglect, which may aid in the prosecution of a woman who has given birth to a child with an FASD
 - Two pieces of legislation prohibit the prosecution of a woman who has given birth to a child with an FASD
 - Three pieces of legislation are unclear as to their intentions

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Table 1.0 Search Terms Used

Search Terms	
Alcohol-Related	Drug Exposed
Alcohol-Related Neurological Disorder	Fetal Alcohol Syndrome
Alcohol-Related Neurodevelopmental Disorders	Fetal Alcohol Spectrum Disorders
Alcohol Consumption During Pregnancy	Prenatal Alcohol Exposure
Pregnancy Alcohol	Prenatal Alcohol

Table 1.1 States that Introduced FASD-Related Legislation from 2003–2008

States that Introduced FASD-Related Legislation		
Alaska	Louisiana	New York
Arizona	Maine	North Carolina
California	Maryland	Oklahoma
Colorado	Michigan	Oregon
Connecticut	Minnesota	Pennsylvania
Delaware	Missouri	Rhode Island
Florida	Montana	Texas
Hawaii	Nebraska	Utah
Idaho	Nevada	Virginia
Illinois	New Hampshire	Washington
Indiana	New Jersey	Wisconsin
Kentucky	New Mexico	

Table 1.2 States that Introduced FASD-Related Legislation in 2008

States with FASD-Related Legislation Introduced in 2008		
Alaska	Idaho	New Jersey
Arizona	Illinois	New York
California	Louisiana	Oklahoma
Florida	Minnesota	Pennsylvania
Hawaii	Missouri	Virginia

Table 1.3 FASD-Related Legislation Subject Categories from 2003–2008

Type of Bill	2003	2004	2005	2006	2007	2008	Total
Treatment	1	2	2	5	7	6	23
Involuntary Commitment	0	0	0	1	2	0	3
Prevention	3	10	9	7	21	4	54
Funding	2	3	6	4	15	5	35
Criminalization	2	1	3	2	10	5	23
Requirements for Professionals	0	3	2	0	0	4	9
Total	8	19	22	19	55	24	147

Table 1.4 FASD-Related State Legislation Introduced or Passed from 2003–2008 (Information sorted by State. The most recent legislation for each State is listed first. If there is an electronic version available via the States' Web site it can be accessed by clicking on the bill number.)

State	Bill Number	Category	Description	Introduced	Status
AK	HB300 SB267 SB252	Requirements for Professionals	Section 1. AS 08.64 is amended by adding a new section to article 3 to read: Sec. 08.64.364. health care professionals to document an infant's prenatal exposure to alcohol. (a) For the purpose of screening for fetal alcohol spectrum disorder, a person licensed under this chapter attending or making a postnatal examination of a mother and infant shall document the infant's prenatal exposure to alcohol in the infant's medical file, if the mother provides her consent to the inclusion of the information in the infant's medical file. The documentation must be in the form required by the department. (b) Information received under this section may not be used except for the purposes of providing medical diagnosis, treatment, or care. (c) In this section, "infant" means a child who is less than 12 months of age.	2008	HB300: Referred to Committee on Labor and Commerce 01/15/2008 SB267: Referred to Committee on Health, Education, and Social Services 02/13/2008 SB252: Referred to Committee on Health, Education, and Social Services 01/28/2008
AK	HB239	Prevention	The department shall grant a priority to a proposed program or project if the proposed program or project provides prompt <u>substance abuse treatment for a pregnant woman</u> by advancing the woman on a waiting list for the program or project and by streamlining paperwork for admission of the woman to the program.	2007	Referred to the Health, Education and Social Services and Finance Committees 04/17/2007

State	Bill Number	Category	Description	Introduced	Status
AK	HB312	Involuntary Commitment	An act relating to pregnant women; requiring hospitals, schools, and alcohol licensees and permittees to distribute information about <u>fetal alcohol effects and fetal alcohol syndrome</u> ; relating to the consumption of alcoholic beverages by and the sale or service of alcoholic beverages to a pregnant woman; requiring involuntary commitment of a pregnant woman who has consumed alcohol; creating a fund for the prevention and treatment of fetal alcohol syndrome and fetal alcohol effects; relating to fines and to the taking of permanent fund dividends for selling or serving alcoholic beverages to pregnant women; and increasing taxes on sales of alcoholic beverages to fund treatment and education related to fetal alcohol syndrome and fetal alcohol effects.	2006	Referred to Finance Committee 01/16/2008
AK	HJR31	Prevention	Be it resolved by the Alaska State Legislature that September 9, 2006, be designated as <u>Fetal Alcohol Spectrum Disorders Awareness Day</u> ; and be it...further resolved that the people of the state observe a moment of reflection on the ninth hour of September 9, 2006, to remember that during the nine months of pregnancy a woman should not consume alcohol.	2006	Legislation resolved 08/30/2006 Permanently filed 09/15/2006

State	Bill Number	Category	Description	Introduced	Status
AK	HB408	Criminalization	Sec. 8 AS 47.17 is amended by adding a new section to read: Sec. 47.17.024. Duties of practitioners of the healing arts. (a) A practitioner of the healing arts involved in the delivery or care of a child who the practitioner determines has been adversely affected by, or who is withdrawing from <u>exposure to, a controlled substance or alcohol</u> shall immediately notify the nearest office of the department of the child's condition.	2006	Signed into law 05/03/2006
AK	HB67	Funding	The Department of Health and Social Services will establish specific "evidence based" prevention programs at the community level through a competitive Request for Proposal (RFP). The department will also develop a clear plan for evaluation and program outcomes to better document the successes of Alaska's prevention efforts. The Plan must be presented to the Legislative Budget and Audit Committee prior to the beginning of the 2006 legislative session, or to the House and Senate Finance Committees by February 1, 2006 for approval. Upon approval of the Plan, up to \$2,000,000 in TANF Bonus award funding may be made available for alcohol and drug program expansion. The amount of the funding will be prorated based on timing and realistic use of funds. AK <u>Fetal Alcohol Syndrome Program</u> \$6,424,400	2005	Passed on 05/24/2005

State	Bill Number	Category	Description	Introduced	Status
AZ	HB 2704	Criminalization	Section 1. Section 8-201, Arizona Revised Statutes, is amended to read: ... 22. "Neglect" or "neglected" means: ... (d) Diagnosis by a health Professional of an infant under one year of age with clinical findings consistent with fetal alcohol syndrome or fetal alcohol effects.	2008	Held in Senate 03/31/2008
AZ	H2024	Criminalization	Makes determination of what constitutes neglect of a child which may include drug or alcohol abuse of the child's parent, guardian or custodian or the use by the mother of a dangerous drug, a narcotic drug or <u>alcohol during pregnancy</u> if at birth or within a year after birth the child is demonstrably adversely affected by this use...	2003	Enacted 12/18/2003
AR	SB 446	Funding	New Specialized Women's Services appropriation of \$5,000,000 each year for the expansion, enhancement, and evaluation of substance abuse treatment services for pregnant women and women with children to offer Specialized Women's Services.	2007	Became Act 758

State	Bill Number	Category	Description	Introduced	Status
CA	AB 2129	Treatment	This bill would require the department, in collaboration with the State Department of Alcohol and Drug Programs, no later than January 1, 2010, to develop, coordinate, and oversee the implementation of a model program for the universal screening, assessment, referral, and treatment of pregnant women and women of childbearing age who are suffering from drug and alcohol abuse. The bill would also require the State Department of Public Health, in collaboration with the State Department of Alcohol and Drug Programs, to identify, and provide assistance to, counties in the state that may elect to participate in the program, and to facilitate the implementation of model strategies for the screening and treatment of substance abuse problems in women of childbearing age in those counties.	2008	In Committee on Appropriations as of 05/22/2008
CA	AB 962	Treatment	Section 1. (a) The Legislature finds and declares all of the following:... (2) The need for speech-language pathology services is increasing with...increasing numbers of babies with fetal alcohol syndrome,... (b) Therefore, it is the intent of the Legislature to explore the development of additional community college speech-language pathology assistant training programs, and to require the Superintendent of Public Instruction to distribute information to school districts and county offices of education to encourage the appropriate utilization of licensed speech-language pathology assistants under the supervision of qualified professionals.	2007	Chaptered by Secretary of State on 10/14/2007

