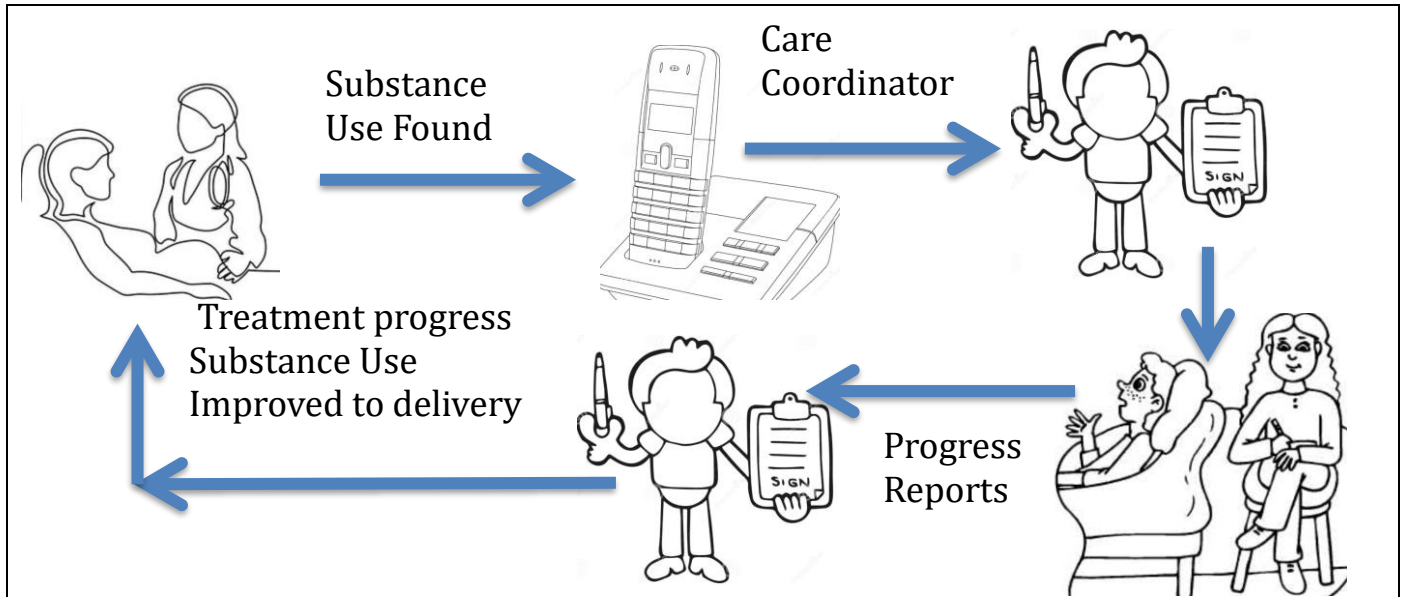
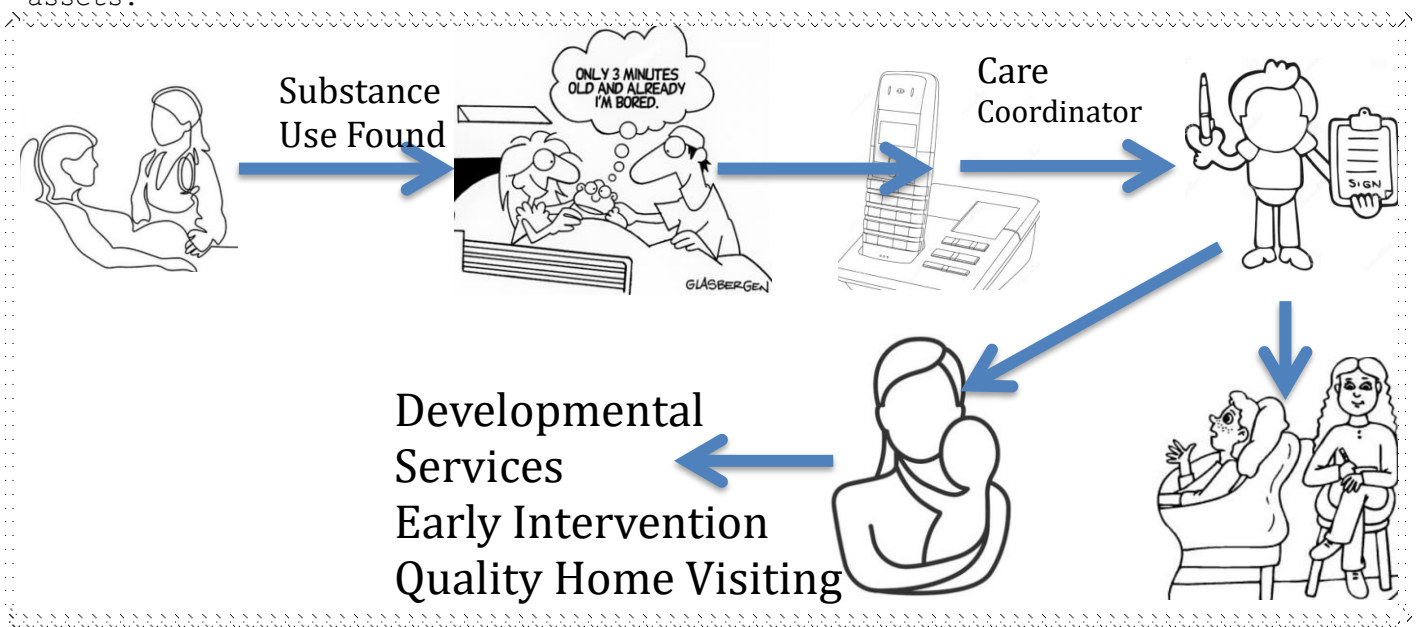


