

**§4011-B. Notification of prenatal exposure to drugs or having a fetal alcohol spectrum disorder**

**1. Notification of prenatal exposure to drugs or having a fetal alcohol spectrum disorder.** A health care provider involved in the delivery or care of an infant who the provider knows or has reasonable cause to suspect has been born affected by substance use, has withdrawal symptoms that require medical monitoring or care beyond standard newborn care when those symptoms have resulted from or have likely resulted from prenatal drug exposure, whether the prenatal exposure was to legal or illegal drugs, or has a fetal alcohol spectrum disorder shall notify the department of that condition in the infant. The notification required by this subsection must be made in the same manner as reports of abuse or neglect required by this subchapter.

A. This section, and any notification made pursuant to this section, may not be construed to establish a definition of "abuse" or "neglect." [PL 2003, c. 673, Pt. Z, §5 (NEW).]

B. This section, and any notification made pursuant to this section, may not be construed to require prosecution for any illegal action, including, but not limited to, the act of exposing a fetus to drugs or other substances. [PL 2003, c. 673, Pt. Z, §5 (NEW).]

[PL 2019, c. 342, §3 (AMD).]

**2. Definition.** For purposes of this section, "health care provider" means a person described in section 4011-A, subsection 1, paragraph A, subparagraphs (1) to (10), (15), (17) to (20) or (22) or any person who assists in the delivery or birth of a child for compensation, including, but not limited to, a midwife.

[PL 2003, c. 673, Pt. Z, §5 (NEW).]

**SECTION HISTORY**

PL 2003, c. 673, §Z5 (NEW). PL 2013, c. 192, §3 (AMD). PL 2017, c. 407, Pt. A, §84 (AMD). PL 2019, c. 342, §3 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

|  |
|--|
| PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney. |
|--|