

**HOUSE . . . . . No. 173**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sean Garballey***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

**An Act to support families.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/18/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/9/2023</i>
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	<i>2/14/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/21/2023</i>

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By Representative Garballey of Arlington, a petition (accompanied by bill, House, No. 173) of Sean Garballey and others for legislation to protect infants affected by in-utero substance exposure or fetal alcohol spectrum disorder. Children, Families and Persons with Disabilities.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act to support families.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. The first paragraph of subsection (a) of section 51A of chapter 119 of the  
2 General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in  
3 line 6, the words:- ; (iii) physical dependence upon an addictive drug at birth.

4           SECTION 2. Said section 51A of said chapter 119, as so appearing, is hereby further  
5 amended by inserting after subsection (a) the following subsection:-

6           (a<sup>1/2</sup>) Separate from the reporting requirements under subsection (a), health care providers  
7 involved in the delivery or care of infants affected by in-utero substance exposure or a fetal  
8 alcohol spectrum disorder, shall notify the department of such condition in such infants as  
9 required under 42 U.S.C. § 1506a(b)(2)(B)(ii). Such notification shall not include the names or  
10 identifying information of the parents or the infant, shall not constitute a report that any parent  
11 has abused or neglected a child, and shall not trigger or require prosecution for any illegal action.