

SENATE FILE NO. SF0079

Plan of safe care-newborns.

Sponsored by: Senator(s) Baldwin and Barlow and Representative(s) Brown, Larsen, L, Oakley, Sommers, Washut and Zwonitzer, Dn

A BILL

for

1 AN ACT relating to public health and safety; requiring  
2 health care providers to develop plans of safe care for  
3 infants as specified; requiring hospitals to report to the  
4 department of family services as specified; providing  
5 definitions; requiring rulemaking; and providing for  
6 effective dates.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 35-2-1401 is created to read:

11

12

ARTICLE 14

13

PLANS OF SAFE CARE FOR INFANTS

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1           **35-2-1401. Definitions; plans of safe care;**  
2 **requirements.**

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4           (a) As used in this article:

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6           (i) "Early intervention and education program"  
7 means a program that provides services for infants and  
8 children with developmental delays and disabilities;

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10           (ii) "Patient care team" means a team of health  
11 care providers, including one (1) or more licensed  
12 physicians, who provide medical care services to a patient;

13  
14           (iii) "Plan of safe care" means a plan designed  
15 to ensure the safety and wellbeing of an infant with  
16 prenatal substance use exposure following the infant's  
17 release from the care of a health care provider by  
18 addressing the health and substance use treatment needs of  
19 the infant and the affected family or caregiver.

20  
21           (b) When an infant is born with and identified as  
22 being affected by substance abuse or withdrawal symptoms  
23 resulting from prenatal drug or alcohol exposure, a member

1 of a patient care team shall develop a plan of safe care,  
2 in cooperation with the infant's parents or guardians in  
3 order to:

4

5 (i) Ensure the safety and wellbeing of the  
6 infant;

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8 (ii) Address the health and substance use  
9 treatment needs of the infant and affected family members  
10 or caregivers; and

11

12 (iii) Ensure that appropriate referrals are made  
13 for the infant and affected family members or caregivers  
14 upon discharge from the hospital or other health care  
15 provider, including a referral to a local early  
16 intervention and education program.

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18 (c) The plan of safe care shall take into account  
19 whether the infant's prenatal drug exposure occurred as a  
20 result of medication assisted treatment or medication  
21 prescribed for the mother by a healthcare provider, and  
22 whether the infant's mother is or will be actively engaged  
23 in ongoing substance use disorder treatment that would

1 mitigate the future risk of harm to the infant following  
2 discharge.

3

4 (d) If applicable, a copy of the plan of safe care  
5 shall be provided to the appropriate community partners  
6 involved in the infant's future care and included in the  
7 instructions for the infant upon discharge from the  
8 hospital or other health care provider.

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10 (e) The patient care team shall report the total  
11 number of infants and families for whom a plan of safe care  
12 has been developed to the department of family services  
13 pursuant to the Comprehensive Addiction and Recovery Act of  
14 2016, P.L. No. 114-198.

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16 (f) If the patient care team identifies a safety  
17 concern for an infant, the patient care team shall make a  
18 mandatory report to the local child protective agency under  
19 title 14, chapter 3, article 2 of the Wyoming statutes and  
20 provide the local child protective agency a copy of the  
21 plan of safe care.

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1           **Section 2.** The department of family services, in  
2 consultation with the department of health, shall  
3 promulgate rules and regulations necessary to implement  
4 this act.

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6           **Section 3.**

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8           (a) Except as provided by subsection (b) of this  
9 section, this act is effective January 1, 2024.

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11           (b) Sections 2 and 3 of this act are effective  
12 immediately upon completion of all acts necessary for a  
13 bill to become law as provided by Article 4, Section 8 of  
14 the Wyoming Constitution.

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16

(END)