1. Request support for sponsored bill by Rep. Christine Trujillo to uncouple referral to child protective services for testing positive on toxicology screen. The proposed legislation adopts similar language to that passed in Presley bill now California Penal Code 11165.13. Toxicology result will not be a basis for mandatory reporting and proposes reporting to CMS/DOH with summary to CYFD. Please see handout with proposed language and language of California Penal Code 11165.13.
2. Report on coordination with MCOs on two-generational behavioral health care infrastructure and future work efforts.



3. Continue task force in 2019 to study assets model from pregnancy through first 3 year of child's live in context of prenatal substance use disorders. Build on model developed by Search Institute where assets not identified. Creating a basket of assets.



**Proposed language for bill:**

For purposes of this legislation, a positive toxicology screen at the time of the delivery of an infant is not in and of itself a sufficient basis for reporting child abuse or neglect to Statewide Central Intake. However, any indication of maternal substance abuse shall lead to an assessment of the needs of the mother and child pursuant to [Children's Code]. If other factors are present that indicate risk to a child, then a report shall be made to Statewide Central Intake as mandated. However, a report based on risk to a child that relates solely to the potential lack of capacity of the parent to provide the child with regular care due to the parent's substance use disorder shall result in development of a Safe Plan of Care by designated medical facility staff, presented to family responsible for the infant, and communicated to the Managed Care Organization Care Coordinator of the Managed Care Organization care coordination unit specializing in maternal and child health care. Reports regarding positive toxicology screens and Neonatal Abstinence Syndrome at time of delivery or during care of the infant with corresponding to ICD10 codes will be made only to Children's Medical Services in the Department of Health.

## CALIFORNIA PENAL CODE

**ARTICLE 2.5. Child Abuse and Neglect Reporting Act [11164 - 11174.3] ( Heading of Article 2.5 amended by Stats. 1987, Ch.1444, Sec. 1. )**

11165.13 For purposes of this article, a positive toxicology screen at the time of the delivery of an infant is not in and of itself a sufficient basis for reporting child abuse or neglect. However, any indication of maternal substance abuse shall lead to an assessment of the needs of the mother and child pursuant to Section 123605 of the Health and Safety Code. If other factors are present that indicate risk to a child, then a report shall be made. However, a report based on risk to a child which relates solely to the inability of the parent to provide the child with regular care due to the parent's substance abuse shall be made only to a county welfare or probation department, and not to a law enforcement agency.

(Amended by Stats. 2000, Ch. 916, Sec. 11. Effective January 1, 2001.)