State	Bill Number	Category	Description	Introduced	Status
CO	HB1024	Treatment	Concerns child care, and in connection with child care, making modifications to certain statutes affecting foster care child placement agencies; defines medical foster care which provides home-based care for medically fragile children and youth impacted by <u>prenatal drug and alcohol abuse</u> .	2003	Enacted 05/22/2003
CT	HB5076	Funding	The sum of three hundred fifty thousand dollars will be appropriated to the Department of Public Health, from the General Fund, for the fiscal year ending June 30, 2008, to establish a <u>Fetal and Infant Mortality Review program</u> .	2007	Favorable change of reference, Senate to Appropriations Committee 03/29/2007
CT	SB165	Prevention	Section 1. <i>(Effective July 1, 2006)</i> The Commissioner of Mental Retardation, in consultation with the Commissioner of Public Health, shall develop a public awareness campaign designed to (1) educate people about <u>fetal alcohol syndrome</u> , the most common known cause of mental retardation, (2) reduce the number of women who drink alcohol during pregnancy, and (3) reduce the incidence of fetal alcohol syndrome in the state. Section 2. <i>(Effective July 1, 2006)</i> The sum of twenty-five thousand dollars is appropriated to the Department of Mental Retardation, from the General Fund, for the fiscal year ending June 30, 2007, for the purpose of developing a fetal alcohol syndrome public awareness campaign pursuant to section 1 of this act.	2006	Referred to Committee on Public Health 02/16/2006

State	Bill Number	Category	Description	Introduced	Status
DE	HB75	Prevention	Section 1769A. Requires that written and <u>verbal warnings be given to pregnant patients relating to the dangerous effects of alcohol</u> , cocaine, marijuana, heroin, and other narcotics on a pregnancy.	2005	Signed 07/12/2005
FL	HB25 SB1104	Funding	Designates act "Fetal Alcohol Syndrome Prevention Act"; directs DOH & DCFS to maintain Fetal Alcohol Spectrum Disorders Prevention Network; requires establishment of system for assessing charges for specified services; requires DOH, DCFS, & DABT of DBPR to provide access to information regarding fetal alcohol spectrum disorders on Internet websites; provides for voluntary admission of expectant mother for alcohol abuse treatment services, etc. Appropriation: \$17,663,000.	2008	HB25: Died in Healthcare Council 05/02/2008 SB1104: Died in Committee on Health Policy 05/02/2008

State	Bill Number	Category	Description	Introduced	Status
FL	HB1239	Involuntary Commitment	Creates <u>Fetal Alcohol Syndrome Prevention Act</u> ; directs DOH & DCF to maintain a Fetal Alcohol Syndrome Prevention Network; requires establishment of system for assessing charges for specified services; requires DOH, DCF, & DABT of DBPR to provide access to information regarding Fetal Alcohol Syndrome on Internet websites; provides for voluntary admission of an expectant mother for alcohol abuse treatment services; provides criteria for involuntary admission of an expectant mother, including protective custody, emergency admission, & other involuntary assessment, involuntary treatment, & alternative involuntary assessment for minors for purposes of assessment & stabilization & for involuntary treatment; requires described health warning signs to be displayed by alcohol beverage vendors; requires DAB&T of DB&PR to produce & distribute signs; directs DOH to contract with Florida Center for Child & Family Development to establish <u>Fetal Alcohol Spectrum Disorders diagnostic & intervention centers</u> & to develop & provide professional training.	2007	Died in Committee on Health Quality 05/04/2007

State	Bill Number	Category	Description	Introduced	Status
FL	SB2272	Prevention	Requires Health Dept. to develop public education program to inform public re detrimental effects of <u>fetal alcohol syndrome</u> ; provides that pregnant woman who requests evaluation for counseling or treatment services to minimize risk of alcohol exposure to her unborn child may obtain such evaluation at any licensed service provider participating in <u>fetal alcohol syndrome</u> prevention network, etc. Amends Ch. 397; creates 562.063.	2007	Died in Committee on Judiciary on 05/07/2007
HI	HB 2881	Treatment	The purpose of this Act is to establish a clinic to address Hawaii's current lack of facilities equipped to provide comprehensive prenatal and postpartum care to women who have a history of methamphetamine and other substance abuse, including alcohol and tobacco. The clinic will provide care at one location, and the care will include nonjudgmental substance abuse counseling, parenting classes, social service resources, and legal services.	2008	Bill scheduled for Conference Committee Meeting on 04/25/2008
HI	HB908 SB1062	Prevention	Amends Section 321-426 of the Hawaii State Code so that fees collected for marriage licenses pursuant to Section 572-6 are deposited into the <u>birth defects special fund</u> The department or its authorized agents shall also furnish to each applicant for a civil union license information, to be provided by the department, relating to population stabilization, family planning, birth control, fetal alcohol and drug syndromes...	2007	Carried over to 2008 Regular Session

State	Bill Number	Category	Description	Introduced	Status
HI	HB2109	Prevention	Section 2. There is established within the family health services division of the department of health one full-time equivalent permanent professional <u>fetal alcohol spectrum disorder</u> coordinator position.	2006	Received notice of passage on Final Reading in House (Hse. Com. No. 850). 05/04/2006
HI	HB2045 SB2132	Treatment	The purpose of this Act is to establish a pilot clinic to address Hawaii's current lack of facilities equipped to provide comprehensive <u>prenatal, delivery, and postpartum</u> care to <u>women</u> who have a history of methamphetamine and other <u>substance abuse, including alcohol</u> and tobacco.	2006	HB2045: Received notice of passage on Final Reading in House (Hse. Com. No. 850) 05/04/2006 SB2132: Passed Second Reading as amended in (HD 1) and referred to the House Committees on Higher Education 03/17/2006
HI	HCR141 HR98 SCR76 SR36	Prevention	Requesting the Department of Health to establish a coordinated statewide effort to address <u>fetal alcohol spectrum disorder</u> .	2004	Adopted 04/16/2004
HI	HB1031 SB634	Funding	Appropriates \$100,000 in both fiscal years 2003-2004 and 2004-2005 for two counselors on Maui to treat women incarcerated on drug-related charges. The bill quotes statistics for births affected by maternal substance abuse and the societal cost of <u>fetal alcohol syndrome</u> as part of its consideration in making the appropriation.	2003	Carried over to 2004 regular session 08/21/2003

State	Bill Number	Category	Description	Introduced	Status
ID	H0466	Prevention	Adds to existing law relating to <u>birth defects from alcohol</u> ; to encourage certain establishments to post warning notices relating to birth defects caused by consumption of alcohol, spirits, wine or beer; to provide for the designing and printing of the warning notices by the Department of Health and Welfare, Division of Behavioral Health; to provide for the distribution of the notices by the Alcohol Beverage Control Division of the Idaho State Police; and to authorize the Department of Health and Welfare to promulgate rules to provide a process of recognition.	2008	Senate introduction to Health and Welfare Committee 02/21/2008
ID	H0165	Prevention	Adds to existing law to provide for certain warning notices relating to <u>birth defects caused by consumption of alcohol</u> , spirits, wine or beer; and to provide for the designing and printing of warning notices by the department of Health and Welfare and the distribution of the notices by the Alcohol Beverage Control Division of the Idaho State Police.	2007	Passed by House 02/29/2007 Introduced to Senate 03/01/2007
IL	SB2107 HB4813	Funding	Appropriates \$250,000 from the General Revenue Fund to the Department of Human Services for a grant to Trinity Services, Inc. and the FAST Team of Illinois for the establishment and operation of a FASD (Fetal Alcohol Spectrum Disorders) Outreach and Drop In Center. Effective July 1, 2008.	2008	SB2107: Referred to Rules Committee 02/14/2008 HB4813: Referred to Rules Committee 04/30/2008

State	Bill Number	Category	Description	Introduced	Status
IL	HJR0041	Prevention	Urges the Department of Human Services, in collaboration with the Departments of Children and Family Services, Healthcare and Family Services, Corrections, Financial Institutions and Professional Regulation, the Illinois State Board of Education, and the Illinois Planning Council on Developmental Disabilities to complete an assessment of existing State and federal assistance programs involving Fetal Alcohol Spectrum Disorders.	2007	Referred to Senate Rules Committee 04/16/2008
IL	SB0068	Criminalization	Amends the Adoption Act. Provides that individual health information summaries concerning the child and each birth parent shall be filed within 14 days of the petition filing in all adoptions of unrelated minors. Provides that each preadoption investigation shall review the health summaries. Provides that health summaries shall be without any information identifying either birth parent and shall summarize... <u>drugs or medications used by the birth mother</u> during the child's pregnancy. Provides that adoptive parents or the adopted child when he or she is an adult may petition the court for the release of the summaries. Provides that no liability shall attach to anyone who provides information for a health summary or to the adoption registry (at present, liability protections only apply to the adoption registry). Provides that all information in health summaries is confidential and is not to be used as evidence in any other proceeding.	2007	Became Public Act 95-0601 on 09/11/2007

