

HOUSE No. 173

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to support families.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------------|--|------------------|
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> | <i>1/19/2023</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>2/9/2023</i> |
| <i>Marc T. Lombardo</i> | <i>22nd Middlesex</i> | <i>2/14/2023</i> |
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> | <i>2/21/2023</i> |
| <i>Christopher Richard Flanagan</i> | <i>1st Barnstable</i> | <i>6/29/2023</i> |

HOUSE No. 173

By Representative Garballey of Arlington, a petition (accompanied by bill, House, No. 173) of Sean Garballey and others for legislation to protect infants affected by in-utero substance exposure or fetal alcohol spectrum disorder. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to support families.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The first paragraph of subsection (a) of section 51A of chapter 119 of the
2 General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in
3 line 6, the words:- ; (iii) physical dependence upon an addictive drug at birth.

4 SECTION 2. Said section 51A of said chapter 119, as so appearing, is hereby further
5 amended by inserting after subsection (a) the following subsection:-

6 (a^{1/2}) Separate from the reporting requirements under subsection (a), health care providers
7 involved in the delivery or care of infants affected by in-utero substance exposure or a fetal
8 alcohol spectrum disorder, shall notify the department of such condition in such infants as
9 required under 42 U.S.C. § 1506a(b)(2)(B)(ii). Such notification shall not include the names or
10 identifying information of the parents or the infant, shall not constitute a report that any parent
11 has abused or neglected a child, and shall not trigger or require prosecution for any illegal action.