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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 29 Session of  
2013

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INTRODUCED BY VANCE, KITCHEN, BAKER, TEPLITZ, ERICKSON, FONTANA,  
MENSCH, VULAKOVICH, WAUGH, HUGHES, RAFFERTY, TARTAGLIONE,  
COSTA, YUDICHAK, SOLOBAY, WASHINGTON, SCARNATI, BROWNE,  
PILEGGI AND BOSCOLA, MARCH 15, 2013

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REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 15, 2013

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in child probation services, further  
3 providing for definitions and for mandatory reporting of  
4 infants.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 6303(a) of Title 23 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a definition to read:  
9 § 6303. Definitions.

10 (a) General rule.--The following words and phrases when used  
11 in this chapter shall have the meanings given to them in this  
12 section unless the context clearly indicates otherwise:

13 \* \* \*

14 "Health care provider." A licensed hospital or health care  
15 facility or person who is licensed, certified or otherwise  
16 regulated to provide health care services under the laws of this  
17 Commonwealth, including a physician, podiatrist, optometrist,  
18 psychologist, physical therapist, certified nurse practitioner,

1 registered nurse, nurse midwife, physician's assistant,  
2 chiropractor, dentist, pharmacist or an individual accredited or  
3 certified to provide behavioral health services.

4 \* \* \*

5 Section 2. Section 6386 of Title 23 is amended to read:

6 § 6386. [Mandatory reporting of infants born and identified as  
7 being affected by illegal substance abuse.

8 Health care providers who are involved in the delivery or  
9 care of an infant who is born and identified as being affected  
10 by illegal substance abuse or as having withdrawal symptoms  
11 resulting from prenatal drug exposure shall immediately cause a  
12 report to be made to the appropriate county agency. The county  
13 agency shall provide or arrange for appropriate services for the  
14 infant.]

15 Mandatory reporting of newborns.

16 (a) When report to be made.--A health care provider shall  
17 immediately make a report or cause a report to be made to the  
18 appropriate county agency if the provider is involved in the  
19 delivery or care of a newborn who is born and identified as  
20 being affected by any of the following:

21 (1) Illegal substance abuse by the newborn's mother.

22 (2) Withdrawal symptoms resulting from prenatal drug  
23 exposure.

24 (3) A Fetal Alcohol Spectrum Disorder.

25 (b) Safety or risk assessment.--The county agency shall  
26 perform a safety assessment or risk assessment, or both, for the  
27 newborn and determine whether child protective services or  
28 general protective services are warranted.

29 (c) County agency duties.--Upon receipt of a report under  
30 this section, the county agency for the county where the newborn

1 resides shall:

2       (1) Contact the parents of the newborn within 24 hours  
3 of receipt of the report.

4       (2) Physically see the newborn within 48 hours of  
5 receipt of the report.

6       (3) If needed, develop a safety plan with the parents of  
7 the newborn to ensure the immediate safety of the newborn and  
8 the receipt of appropriate medical services by the newborn.

9       (4) Provide or arrange reasonable services to ensure the  
10 newborn is provided with proper parental care, control and  
11 supervision.

12 Section 3. This act shall take effect in 60 days.