State	Bill Number	Category	Description	Introduced	Status
IL	SB0337	Treatment	Amends the Probate Act of 1975. Provides that the term "developmental disability" includes a disability that is attributable to " <u>fetal alcohol syndrome</u> " or " <u>fetal alcohol effects</u> " (in addition to mental retardation, cerebral palsy, epilepsy, or autism). Effective January 1, 2008.	2007	Senate Governor Approved 08/30/2007
IL	SB1889	Prevention	Amends the Alcoholism and Other Drug Abuse and Dependency Act. Requires the Department of Human Services to design and implement an ongoing statewide campaign to raise public awareness about <u>fetal alcohol syndrome and other effects of prenatal alcohol exposure</u> . Provides that the campaign must include pamphlets that describe the causes and effects of <u>fetal alcohol syndrome</u> and provides that the Department must distribute the pamphlets free of charge. (B) if a birth problem is diagnosed during a physician or hospital visit that occurs before the child is: (i) except as provided in item (ii), three (3) years of age at the time of diagnosis; or (ii) five (5) years of age at the time of diagnosis if the disorder is a pervasive developmental disorder or a <u>fetal alcohol spectrum disorder</u> .	2003	Re-referred to Rules Committee 03/14/2003
IN	HB1454, amended into HB1457	Prevention	Establishes the prenatal substance use prevention program within the state department of health to help prevent poor birth outcomes by helping to decrease or eliminate the <u>use of alcohol</u> , tobacco, and other drugs during pregnancy.	2007	Signed by the Governor 05/08/2007

State	Bill Number	Category	Description	Introduced	Status
IN	HB1314	Treatment	Section 1. (a) As used in this Section, “department” refers to the state department of health established by IC 16-19-1-1. (b) The department shall conduct a study of: (1) drug abuse; (2) <u>alcohol abuse</u> ; and (3) use of tobacco; <u>by women during pregnancy</u> . (c) The study required by subsection (b) must include the following: (1) The scope of the use of drugs, alcohol, and tobacco. (2) Programs that are available to assist women who: (a) suffer from drug or alcohol abuse; or (B) use tobacco; during pregnancy. (3) Identification of gaps in services for pregnant women who use drugs, alcohol, or tobacco. (d) The department shall prepare a report on the study required by subsection (b). The report must include recommendations for providing programs to fill gaps in services identified under subsection (c). (e) The department shall submit the report to the: (1) legislative council; and (2) health finance commission; before October 1, 2006.	2006	Signed by the Governor 03/17/2006

State	Bill Number	Category	Description	Introduced	Status
IN	Senate Enrolled Act No.188	Requirements for Professionals	Section 6. IC 16-38-4-8, as amended by p.l.11-2002, section 1, is amended to read as follows (effective July 1, 2004): Sec. 8. (a) The state department shall establish a birth problems registry for the purpose of recording all cases of birth problems that occur in Indiana residents and compiling necessary and appropriate information concerning those cases, as determined by the state department, in order to:...(2) inform the parents of children with birth problems:...(B) if a birth problem is diagnosed during a physician or hospital visit that occurs before the child is:...(II) five (5) years of age at the time of diagnosis if the disorder is a pervasive developmental disorder or a <u>fetal alcohol spectrum disorder</u> ;...(b) The state department shall record in the birth problems registry:...(2) any additional information that may be provided by an individual or entity described in section 7(a)(2) of this chapter concerning a birth problem that is:...(B) recognized:...(ii) before the child is five (5) years of age if the child is diagnosed with a pervasive developmental disorder or a <u>fetal alcohol spectrum disorder</u> ;	2004	Approved by the Governor 03/16/2004

State	Bill Number	Category	Description	Introduced	Status
KY	HB56 SB222	Prevention	The General Assembly finds and declares that the goals for public health as expressed by the Department for Public Health in its report, Healthy Kentuckians 2010, are laudable goals, and the policies of the Commonwealth should be directed to work toward these goals, including but not limited to the following... <u>Substantially reduce the number of cases of fetal alcohol spectrum disorder (FASD)...</u>	2005	HB56 introduced to Education Committee 02/17/2005 SB222 introduced to Education Committee 02/15/2005
KY	HB260	Treatment	As used in KRS 200.650 to KRS 200.676, unless the text requires otherwise: “Diagnosed physical or mental condition that has a high probability of resulting in developmental delay” or “established risk diagnosis” means a condition that typically results in developmental delay, including but not limited to chromosomal abnormalities, genetic or congenital disorders, severe sensory impairments, including hearing and vision, inborn errors of metabolism, disorders reflecting disturbance of the development of the nervous system, congenital infections, disorders secondary to exposure to toxic substances, including <u>fetal alcohol syndrome</u> , and severe attachment disorders.	2004	Sent to Health and Welfare Senate Committee 02/18/2004

State	Bill Number	Category	Description	Introduced	Status
LA	HR107	Treatment	Urges and requests the Department of Health and Hospitals and Department of Social Services to convene a study group to improve the substance abuse treatment rate among pregnant mothers under state supervision.	2008	Filed with the Secretary of State 06/17/2008
LA	SCR70	Treatment	Creates the Nurse-Family Partnership Advisory Council and requests the Department of Health and Hospitals in conjunction with the Nurse-Family Partnership to study the expansion of the evidence-based Nurse-Family Partnership. The Nurse-Family Partnership is a home visiting program that has been shown to improve pregnancy outcomes by helping women engage in preventative health practices, including reducing their use of alcohol.	2008	Filed with the Secretary of State 06/23/2008
LA	HB178	Criminalization	To amend and reenact Children's Code Articles 437(A), 603(16.1), and 610(G) and to enact Children's Code Article 603(14.1.1), relative to the Children's Code; to provide for referral to mediation; to provide with respect to the definition of newborn; to add alcohol exposure to the definition of prenatal neglect; to provide for the duty of a physician to issue a report in certain instances; and to provide for related matters.	2007	Signed by the Governor 07/10/2007

State	Bill Number	Category	Description	Introduced	Status
LA	HB125	Criminalization	AN ACT To amend and reenact Children's Code Articles 603(16.1) and 610(G) and to enact Children's Code Article 603(14.1.1), relative to prenatal neglect; to provide with respect to the definition of newborn; to <u>add alcohol exposure to the definition of prenatal neglect</u> ; to provide for the duty of a physician to issue a report in certain instances; and to provide for related matters.	2007	Withdrawn from the files of the House prior to introduction
LA	HB243	Criminalization	Enacts safe haven relinquishment provisions for newborn infants whereby any parent may relinquish the care of an infant to the state without prosecution; provides that an act of relinquishment constitutes parental consent for the purposes of examining and testing if the infant suffered <u>fetal exposure to alcohol or drugs</u> .	2003	Enacted 06/27/2003
ME	LD1677	Funding	Sec. A-1. Supplemental appropriations and allocations, There are appropriated and allocated from various funds for the fiscal years ending June 30, 2006 and June 30, 2007, to the departments listed, the following sums. Office of Substance Abuse 0679 Initiative: Provides funding to support the <u>Fetal Alcohol Spectrum Disorders Center for Excellence</u> . 2005-06: \$28,201	2005	Signed by the Governor 06/13/2005

State	Bill Number	Category	Description	Introduced	Status
MD	HB389	Requirements for Professionals	Requiring the State Superintendent of Schools and the Professional Standards and Teacher Education Board to require applicants for a teacher's certificate to complete a minimum number of semester hours covering <u>fetal alcohol spectrum disorders</u> and to determine the minimum number of specified semester hours required for a teacher's certificate; etc.	2005	Unfavorable report by Ways and Means 04/06/2005
MD	HB1270	Prevention	Task Force to Study the Prevention of Fetal Alcohol Syndrome. Creates a task force to jointly with the Department of Health and Mental Hygiene, identify certain at-risk individuals and groups, review and coordinate certain State programs related to <u>fetal alcohol syndrome, and develop guidelines for the creation of a certain campaign related to fetal alcohol syndrome.</u> Requiring the Task Force to submit a certain report to the Governor and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Prevention of Fetal Alcohol Syndrome.	2004	Withdrawn 03/17/2004

