

Regular Session, 2008

HOUSE RESOLUTION NO. 107

BY REPRESENTATIVE DOERGE

A RESOLUTION

To urge and request the Children's Code Committee of the Louisiana State Law Institute to convene a study group to examine additional steps that could be taken for mothers who are not compliant with treatment mandates from the Department of Social Services and to report its findings to the House and Senate committees on health and welfare no later than March 1, 2009.

WHEREAS, the use of alcohol, tobacco, or illegal drugs, and the nontreatment of mental problems related to domestic violence or depression are significant problems that can adversely affect pregnancy outcomes and cause lifelong adverse impacts to the children of the affected pregnancies; and

WHEREAS, every effort should be made to identify women who use alcohol, tobacco, or illegal drugs, or are the victims of domestic violence or depression early in their pregnancy and get them into treatment; and

WHEREAS, the state has a vested interest in assuring that children born to mothers who suffer from these problems are appropriately identified and referred to the Department of Social Services, office of community services, to assure their safety; and

WHEREAS, in cases where a new mother is not willing to comply with conditions set by the office of community services in order for the baby to remain in her care, the office must assure that other responsible adults are available to care for the baby or remove the baby from the mother's care; and

WHEREAS, the office of community services may need additional tools to assure that these new mothers receive treatment that would allow them to retain or regain custody of their children; and

WHEREAS, the legislature commends the collaborative efforts of the Department of Health and Hospitals including the office of addictive disorders, office of public health,

office of mental health, and the bureau of health care financing (Louisiana Medicaid) and the March of Dimes, the Louisiana members of the American College of Obstetricians and Gynecologists, and the Louisiana Maternal and Child Health Coalition to screen pregnant women for the use of tobacco, alcohol, and illegal drugs, and for signs of domestic violence and depression, and, when appropriate, to intervene and refer them to treatment programs; and

WHEREAS, it is believed that these successful efforts should be expanded and offered throughout the entire state; and

WHEREAS, the legislature commends the Department of Social Services, office of community services, for the work that it is doing to investigate complaints under Children's Code Article No. 610 and to develop plans of safe care for the affected babies.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the Children's Code Committee of the Louisiana State Law Institute to convene a study group to examine additional steps that could be taken for mothers who are not compliant with treatment mandates from the Department of Social Services.

BE IT FURTHER RESOLVED that the committee is requested to consider options appropriate to prepare these new mothers to be responsible parents. The options may include but are not limited to the following:

- (1) Referral to drug courts or other methods to assure treatment of their addiction.
- (2) Requirements that these women submit to long-term contraceptive drugs or devices to avoid additional drug-exposed births.
- (3) Other conditions that the Children's Code Committee may recommend after consideration of studies, reports, and recommendations of other states or experts.

BE IT FURTHER RESOLVED that the Children's Code Committee of the Louisiana State Law Institute is requested to report its findings to the House and Senate committees on health and welfare no later than March 1, 2009.