

HOUSE BILL 956

J1
HB 1335/22 – HGO

3lr0719

By: **Delegate Williams**

Introduced and read first time: February 10, 2023

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Pregnant and Perinatal Drug Screening and Testing Workgroup**

3 FOR the purpose of requiring the Secretary of Health to establish a Pregnant and Perinatal
4 Drug Screening and Testing Workgroup to study and make recommendations
5 relating to drug screening and testing of pregnant and perinatal patients and
6 newborn infants; and generally relating to the Pregnant and Perinatal Drug
7 Screening and Testing Workgroup.

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
9 That:

10 (a) The Secretary of Health shall establish a Pregnant and Perinatal Drug
11 Screening and Testing Workgroup.

12 (b) The Workgroup shall include:

13 (1) one representative of the Office of the Public Defender;

14 (2) one representative of the Maryland Hospital Association;

15 (3) one representative of the Maryland Patient Safety Center;

16 (4) one representative of the Department of Human Services, who is a
17 health care provider licensed in the State and has experience working with pregnant
18 women with substance use disorders and substance exposed newborns;

19 (5) one physician licensed in the State with expertise working with
20 pregnant and perinatal women with substance use disorders; and

21 (6) one pediatrician licensed in the State with expertise working with
22 substance exposed newborns.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) The Workgroup shall:

2 (1) research current practices for drug screening and testing of pregnant or
3 perinatal patients in the State and across care settings;

4 (2) study evidence-based practices for drug screening and testing of
5 pregnant or perinatal patients and newborn infants, including obtaining informed consent
6 for drug screening and testing pregnant or perinatal patients and newborn infants;

7 (3) study each step in the process of identifying, referring, and removing
8 newborn infants who are born substance exposed;

9 (4) review statewide data regarding:

10 (i) the number of substance exposed newborn infants born each
11 year;

12 (ii) the most common types of substances identified as substances to
13 which the newborn infants were exposed; and

14 (iii) the rate of removal of substance exposed newborn infants to an
15 out of home setting;

16 (5) conduct a racial equity impact assessment on the current removal
17 process for substance exposed newborn infants and accompanying data; and

18 (6) make recommendations on:

19 (i) the dissemination of best practices for drug screening and testing
20 of pregnant or perinatal patients and newborn infants to physicians and hospitals that have
21 labor and delivery units and other health care settings where pregnant and perinatal
22 patients receive care;

23 (ii) the development and implementation of a universal consent form
24 specifically for the purpose of obtaining the consent of a pregnant or perinatal patient for
25 testing the pregnant or perinatal patient or a newborn infant for alcohol and substances
26 when medically necessary; and

27 (iii) the development and dissemination of educational materials for
28 perinatal and pregnant patients regarding drug screening, drug testing, and the process
29 following a positive drug screen or toxicology test.

30 (d) On or before December 1, 2024, the Workgroup shall report its findings and
31 recommendations to the Senate Finance Committee and the House Health and
32 Government Operations Committee, in accordance with § 2-1257 of the State Government
33 Article.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2023. It shall remain effective for a period of 2 years and, at the end of June 30, 2025,
3 this Act, with no further action required by the General Assembly, shall be abrogated and
4 of no further force and effect.