State	Bill Number	Category	Description	Introduced	Status
MD	HB1273	Requirements for Professionals	Teachers – Certification – Fetal Alcohol Spectrum Disorders Course Credit. For the purpose of requiring the State Superintendent of Schools and the Professional Standards and Teacher Education Board to require certain applicants for a teacher’s certificate to complete a certain number of semester hours covering <u>fetal alcohol spectrum disorders</u> and to determine the number of minimum semester hours covering fetal alcohol spectrum disorders required for a teacher’s certificate.	2004	Assigned to Ways and Means; received an unfavorable report 03/27/2004
MD	HB1274	Prevention	Public Health – Fetal Alcohol Syndrome Prevention – Public Awareness Campaign. For the purpose of requiring the secretary of health and mental hygiene, in collaboration with other State agencies, to establish and promote a statewide public information, awareness, and education campaign relating to the prevention of <u>fetal alcohol syndrome</u> ; providing for the components of the campaign; authorizes the Secretary to use specified resources to carry out the provisions of the Act.	2004	Signed by the Governor Chapter 409, 05/11/2004
MD	HB1114	Requirements for Professionals	State Board of Physicians – Licensing and Continuing Education Requirements. For the purpose of requiring physicians to complete a course or program on <u>fetal alcohol spectrum disorders</u> before becoming licensed; and authorizing the State Board of Physicians to require licensees to complete continuing education requirements on fetal alcohol spectrum disorders.	2004	Assigned to Health and Government Operations 02/18/2004
MI	HR164	Prevention	A resolution to recognize September 9, 2007, as <u>Fetal Alcohol Spectrum Disorders Awareness Day</u> in the State of Michigan.	2007	Adopted 08/21/2007

State	Bill Number	Category	Description	Introduced	Status
MN	HB685 SB732	Funding	Section 1. Appropriation. \$500,000 in fiscal year 2008 and \$500,000 in fiscal year 2009 are appropriated from the general fund to the commissioner of education for the biennium beginning July 1, 2007, for a program in underserved counties designed to ensure school readiness for children from birth to kindergarten and their families who are at risk of or have been diagnosed with mental illness or developmental delays due to fetal alcohol or drug exposure, child neglect, or abuse, to ensure school readiness of these children.	2007	HB685: Referred to Early Childhood Learning Finance Division 03/05/2007 SB732: Referred to Finance Committee 02/12/2007

State	Bill Number	Category	Description	Introduced	Status
MN	HF1295	Treatment	<p>Section 1. Minnesota Statutes 2006, section 253B.02, subdivision 2, is amended to read:... "Chemically dependent person" also means a pregnant woman who has engaged during the pregnancy in habitual or excessive use, for a nonmedical purpose, of any of the following substances or their derivatives:...alcohol.</p> <p>Sec. 2. Minnesota Statutes 2006, section 253B.065, subdivision 5, is amended to read: ... (c) The court may order early intervention treatment if the court finds by clear and convincing evidence that a pregnant woman is a chemically dependent person. A chemically dependent person for purposes of this section is a woman who has during pregnancy engaged in excessive use, for a nonmedical purpose, of...alcohol... that will pose a substantial risk of damage to the brain or physical development of the fetus.</p> <p>Sec. 3. Minnesota Statutes 2006, section 626.5561, subdivision 1, is amended to read: Subdivision 1. Reports required. A person mandated to report under section 626.556, subdivision 3, shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant ...or has consumed alcoholic beverages during such pregnancy in any way that is habitual or excessive. Any person may make a voluntary report if the person knows or has reason to believe that a woman is pregnant and has used... or has consumed alcoholic beverages during such pregnancy in any way that is habitual or excessive.</p>	2007	Referred to Committee on Health and Human Services 02/22/2007

State	Bill Number	Category	Description	Introduced	Status
MN	SF310	Treatment	Amends the same statutes as HF1295, and also amends Minnesota Statutes 2006, section 253B.065, subdivision 5 as follows: ... (c) The court may order early intervention treatment if the court finds by clear and convincing evidence that a pregnant woman is a chemically dependent person. A chemically dependent person for purposes of this section is a woman who has during pregnancy engaged in excessive use, for a nonmedical purpose, of ... alcohol... that will pose a substantial risk of damage to the brain or physical development of the fetus.	2007	Stricken and returned to author 05/18/2007
MN	HF286 SF964	Funding	A bill for an act relating to human services; continuing funding for programs related to reducing <u>fetal alcohol syndrome</u> , appropriating money.	2007	Referred to Health Care and Human Services Finance Division 01/22/2007
MN	HF738 SF322	Treatment	Section 1. Minnesota Statutes 2006, section 253B.065, subdivision 5, is amended to read: ... (c) The court may order early intervention treatment if the court finds that a pregnant woman is a chemically dependent person. A chemically dependent person for purposes of this section is a woman who has during pregnancy engaged in excessive use, for a nonmedical purpose, of controlled substances or their derivatives, <u>alcohol</u> , or inhalants that will pose a substantial risk of damage to the brain or physical development of the fetus.	2007	Effective 08/01/2007

State	Bill Number	Category	Description	Introduced	Status
MN	HF 2513 SF1969	Funding	On July 1 of each fiscal year, beginning July 1, 2004, \$1.19 million of the general fund appropriation to the commissioner of health for <u>fetal alcohol spectrum disorder</u> administration and grants shall be transferred to a statewide organization that focuses solely on prevention of and intervention with fetal alcohol spectrum disorder. The money shall be used for prevention and intervention services and programs, including, but not limited to, community grants, professional education, public awareness, and diagnosis.	2004	Enacted under HF2277– date unknown (effective 07/01/2004)
MO	HB1408	Funding	Section A. Chapter 311, RSMo, is amended by adding thereto one new section, to be known as section 311.551, to read as follows: 311.551. 1. As used in this section the term "alcohol-related problems" includes but is not limited to: (1) Fetal alcohol spectrum disorder and fetal alcohol effects and consequences for neonatal care, disabilities, and human development;... 2. There is hereby created in the state treasury a special trust fund, to be known as the "Fund for the Reduction of Alcohol-Related Problems and Underage Drinking" which shall consist of money appropriated by the general assembly, any private donations made in the form of gifts, donations, bequests or grants, and tax revenues received under this chapter and chapter 312, RSMo, from the sale of alcohol as specified in subsection 7 of this section.	2008	Motion to Do Pass Failed in House Committee on Health Care Policy 04/29/2008

State	Bill Number	Category	Description	Introduced	Status
MO	SB766	Criminalization	A person commits child abuse when knowing that she is pregnant, chronically and severely <u>exposes an unborn child to alcohol</u> or a controlled substance during pregnancy and such child, at birth, is demonstrably adversely affected by such exposure. Child abuse is a Class C felony...If a person pleads guilty to or is found guilty of such offenses, the court shall order a juvenile officer to take the child into protective custody immediately or as soon as reasonably possible after the birth of the child if such child is unborn at the time of the plea or finding of guilt.	2008	Last action—hearing by Judiciary and Civil and Criminal Jurisprudence Committee 01/15/2008
MO	SB676	Criminalization	A person commits child abuse when knowing that she is pregnant, chronically and severely <u>exposes an unborn child to alcohol</u> or a controlled substance during pregnancy and such child, at birth, is demonstrably adversely affected by such exposure. Child abuse is a class C felony.	2007	Referred to Judiciary and Civil and Criminal Jurisprudence Committee 03/05/2007

State	Bill Number	Category	Description	Introduced	Status
MO	HB1162	Funding	Section A. Chapter 311, RSMo, is amended by adding thereto one new section, to be known as section 311.551, to read as follows: 311.551. 1. As used in this section and section 311.552, the term "alcohol-related problems" includes but is not limited to: (1) Fetal alcohol syndrome and fetal alcohol effects and consequences for neonatal care, disabilities, and human development; ... 2. There is hereby created in the state treasury a special trust fund, to be known as the "Fund for the Reduction of Alcohol-Related Problems and Underage Drinking." The state treasurer shall credit to and deposit in the fund for reduction of <u>alcohol-related problems</u> and underage drinking all amounts received pursuant to this section and section 311.552.	2006	Passed by House Rules Committee 03/28/2006
MO	HB 184	Funding	Creates the Fund for the Reduction of <u>Alcohol-Related Problems</u> and Underage Drinking to be administered by the State Treasurer.	2005	Referred to Ways and Means 04/11/2005
MO	HB901	Funding	Creates the Fund for the Reduction of <u>Alcohol-Related Problems</u> .	2004	Last action—public hearing 04/06/2004
MT	HB645	Criminalization	A bill for an act entitled: "An act requiring testing of certain newborns for exposure to dangerous drugs or alcohol; allowing prosecution of parents if test results are positive; creating a special revenue account to support expenses related to prebirth exposure to dangerous drugs or alcohol;...	2007	Died in Standing Committee 04/27/2007

