

## **Bill Summary: H918, Amend Abuse Laws/Expedite Permanency**

[H918](#) has been making its way through the legislature. The bill has passed the House and has now been referred to the Senate Judiciary Committee.

This bill amends General Statute 7B, Juvenile Code. The bill inserts new language:

- that allows the department of social services to place infants under 3 years of age who have been removed from the custody of their homes in a prospective permanent placement within 12 months of the date of the initial order removing the custody;
- that adds to the definition of “abuse” to include when the infant under 3 years of age is exposed repeatedly to drugs, other than those prescribed by a licensed medical provider, while the juvenile is in utero;
- expands on the “non-relative kin” to include a foster parents with whom a juvenile under 3 years old has resided for a continuous period of at least 9 months;
- further defines the juvenile as one who is born drug-exposed and the drug exposure is not medically based, the parent is unable to fulfill parental responsibilities due to chronic drug abuse AND there are reasonable grounds to believe that the parent’s substance abuse will continue for an indeterminate period based on the opinion of a licensed health care provider with SUD experience.
- Requiring due diligence on the part of the department of social services to notify the legal custodian of a sibling of the juvenile within 30 days after the initial order removing custody.
- Becomes effective 10/1/19.

### ***Note to Policy and Research Workgroup:***

This summation request was made to determine if the State Collaborative would take a position on the bill. Below are a few points that come to my mind (Caveat: any position should be based on reasoning that is pertinent to State Collaborative members):

- The bill does not include or emphasize any attempted reunification requirements for this circumstance prior to the permanent placement being made;
- The requirements would appear to put the healthcare professional in a role that is not related to the provision of healthcare;
- The bill may have an unintended consequence of being a deterrent for individuals with substance use disorders who may choose not to seek pre-natal care;
- Anticipated changes to the cost of foster care should be included in any fiscal impact statement and should be clarified prior to passage of the bill.

Timeframe to take a position: The remaining steps to the bill process include passage by the Senate Judiciary Committee, a potential re-referral to another Senate committee or direct consideration by the full Senate. Once it passes the full Senate, it will go back to the House where they can either accept or reject any changes made in the Senate. If they reject the changes, it will go to conference. The bill could make it through all of these hoops before they recess/adjourn. In any case, it has met crossover deadlines and will, therefore, remain active through the short session.

At this point, any targeted messaging should go to the Senate Leadership and Senate Judiciary Committee.

[Senate Leadership:](#)

Sens. Berger, Hise, Brown, Blue

Members of the [Senate Judiciary Committee:](#)

Sens. Britt and Daniels are co-chairs

Members are Sens. Bishop, Blue, Brown, J. Davis, Fitch, Harrington, Horner, J. Jackson, B. Jackson, Marcus, Mohammed, Newton, Tillman, Van Duyn