

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2530**

Jones Floor Amendment

The JONES substitute floor amendment:

1. Specifies that if DCS receives a communication involving substance use by a pregnant woman, they must provide the information regarding the communication to AHCCCS who will refer the woman to a provider for substance use treatment.
2. Specifies that proof that the mother was referred for substance use services and support and participated in substance use treatment certified by a health care professional may be considered a mitigating factor when determining if a child is neglected.
3. Adds that a licensed or certified health care professional must refer a pregnant woman to substance use services and supports, to facilitate maternal and infant safety, upon a finding of a pregnant woman using alcohol.
4. Stipulates that prenatal indicators, drug use history or participation in substance use services and treatment alone, must not be the basis of a report of suspected neglect to DCS.
5. Makes technical and conforming changes.

Amendment explanation prepared by K. McNeil

Phone Number 6-3583

Is

2/24/2023

JONES SUBSTITUTE FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2530

I move the following SUBSTITUTE amendment to the HEALTH & HUMAN SERVICES
Committee Amendment to
HOUSE BILL 2530 (Reference to printed bill)

- 1 Page 2, line 3, strike "ON RECEIPT OF" insert "IF THE DEPARTMENT RECEIVES"
- 2 Line 4, strike "OF CHILD SAFETY"; strike "REFER THE PREGNANT"
- 3 Line 5, strike "WOMAN TO THE DEPARTMENT OF HEALTH SERVICES FOR REFERRAL"
- 4 insert "PROVIDE INFORMATION REGARDING THE COMMUNICATION TO THE ARIZONA
- 5 HEALTH CARE COST CONTAINMENT SYSTEM, WHICH SHALL REFER THE WOMAN"
- 6 Page 3, line 19, after "USING" insert "ALCOHOL OR"
- 7 Line 37, strike "OF MATERNAL PARTICIPATION" insert "THAT THE MOTHER WAS
- 8 REFERRED FOR SUBSTANCE USE SERVICES AND SUPPORT PURSUANT TO SECTION 8-818
- 9 AND PARTICIPATED"
- 10 Line 39, after "32" strike remainder of line insert ". PROOF OF THE MOTHER'S
- 11 PARTICIPATION IN SUBSTANCE USE TREATMENT MAY BE CONSIDERED A MITIGATING
- 12 FACTOR IN DETERMINING NEGLECT."
- 13 Strike lines 40 through 44
- 14 Page 4, strike lines 1 through 34
- 15 Renumber to conform
- 16 Page 6, line 27, strike the comma insert ":
- 17 1."
- 18 Line 28, strike "or following" insert "AND"
- 19 Line 32, after the period strike remainder of line
- 20 Strike lines 33 and 34
- 21 Line 35, strike "SECTION 8-818."; strike "subsection" insert "PARAGRAPH"

1 Page 6, between lines 36 and 37, insert:

2 "2. THROUGH CLINICAL INDICATORS IN THE PRENATAL PERIOD, INCLUDING
3 MATERNAL PRESENTATION OR POSITIVE TOXICOLOGY OR OTHER LABORATORY TESTS,
4 SUSPECTS THE USE OF ALCOHOL OR A DANGEROUS DRUG OR NARCOTIC DRUG AS DEFINED
5 IN SECTION 13-3401 SHALL IMMEDIATELY REFER THE WOMAN TO THE ARIZONA HEALTH
6 CARE COST CONTAINMENT SYSTEM FOR SUBSTANCE USE SERVICES AND SUPPORT
7 PURSUANT TO SECTION 8-818. THE PRESENCE OF PRENATAL CLINICAL INDICATORS OR
8 THE WOMAN'S HISTORY OF SUBSTANCE USE OR PARTICIPATION IN SUBSTANCE USE
9 SERVICES AND SUPPORT ALONE MAY NOT BE THE BASIS OF A REPORT PURSUANT TO
10 THIS SUBSECTION OF SUSPECTED NEGLECT MADE TO THE DEPARTMENT OF CHILD SAFETY
11 ON THE BIRTH OF THE CHILD."

12 Page 8, strike lines 33 through 41, insert:

13 "Sec. 5. Title 36, chapter 29, article 1, Arizona Revised Statutes,
14 is amended by adding section 36-2930.07, to read:

15 36-2930.07. Prenatal substance use; services and support

16 ON A FINDING OR REPORT TO THE DEPARTMENT OF CHILD SAFETY OF A
17 PREGNANT WOMAN USING ALCOHOL OR A DANGEROUS DRUG OR NARCOTIC AS DEFINED IN
18 SECTION 13-3401, A HEALTH CARE PROFESSIONAL WHO IS LICENSED PURSUANT TO
19 TITLE 32 SHALL REFER THE WOMAN TO SUBSTANCE USE SERVICES AND SUPPORT TO
20 FACILITATE MATERNAL AND INFANT SAFETY."

21 Amend title to conform

RACHEL JONES

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