State	Bill Number	Category	Description	Introduced	Status
MT	HB 715	Funding	A bill for an act entitled “An Act Providing an Appropriation to the Department of Public Health and Human Services for <u>Fetal Alcohol Syndrome Prevention</u> ; and Providing an Effective Date.”	2005	Missed deadline for appropriation Bill Transmittal 03/30/2005
MT	HB252	Funding	A bill for an act entitled “An Act Increasing Certain Taxes on Alcoholic Beverages; Providing That Increased Revenue From Taxes on Alcoholic Beverages Must Be Used by the Department of Public Health and Human Services for the Prevention of or Treatment of Effects Related to <u>Fetal Alcohol Syndrome</u> ; Amending Sections 16-1-401, 16-1-404, 16-1-406, 16-1-411, and 53-24-108, MCA; and Providing an Effective Date and an Applicability Date.”	2005	Missed deadline for Revenue Bill Transmittal 04/04/2005
NE	LB56	Funding	For an Act relating to appropriations; to appropriate funds to the Department of health and Human Services for alcohol-related birth defects prevention programs. Be it enacted by the people pf the State of Nebraska, Section 1. there is hereby appropriated \$250,000 from the General Fund for FY2006-07 to the Department of health and Human Services Finance and Support, for Program 514, to be used for alcohol-related birth defects prevention programs.	2007	Indefinitely postponed 04/17/2008

State	Bill Number	Category	Description	Introduced	Status
NE	LB862	Funding	Section 1. There is hereby appropriated \$500,000 from the general Fund for FY2006-07 to the Department of Health and Human Services Finance and Support, for Program 514, to be used for <u>alcohol-related birth defects</u> prevention programs. It is the intent of the Legislature that increased tax revenue generated from liquor sales be utilized for this appropriation.	2006	Referred to Appropriations Committee 01/06/2006
NE	LB1244	Prevention	Section 1. Section 71-647, Reissue Revised Statutes of Nebraska, is amended to read: 71-647 (1) The Department of Health and Human Services regulation and Licensure shall have and may exercise the following powers and duties:...(c) To carry on programs of professional education and training of medical students, physicians, nurses, scientists, and technicians in the causes, methods of prevention, treatment, and cure of birth defects. Such programs shall provide for, but not be limited to, statewide research and education on the prevention of <u>alcohol-related birth defects</u>	2006	Placed on General File 02/14/2006
NV	SB411 AB629	Funding	Appropriates \$101,169 from the State General Fund to the Bureau of Family Health Services of the Health Division of the Department of Health and Human Services to fund 25 diagnostic clinics for fetal alcohol syndrome in northern and southern Nevada as part of the Perinatal Substance Abuse Prevention Initiative.	2007	SB411: No action taken in Senate Finance Committee 06/05/2007 AB629: Approved by Governor 06/13/2007

State	Bill Number	Category	Description	Introduced	Status
NV	SB296	Criminalization	Revises the provisions governing when a child is in need of protection because he is <u>affected by alcohol use</u> , illegal substance abuse, or has withdrawal symptoms resulting from prenatal drug exposure; providing a penalty; and providing other matters properly relating thereto. Revises provisions governing abuse or neglect of children – Amending 4032B.170 to allow sharing of information with other state and local agencies if the purpose of the sharing is for the development of a plan for care, treatment or supervision of a child who has been abused or neglected, or an infant who is born and has been affected by prenatal illegal substance abuse or has withdrawal symptoms resulting from <u>prenatal drug exposure...</u>	2005	Approved by Governor 06/15/2005
NV	SB307	Prevention	Requires posting of signs in certain food establishments warning of risk of drinking alcoholic beverages during pregnancy and <u>merges Advisory Subcommittee on Fetal Alcohol Syndrome into Advisory Board on Maternal and Child Health.</u>	2003	Approved by Governor 05/28/2003
NH	HB83	Prevention	Requires that brochures related to family planning services, fetal alcohol syndrome, and human immunodeficiency virus be available to the public in the office of the town clerk. Also requires that the brochure related to <u>fetal alcohol syndrome</u> be available to the public in state liquor stores. Removes the requirement in current law that the clerk discuss the brochures with marriage license applicants and that they sign an affidavit confirming receipt of the brochures.	2005	Passed with amendment 07/22/2005

State	Bill Number	Category	Description	Introduced	Status
NH	HB383	Requirements for Professionals	A completed fetal death report shall consist of the following medical information regarding the pregnancy including: (a) The medical risk factors for the pregnancy. (b) Any other risk factors, such as, but not limited to, tobacco or alcohol use....	2005	Signed by Governor 07/22/2005
NJ	A1908	Requirements for Professionals	Requires DHSS and DHS to establish autism and intellectual and other developmental disabilities awareness program for certain first responders. The state of New Jersey considers fetal alcohol syndrome to be a developmental delay.	2008	Approved 09/09/2008
NJ	SB1015 A841	Treatment	Requires health insurers to cover costs of early intervention services for persons from birth to three years of age whose primary diagnosis is developmental delay. The state of New Jersey considers fetal alcohol syndrome to be a developmental delay.	2008	SB1015: Introduced in the Senate, Referred to Senate Commerce Committee 1/28/2008 A841: Introduced, Referred to Assembly Financial Institutions and Insurance Committee 01/08/2008
NJ	HB3837	Treatment	Requires health insurers to cover costs of early intervention services for persons from birth to three years of age whose primary diagnosis is developmental delay. The state of New Jersey considers fetal alcohol syndrome to be a developmental delay.	2007	Introduced, Referred to Assembly Financial Institutions and Insurance Committee 01/04/2007

State	Bill Number	Category	Description	Introduced	Status
NJ	SB2303	Treatment	Requires health insurers to cover costs of early intervention services for persons from birth to three years of age whose primary diagnosis is developmental delay. The state of New Jersey considers fetal alcohol syndrome to be a developmental delay.	2006	Introduced in the Senate, Referred to Senate Commerce Committee 11/13/2006
NJ	A1629	Treatment	Requires health insurers to cover costs of early intervention services for persons from birth to three years of age whose primary diagnosis is developmental delay. The state of New Jersey considers fetal alcohol syndrome to be a developmental delay.	2004	Introduced, Referred to Assembly Financial Institutions and Insurance Committee 01/13/2004
NJ	A.J.R. 88	Prevention	Designates September 9th of each year as “ <u>Fetal Alcohol Syndrome Awareness Day</u> .”	2004	Referred to Senate Health, Human Services, and Senior Citizens Committee 06/24/2004
NJ	A3452	Treatment	Requires health insurers to cover costs of early intervention services for persons from birth to three years of age whose primary diagnosis is developmental delay. The state of New Jersey considers fetal alcohol syndrome to be a developmental delay.	2003	Introduced, Referred to Assembly Banking and Insurance Committee 03/13/2003
NM	SB611	Funding	Making appropriations and authorizing expenditures by state agencies..... 24. twenty-five thousand dollars (\$25,000) for a fetal alcohol syndrome awareness program media campaign in Los Ranchos de Albuquerque; thirty thousand dollars (\$30,000) to support and strengthen a fetal alcohol syndrome prevention program at the university of New Mexico;	2007	Signed by the Governor 03/13/2007

