

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.

7

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

ARTICLE 14

12

PLANS OF SAFE CARE FOR INFANTS

13

14

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

3
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;

9
10 (ii) "Patient care team" means a team of health
11 care providers, including one (1) or more licensed health
12 care providers, who provide medical care services to a
13 patient;

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

21
22 (b) Prenatally or when an infant is born with and
23 identified as being affected by substance abuse or

1 withdrawal symptoms resulting from prenatal drug or alcohol
2 exposure, a member of a patient care team shall develop a
3 plan of safe care, in cooperation with the infant's
4 parents, families or guardians in order to:

5

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

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

12

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

18

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

1 in ongoing substance use disorder treatment that would
2 mitigate the future risk of harm to the infant following
3 discharge.

4

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

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11 (e) The patient care team shall report the total
12 number of infants and families for whom a plan of safe care
13 has been developed to the department of family services
14 pursuant to the Comprehensive Addiction and Recovery Act of
15 2016, P.L. No. 114-198.

16

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

23

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.

5

6 **Section 3.**

7

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

10

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.

15

16

(END)