



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Senate Bill 529

Senate Amendment 1

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Senate Bill 529 relates to evaluation of infants for fetal alcohol spectrum disorder and referral of infants who have that condition for services and treatment.

Current Law

Current law authorizes certain individuals who suspect that an infant has controlled substances in the infant's bodily fluids because of the use of those substances by the infant's mother while she was pregnant with the infant, to refer the infant to a physician for testing of the infant's bodily fluids for those substances. The individuals authorized to make a referral include hospital employees providing health care, social workers, and juvenile court intake workers. If the physician makes certain findings, as specified in the statutes, the physician may test the infant for the controlled substances. If the test indicates that controlled substances are present, the condition must be reported and services and treatment for the infant and mother must be provided as specified under the Children's Code.

The Bill

The bill creates a similar, mandatory procedure for infants suspected of having a fetal alcohol spectrum disorder. The bill requires certain individuals who suspect that an infant has a fetal alcohol spectrum disorder, to refer the infant to a physician for evaluation to diagnose whether the infant has a fetal alcohol spectrum disorder. The individuals required to make a referral include hospital employees providing health care, social workers, and juvenile court intake workers. If the physician finds that there is a serious risk that an infant has a fetal alcohol spectrum disorder, the physician must evaluate the infant to diagnose whether the infant has a fetal alcohol spectrum disorder. If the physician diagnoses that an infant has a fetal alcohol spectrum disorder, the condition must be reported and services and treatment for the infant and mother must be provided as specified under the Children's Code.

In addition, the bill makes certain revisions to the statutory language of s. 146.0255, Stats., titled, "Testing infants for controlled substances or controlled substance analogs." The changes to that section are non-substantive and principally involve the division of sub. (2) into two separate paragraphs and a reorganization of the text.

Senate Amendment 1

Senate Amendment 1 removes from the bill all of the revisions to s. 146.0255, Stats., titled, "Testing infants for controlled substances or controlled substance analogs." The removal of these revisions does not affect the substantive provisions of the bill related to the creation of a referral and testing procedure for infants suspected of having a fetal alcohol spectrum disorder.

In addition, the amendment modifies references in the bill to "fetal alcohol spectrum disorder" in order to refer to that term as an umbrella term, rather than a single condition.

Bill History

Senate Amendment 1 was offered by Senator Olsen. On March 5, 2014, the Senate Committee on Health and Human Services voted unanimously to adopt the amendment and to recommend passage of the bill, as amended.

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