State	Bill Number	Category	Description	Introduced	Status
NM	SB827	Funding	Section 68. Local government division projects—general fund.--The following amounts are appropriated from the general fund to the local government division of the department of finance and administration for expenditure in fiscal years 2007 through 2011, unless otherwise provided in Section 2 of this act, for the following purposes: 698. thirty-five thousand dollars (\$35,000) to purchase and equip a vehicle for use by a provider of fetal alcohol syndrome awareness programs statewide;	2007	Signed by the Governor 03/15/2007
NM	SB1175	Criminalization	An Act relating to health; providing court-ordered treatment for the biological parents of a baby born with fetal alcohol syndrome or drug addiction; providing penalties.	2007	Action postponed indefinitely in the Senate Public Affairs Committee and Senate Judiciary Committee on legislative day 17
NM	SB1166	Prevention	An Act relating to health; providing procedures for depo-provera contraceptive injections to women who give birth to a drug- or alcohol-addicted baby for a second time.	2007	Failed passage in Senate on legislative day 40
NM	SB954	Funding	Section 1. Appropriation.--Three hundred fifty thousand dollars (\$350,000) is appropriated from the general fund to the department of health for expenditure in fiscal year 2008 to support and strengthen a fetal alcohol syndrome prevention program at the university of New Mexico that delivers awareness programs in Spanish and English and initiates collaborations statewide. Any unexpended or unencumbered balance remaining at the end of fiscal year 2008 shall revert to the general fund.	2007	Action postponed indefinitely in the Senate Finance Committee on legislative day 21

State	Bill Number	Category	Description	Introduced	Status
NM	HB523	Funding	Section 1. Appropriation.--Three hundred fifty thousand dollars (\$350,000) is appropriated from the general fund to the children, youth and families department for expenditure in fiscal year 2008 to contract with a nonprofit organization for a fetal alcohol syndrome awareness pilot project. The project shall use the media and associated visual and audio aids to conduct associated awareness initiatives in public schools and target health areas throughout the state.	2007	Action postponed indefinitely in the House Appropriations and Finance Committee on legislative day 15
NM	HB141	Criminalization	Whoever gives birth to a child who has <u>fetal alcohol syndrome</u> is guilty of a misdemeanor, unless the fetal alcohol syndrome results in the child's death, in which case, the child's mother is guilty of a second degree felony.	2007	Introduced to House Consumer and Public Affairs Committee/House Judiciary Committee 2007
NM	HJM43	Prevention	A joint memorial requesting that the department of health, the human services department, the children, youth and families department and the public education department recognize the issue of fetal alcohol syndrome and endorse the viewing of "Gary and the Angels" to increase awareness of this syndrome and that state agencies work with private sector entities to take tangible steps to end <u>fetal alcohol syndrome</u> .	2006	Passed both Houses on legislative day 22

State	Bill Number	Category	Description	Introduced	Status
NM	SB463	Funding	An act making an appropriation to the department of health for a <u>fetal alcohol syndrome awareness</u> pilot project. Section 1. Appropriation.--Fifty thousand dollars (\$50,000) is appropriated from the general fund to the department of health for expenditure in fiscal year 2007 to contract with a nonprofit organization for a fetal alcohol syndrome awareness pilot project. The project shall show the film “Gary and the Angels” and conduct associated awareness initiatives in public schools and target health areas throughout the state. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007 shall revert to the general fund.	2006	Sent to Senate Finance Committee on legislative day 9
NM	HB622	Funding	The following amounts are appropriated from the general fund to the local government division of the department of finance and administration for expenditure in fiscal years 2006 through 2010, unless otherwise provided in Section 2 of this act, for the following purposes:... twenty-five thousand dollars (\$ 25,000) to plan, design, construct, equip and furnish a facility for use by a foundation promoting <u>fetal alcohol syndrome awareness</u> in Los Ranchos de Albuquerque in Bernalillo county	2006	Chaptered 03/09/2006
NM	SB190	Funding	Making general appropriations and authorizing expenditures by state agencies required by law – also appropriating funds for <u>fetal alcohol study</u> .	2005	Effective 03/17/2005, without funds appropriated for FASD

State	Bill Number	Category	Description	Introduced	Status
NM	Senate Memorial 13	Prevention	Whereas, underage drinking is more likely to kill young people than all illegal drugs combined and can result in children born with <u>fetal alcohol syndrome</u> , now, therefore, be it resolved by the senate of the state of New Mexico that the public education department, the children, youth and families department and the department of health be requested to participate in campaigns to increase awareness of the problem of underage drinking in New Mexico.	2005	Signed on legislative day 49 by the officers of the Senate
NY	A08065	Prevention	Requires persons licensed to sell any alcoholic beverage for consumption on the premises to display a sign or poster on the dangers of alcohol consumption while pregnant.	2007	Referred to Committee on Consumer Affairs and Protection 01/09/2008
NY	A06050	Criminalization	Provides for <u>testing of newborns for presence of alcohol and/or controlled substance</u> ; makes provisions for intensive drug rehabilitation services as preventative services for any parent of a newborn testing positive for alcohol and/or controlled substances; directs the commissioner of health to establish criteria and guidelines for sample testing; establishes guidelines for admissibility of such laboratory test results in family court; provides for referring alcohol and substance abusers to drug treatment court.	2007	Referred to Committee on Children and Families 02/28/2007

State	Bill Number	Category	Description	Introduced	Status
NY	A06128	Prevention	Requires secondary schools to include within their health education course the medical and legal ramifications of <u>alcohol</u> , tobacco and other drug use during pregnancy.	2007	Referred to Committee on Education 03/02/2007
NY	A04854	Criminalization	Amends definition of maltreated or neglected child to include children of alcohol or drug abusers who are unable to provide minimal care to the child or where such parent used alcohol or drugs during pregnancy resulting in the drug dependency of the child at birth.	2007	Held for consideration in Children and Families Committee 02/05/2008
NY	A02511	Criminalization	Amends definition of maltreated or neglected child to include children of alcohol or drug abusers who are unable to provide minimal care to the child or <u>where such parent used alcohol or drugs during pregnancy</u> resulting in the drug dependency of the child at birth.	2005	Referred to Children and Families Committee 01/04/2006
NY	A06925	Prevention	Requires secondary schools to include within their health education course the medical and legal ramifications of <u>alcohol</u> , tobacco and other drug use during pregnancy.	2005	Referred to Education Committee 01/04/2006
NC	HB1118	Prevention	An act to require <u>signs to be posted warning of the possible dangers of consumption of alcohol during pregnancy</u> .	2003	Enacted 07/20/2003
OH	HB119	Funding	Appropriation of \$327,500 for “Fetal Alcohol Spectrum Disorder” within the Department of Alcohol and Drug Addiction Services.	2007	Effective 06/30/2007

State	Bill Number	Category	Description	Introduced	Status
OK	HB2705	Prevention	A new section of law to be codified in the Oklahoma Statutes as Section 1-232.1 of Title 63, unless there is created a duplication in numbering, reads as follows: A. All prenatal classes offered shall include in their education curriculum the following: 1. The risks of drug or alcohol use during pregnancy to the unborn child and to the mother;... C. Education and prevention materials regarding the risks of alcohol or drug use during pregnancy and the risks of underage drinking shall be made readily available by those governed by this section and shall be distributed to individuals who report to their health care provider they are pregnant or are planning to become pregnant.	2008	Approved by Governor 05/22/2008

State	Bill Number	Category	Description	Introduced	Status
OR	HB2353	Criminalization	Relating to juvenile court jurisdiction over pregnant women; creating new provisions; and amending ORS 419B.090... Section 2. (1) The juvenile court may exercise jurisdiction over a pregnant woman, regardless of the age of the pregnant woman, when: (a) The pregnant woman has expressed an intent to give birth; and (b) There is a substantially increased risk that the pregnant woman may give birth to a child with a medically foreseeable impairment due to the pregnant woman's consumption of alcohol or controlled substances. (2) The juvenile court may exercise concurrent jurisdiction over a pregnant woman under subsection (1) of this section when the pregnant woman is charged with or convicted of a crime resulting from the use of alcohol or controlled substances... SECTION 3. ORS 419B.090 is amended to read:... (c) A pregnant woman who has expressed an intention to give birth has a duty to refrain from significantly increasing the risk that the fetus carried by the pregnant woman is born with a medically foreseeable impairment due to the pregnant woman's consumption of alcoholic beverages or controlled substances.	2007	In committee upon adjournment 06/28/2007
OR	HB2414	Funding	Dedicates a percentage of revenues collected by Oregon Liquor Control Commission to establishment, operation and maintenance of programs related to <u>fetal alcohol syndrome</u> . Declares emergency, effective on passage.	2007	Referred to Human Services and Women's Wellness with subsequent referral to Ways and Means, 01/17/2007

