

HOUSE No. 2538

The Commonwealth of Massachusetts

PRESENTED BY:

Danillo A. Sena

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 establishing a fetal alcohol spectrum disorders program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>1/13/2025</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/14/2025</i>

HOUSE No. 2538

By Representative Sena of Acton, a petition (accompanied by bill, House, No. 2538) of Danillo A. Sena and Patrick Joseph Kearney for legislation to establish a fetal alcohol spectrum disorders program within the Department of Public Health. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act establishing a fetal alcohol spectrum disorders program.

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

1 Chapter 111 of the General Laws, as most recently amended by section 21 of chapter 186
2 of the acts of 2024, is hereby further amended by adding the following section:-

3 Section 249 (a). For the purposes of this section, the following words shall, unless the
4 context clearly requires otherwise, have the following meanings:-

5 “Fetal alcohol spectrum disorders” or “FASD”, a range of effects that can occur in an
6 individual who has been prenatally exposed to alcohol. FASD includes diagnoses such as: (i)
7 fetal alcohol syndrome (FAS); (ii) partial fetal alcohol syndrome (pFAS); (iii) alcohol-related
8 neurodevelopmental disorder (ARND); (iv) Static Encephalopathy – Alcohol Exposed (SE-AE);
9 (v) neurobehavioral disorders associated with prenatal alcohol exposure (ND-PAE); and (vi)
10 alcohol-related birth defects (ARBD).

11 “Prenatal alcohol exposure” or “PAE”, the leading cause of preventable developmental
12 disabilities, including over 400 co-occurring possible disease conditions, impacting the brain,
13 vision, hearing, heart, circulation, digestion and musculoskeletal and respiratory systems.

14

15 (b) The department shall establish a comprehensive fetal alcohol spectrum disorders
16 awareness, prevention, identification, intervention and service delivery program also know as the
17 FASD program. The FASD program may include but is not limited to the following:

18 (i) designating a FASD program state coordinator with knowledge and experience in the
19 field of prenatal alcohol exposure and fetal alcohol spectrum disorders;

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21 (ii) utilizing and adapting existing federal or state programs to include fetal alcohol
22 spectrum disorders identification and FASD-informed support;

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24 (iii) developing and expanding screening and diagnostic capacity for fetal alcohol
25 spectrum disorders;

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27 (iv) developing, implementing and evaluating targeted fetal alcohol spectrum disorders
28 informed intervention programs for FASD;

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30 (v) increasing awareness of fetal alcohol spectrum disorders;

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32 (vi) providing training with respect to fetal alcohol spectrum disorders for professionals
33 across relevant sectors; and

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35 (vii) serving as a centralized resource for issues related to fetal alcohol spectrum
36 disorders and disseminating information about FASD and support services to affected
37 individuals and their families.

38

39 (c)(1) A FASD advisory committee shall be established to provide guidance for the
40 FASD program regarding support, prevention, identification and intervention for individuals
41 with FASD and their families. The FASD advisory committee actions may include but are not
42 limited to the following:

43 (i) developing a statewide strategic plan to substantially reduce prenatal alcohol exposure
44 and provide for the identification, treatment and support of individuals with FASD and their
45 families;

46 (ii) providing guidance on the implementation of the strategic plan by reviewing and
47 commenting on grant proposals addressing prenatal alcohol and substance exposure and FASD-
48 informed supports and interventions;

49 (iii) identifying existing federal or state agency programs related to prenatal alcohol and
50 substance exposure and FASD and making recommendations for the utilization and adaption of
51 such programs to include prenatal alcohol screening and FASD-informed supports and
52 interventions; and

53 (iv) reviewing programs of state agencies that relate to prenatal alcohol or substance
54 exposure and FASD and coordinating such programs that are interdepartmental in nature
55 pursuant to an interagency agreement, whenever feasible.

56

57 (2) The FASD advisory committee shall consist of: (i) the commissioner, or their
58 designee; (ii) not more than 10 members appointed by the commissioner from the public
59 representing health, education and justice professionals, service providers, tribal populations,
60 including at least 2 of the members having lived with the experience of a FASD diagnosis or
61 their family members experiencing a FASD diagnosis and at least 1 member with professional
62 experience as a FASD advocate. The FASD advisory committee shall elect a chair from its
63 membership to serve a 1-year term.

64

65 (3) The terms, compensation, removal and filling of vacancies of appointed members of
66 the FASD advisory committee shall be determined by the commissioner.

67 (4) The commissioner shall designate a FASD program state coordinator pursuant to
68 clause (i) of subsection (b) to provide administrative support for the FASD advisory committee.

69 Administrative support may include personnel, budget, payroll and contract administration. The
70 FASD advisory committee shall adopt an annual budget and work program.

71 (5) The FASD advisory committee shall report from time to time on its activities to: (i)
72 the governor; (ii) the chairs of the joint committee on public health; and the department. The
73 FASD advisory committee shall file a formal report with the governor not later than October 15
74 of each even-numbered year so that the information contained in the report, including
75 recommendations, can be included in the governor's budget message to the legislature. It shall
76 also report to the chairs of the joint committee on public health not later than November 15 of
77 each even-numbered year.

78 (d) The department may: (i) apply for, receive and disburse federal funds made available
79 to the commonwealth by federal law or rules adopted for any purpose related to the powers and
80 duties of the department; and (ii) contract with or provide grants to public and private nonprofit
81 entities for FASD programs set forth in subsection (b). The department shall comply with any
82 requirements of federal law, rules and regulations to apply for, receive and disburse funds.