State	Bill Number	Category	Description	Introduced	Status
OR	HB2362	Treatment	As used in this section, "children with severe emotional or mental disorders" means children who have been: (b) Diagnosed by a qualified mental health professional as having: ...Psychopathological symptoms related to <u>fetal exposure to alcohol</u> or controlled substances.	2005	Passed by House 05/16/2005
PA	HR862 SR377	Prevention	Designating the month of September 2008 as "Alcohol and Drug Addiction Recovery Month" in Pennsylvania.	2008	HR862: Adopted, 09/16/2008 SR377: Adopted, 09/18/2008
PA	HR390	Prevention	Designating the month of September 2007 as "Alcohol and Drug Addiction Recovery Month" in Pennsylvania... WHEREAS, Addiction treatment prevents fetal alcohol and drug syndrome and other addiction-related illness	2007	Adopted, 09/24/2007
PA	HR261	Prevention	A resolution Recognizing the month May 2007 as "Healthy Babies Month" in Pennsylvania and urging prospective parents to be informed about prenatal care.... Recommendations for a healthy pregnancy include... avoiding tobacco, alcohol and illicit substances...the House of Representatives urge prospective parents to contact the March of Dimes and allied health care organizations for literature on how to prepare themselves before conception and during pregnancy.	2007	Adopted, 05/08/2007

State	Bill Number	Category	Description	Introduced	Status
PA	HR660	Prevention	Whereas, Recommendations for a <u>healthy pregnancy</u> include prevention of infections such as rubella, not using prescription or over-the-counter medications without approval of a doctor and <u>avoiding tobacco, alcohol</u> and illicit substances...therefore be it resolved, That the House of Representatives recognize the month of May 2006 as “Healthy Babies Month” in Pennsylvania and urge parents and prospective parents to contact the March of Dimes and allied health care organizations for literature on how to prepare themselves before conception and during pregnancy.	2006	Introduced as non-controversial resolution under rule 35, 04/03/2006
PA	HR167	Prevention	Whereas, Recommendations for a <u>healthy pregnancy</u> include prevention of infections such as rubella, not using prescription or over-the-counter medications without approval of a doctor and avoiding tobacco, <u>alcohol</u> and illicit substances; therefore be it resolved, That the House of Representatives recognize the month of May 2005 as “Healthy Babies Month” in Pennsylvania and urge parents and prospective parents to contact the March of Dimes and allied health care organizations for literature on how to prepare themselves before conception and during pregnancy.	2005	Adopted 04/11/2005

State	Bill Number	Category	Description	Introduced	Status
PA	HR393	Treatment	Memorializing the Congress of the United States to amend the Social Security Act to include Medicaid coverage for addiction treatment for pregnant women...whereas, Addiction treatment drastically reduces health care spending and the incidence rates of <u>fetal alcohol syndrome</u> and drug and alcohol-related crime...	2005	Adopted 07/06/2005
PA	HR434	Prevention	Designating the month of September 2005 as “Alcohol and Drug Recovery Month” in Pennsylvania...whereas, Addiction treatment prevents <u>fetal alcohol syndrome</u> and other addiction-related illness...resolved, That the House of Representatives designate the month of September 2005 as “Alcohol and Drug Addiction Recovery Month” in Pennsylvania.	2005	Adopted 09/27/2005
PA	HR334	Treatment	Designating June 15, 2005, as “White Deer Run/Cove Forge, Inc., Day” in Pennsylvania and congratulating White Deer Run/Cove Forge, Inc., on 35 years of bringing healing to Pennsylvania families of persons with alcohol and other drug addictions...whereas, Treatment for the primary disease of alcohol and drug addiction prevents <u>fetal alcohol and drug syndrome</u> and other addiction-related illnesses...resolved That the House of Representatives designate June 15, 2005, as “White Deer Run/Cove Forge, Inc., Day” in Pennsylvania...	2005	Introduced as non-controversial resolution under rule 35, 06/13/2005

State	Bill Number	Category	Description	Introduced	Status
PA	HR855	Prevention	Designating the month of September 2004 as “Alcohol and Drug Addiction Recovery Month” in Pennsylvania. whereas, Addiction treatment prevents <u>fetal alcohol syndrome</u> and other addiction-related illness...resolved, That the House of Representatives designate the month of September 2004 as “Alcohol and Drug Addiction Recovery Month” in Pennsylvania.	2004	Adopted 10/04/2004
RI	S2282	Prevention	With each marriage license, the town or city clerk shall provide information describing the causes and effects of <u>fetal alcohol syndrome</u> .	2004	Enacted 06/29/2004
TN	SJR91	Prevention	A resolution urging the Comptroller of the Treasury to study current alcohol and drug laws. whereas, substance use and abuse have been established as major contributing factors to numerous health and social problems Tennesseans face, including HIV/AIDS, cancer, child abuse and neglect, infant mortality, crime, domestic violence, teen pregnancy, <u>fetal alcohol syndrome</u> , highway safety, poverty, and homelessness;...	2007	Signed by Governor 06/18/2007
TN	SB2040 HB1892	Prevention	This bill establishes a nurse home visitor program whereby a nurse would provide regular, in-home visiting nurse services to low-income, first-time mothers during pregnancy and through the child's second birthday. The nurse would educate the mothers on the importance of nutrition and <u>avoidance of drugs and alcohol</u> ...	2007	Became Public Chapter 530 07/12/2007

State	Bill Number	Category	Description	Introduced	Status
TX	SB909 HB2053	Prevention	Subchapter B, Chapter 501, Government Code, is amended by adding Sections 501.059 and 501.064 to read as follows: Sec.501.059. Screening for and education concerning fetal alcohol exposure during pregnancy. (a) The department shall establish a screening program to identify female inmates who are:(1) between the ages of 18 and 44; (2) sentenced to a term of confinement not to exceed two years; and (3)at risk for having a pregnancy with alcohol-related complications, including giving birth to a child with alcohol-related birth defects. (b) The screening program established under Subsection (a) must: (1) evaluate the family planning practices of each female inmate described by Subsection (a) in relation to the inmate 's consumption of alcohol and risk of having a pregnancy with alcohol-related complications; (2) include an objective screening tool to be used by department employees administering the screening program; and (3) occur during the diagnostic process or at another time determined by the department. (c) The department shall provide: (1) a brief substance abuse intervention to all female inmates identified by the screening program as being at risk for having a pregnancy with alcohol-related complications; and (2) an educational brochure describing the risks and dangers of consuming alcohol during pregnancy to all female inmates...Subchapter B, Chapter 507, Government Code, is amended by adding Section 507.028 to read as follows: Sec. 507.028. Screening for and education concerning fetal alcohol	2007	Signed by the Governor and effective immediately 06/15/2007

State	Bill Number	Category	Description	Introduced	Status
			<p>exposure during pregnancy. (a) The department shall establish and use a screening program in state jail felony facilities that is substantially similar to the program established and used by the department under Section 501.059. (b)The department shall provide to all female defendants confined in state jail felony facilities an educational brochure describing the risks and dangers of consuming alcohol during pregnancy.</p>		

State	Bill Number	Category	Description	Introduced	Status
TX	HB1455	Prevention	Relating to the establishment of a pilot program in certain counties to require health and human services providers to provide screening to prevent <u>fetal alcohol spectrum disorders</u> .	2007	Referred to Committee on Public Health 02/19/2007
TX	SB904 HB2425	Prevention	SECTIONA16.Subchapter A, Chapter 11, Alcoholic Beverage Code, is amended by adding Section 11.042 to read as follows: Sec.A11.042. Health risks warning sign. (a) The commission by rule shall require the holder of a permit authorizing the sale of alcoholic beverages for on-premises consumption to display a warning sign on the door to each restroom on the permitted premises that informs the public of the risks of drinking alcohol during pregnancy. (b)The commission 's rules shall specify the language of the warning and the size and graphic design of the sign, including font size and type.	2007	Signed by the Governor 05/11/2007 Effective 0 9/01/2007
UT	HB409	Involuntary Commitment	This bill requires that, when a person is sentenced for certain drug or alcohol related offenses, if the person was pregnant at the time of the offense, the court shall order that person participate in drug or alcohol treatment.	2007	House/ enacting clause struck 02/28/2007

State	Bill Number	Category	Description	Introduced	Status
VA	SB228 SB387 SB637	Criminalization	Virginia includes diagnosis of fetal alcohol syndrome within seven days of birth as evidence of child abuse or neglect. SB228, SB387, and SB637 seek to add EMS personnel, guardians ad litem, and animal control officers respectively, to the list of individuals required to report suspected child abuse or neglect.	2008	SB228: Approved 03/04/2008 SB387: Continued to 2009 in Courts of Justice by House voice vote 02/29/2008 SB637: Approved by Governor 02/27/2008 Effective 07/01/2008
VA	SB314	Criminalization	Virginia includes diagnosis of fetal alcohol syndrome within seven days of birth as evidence of child abuse or neglect. SB314 seeks to add ministers, priest, rabbis, and duly accredited practitioners, to the list of individuals required to report suspected child abuse or neglect.	2004	Defeated in House Committee for Courts of Justice 03/03/2004
WA	HB2093	Criminalization	A parent of a child, the person entrusted with the physical custody of a child or dependent person, or a person employed to provide to the child or dependent person the basic necessities of life is guilty of criminal mistreatment in the first degree: ...If a mother recklessly, as defined in RCW 9A.08.010, <u>causes great bodily harm to her unborn quick child by the use of alcohol or any illicit drug...</u>	Introduced 2005 Reintroduced 2006	By resolution, reintroduced and retained in present status 01/09/2006
WA	HB2095	Prevention	An act relating to the use of pharmaceutical birth control or tubal ligation in cases of <u>children born alcohol or drug-affected.</u>	Introduced 2005 Reintroduced 2006	By resolution, reintroduced and retained in present status 01/09/2006

State	Bill Number	Category	Description	Introduced	Status
WI	AB955	Prevention	With each declaration of domestic partnership, the county clerk shall provide a pamphlet describing the cause and effects of <u>fetal alcohol syndrome</u> .	2004	Failed to pass pursuant to Senate Resolution 1 03/31/2004

Table 1.5 FASD-Related State Legislation Withdrawn or Defeated from 2003–2008

FL	HB25 SB1104	Funding	Designates act "Fetal Alcohol Syndrome Prevention Act"; directs DOH & DCFS to maintain Fetal Alcohol Spectrum Disorders Prevention Network; requires establishment of system for assessing charges for specified services; requires DOH, DCFS, & DABT of DBPR to provide access to information regarding fetal alcohol spectrum disorders on Internet websites; provides for voluntary admission of expectant mother for alcohol abuse treatment services, etc. Appropriation: \$17,663,000.	2008	HB25: Died in Healthcare Council 05/02/2008 SB1104: Died in Committee on Health Policy 05/02/2008
FL	HB1239	Involuntary Commitment	Creates <u>Fetal Alcohol Syndrome Prevention Act</u> ; directs DOH & DCF to maintain a Fetal Alcohol Syndrome Prevention Network; requires establishment of system for assessing charges for specified services; requires DOH, DCF, & DABT of DBPR to provide access to information regarding Fetal Alcohol Syndrome on Internet websites; provides for voluntary admission of an expectant mother for alcohol abuse treatment services; provides criteria for involuntary admission of an expectant mother, including protective custody, emergency admission, & other involuntary assessment, involuntary treatment, & alternative involuntary assessment for minors for purposes of assessment & stabilization & for involuntary treatment; requires described health warning signs to be displayed by alcohol beverage vendors; requires DAB&T of DB&PR to produce & distribute signs; directs DOH to contract with Florida Center for Child & Family Development to establish Fetal Alcohol Spectrum Disorders diagnostic & intervention centers & to develop & provide professional training.	2007	Died in Committee on Health Quality 05/04/2007

FL	SB2272	Prevention	Requires Health Dept. to develop public education program to inform public re detrimental effects of <u>fetal alcohol syndrome</u> ; provides that pregnant woman who requests evaluation for counseling or treatment services to minimize risk of alcohol exposure to her unborn child may obtain such evaluation at any licensed service provider participating in fetal alcohol syndrome prevention network, etc. Amends Ch. 397; creates 562.063.	2007	Died in Committee on Judiciary on 05/07/2007
LA	HB125	Criminalization	AN ACT To amend and reenact Children's Code Articles 603(16.1) and 610(G) and to enact Children's Code Article 603(14.1.1), relative to prenatal neglect; to provide with respect to the definition of newborn; to add <u>alcohol exposure</u> to the definition of prenatal neglect; to provide for the duty of a physician to issue a report in certain instances; and to provide for related matters.	2007	Withdrawn from the files of the House prior to introduction
MD	HB1270	Prevention	Task Force to Study the Prevention of Fetal Alcohol Syndrome. Creates a task force to jointly with the Department of Health and Mental Hygiene, identify certain at-risk individuals and groups, review and coordinate certain State programs related to <u>fetal alcohol syndrome</u> , and develop <u>guidelines for the creation of a certain campaign related to fetal alcohol syndrome</u> . Requiring the Task Force to submit a certain report to the Governor and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Prevention of Fetal Alcohol Syndrome.	2004	Withdrawn 03/17/2004

MD	HB1273	Requirements for Professionals	Teachers – Certification – Fetal Alcohol Spectrum Disorders Course Credit. For the purpose of requiring the State Superintendent of Schools and the Professional Standards and Teacher Education Board to require certain applicants for a teacher’s certificate to complete a certain number of semester hours covering <u>fetal alcohol spectrum disorders</u> and to determine the number of minimum semester hours covering fetal alcohol spectrum disorders required for a teacher’s certificate.	2004	Assigned to Ways and Means; received an unfavorable report 03/27/2004
MD	HB389	Requirements for Professionals	Requiring the State Superintendent of Schools and the Professional Standards and Teacher Education Board to require applicants for a teacher’s certificate to complete a minimum number of semester hours covering <u>fetal alcohol spectrum disorders</u> and to determine the minimum number of specified semester hours required for a teacher’s certificate; etc.	2005	Unfavorable report by Ways and Means 04/06/2005

MO	HB1408	Funding	Section A. Chapter 311, RSMo, is amended by adding thereto one new section, to be known as section 311.551, to read as follows: 311.551. 1. As used in this section the term "alcohol-related problems" includes but is not limited to: (1) Fetal alcohol spectrum disorder and fetal alcohol effects and consequences for neonatal care, disabilities, and human development;... 2. There is hereby created in the state treasury a special trust fund, to be known as the "Fund for the Reduction of Alcohol-Related Problems and Underage Drinking" which shall consist of money appropriated by the general assembly, any private donations made in the form of gifts, donations, bequests or grants, and tax revenues received under this chapter and chapter 312, RSMo, from the sale of alcohol as specified in subsection 7 of this section.	2008	Motion to Do Pass Failed in House Committee on Health Care Policy 04/29/2008
MT	HB645	Criminalization	A bill for an act entitled: "An act requiring testing of certain newborns for exposure to dangerous drugs or alcohol; allowing prosecution of parents if test results are positive; creating a special revenue account to support expenses related to prebirth exposure to dangerous drugs or alcohol;...	2007	Died in Standing Committee 04/27/2007

MT	HB252	Funding	A bill for an act entitled “An Act Increasing Certain Taxes on Alcoholic Beverages; Providing That Increased Revenue From Taxes on Alcoholic Beverages Must Be Used by the Department of Public Health and Human Services for the Prevention of or Treatment of Effects Related to <u>Fetal Alcohol Syndrome</u> ; Amending Sections 16-1-401, 16-1-404, 16-1-406, 16-1-411, and 53-24-108, MCA; and Providing an Effective Date and an Applicability Date.”	2005	Missed deadline for Revenue Bill Transmittal 04/04/2005
MT	HB 715	Funding	A bill for an act entitled “An Act Providing an Appropriation to the Department of Public Health and Human Services for <u>Fetal Alcohol Syndrome Prevention</u> ; and Providing an Effective Date.”	2005	Missed deadline for appropriation Bill Transmittal 03/30/2005
NM	SB1166	Prevention	An Act relating to health; providing procedures for Depo-Provera contraceptive injections to women who give birth to a drug- or alcohol-addicted baby for a second time.	2007	Failed passage in Senate on legislative day 40
VA	SB314	Criminalization	Virginia includes diagnosis of fetal alcohol syndrome within seven days of birth as evidence of child abuse or neglect. SB314 seeks to add ministers, priest, rabbis, and duly accredited practitioners, to the list of individuals required to report suspected child abuse or neglect.	2004	Defeated in House Committee for Courts of Justice 03/03/2004
WI	AB955	Prevention	With each declaration of domestic partnership, the county clerk shall provide a pamphlet describing the cause and effects of <u>fetal alcohol syndrome</u> .	2004	Failed to pass pursuant to Senate Resolution 1 03/31/2004