

1 SENATE BILL NO. 133

2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the Senate Committee on Rehabilitation and Social Services

4 on _____)

5 (Patron Prior to Substitute—Senator Locke)

6 *A BILL to direct the Departments of Social Services, Behavioral Health and Developmental Services, and*
7 *Health to study the Commonwealth's response to and services available to address parental prenatal and*
8 *postnatal substance use and the effects of such substance use on newborns and children.*9 **Be it enacted by the General Assembly of Virginia:**10 *1. § 1. The Departments of Social Services, Behavioral Health and Developmental Services, and Health*
11 *shall convene a work group to study the Commonwealth's response to and services available to address*
12 *parental prenatal and postnatal substance use and the effects of such substance use on newborns and*
13 *children. Such work group shall (i) review existing statutes, regulations, agency guidance, and current*
14 *practices regarding the response and provision of services to parents using substances legally and illegally*
15 *and children born affected by exposure to substances, including the development and use of Plans of Safe*
16 *Care, to determine whether changes in statute, regulation, or agency guidance are necessary to meet the*
17 *needs of families, emphasize preservation of the mother-infant dyad, and ensure the safety of children; (ii)*
18 *identify best practices for government agencies and service providers; (iii) identify service gaps and make*
19 *recommendations for addressing them; (iv) identify data gaps and make recommendations for addressing*
20 *them; (v) identify and recommend training policies and opportunities for government agencies and service*
21 *providers; and (vi) identify inconsistencies in the implementation of toxicology or cord blood testing of a*
22 *child or pregnant or postpartum woman and make recommendations to address inconsistent testing.*23 *Members of the work group shall include local and state representatives from departments of social*
24 *services; local and state representatives from public health agencies; representatives from community*
25 *service boards and behavioral health authorities, including staff from the Infant and Toddler Connection of*
26 *Virginia; a representative from the Office of the Chief Medical Examiner; private health care providers,*
27 *including OB/GYNs, of which at least one shall be an OB/GYN certified in addiction medicine, pediatricians*
28 *and physicians board certified in substance use disorder, researchers that specialize in both maternal and*
29 *child health and substance use harm reduction reducing harm, hospital emergency department staff,*
30 *hospital social workers, and providers of medication-assisted substance use treatment; doulas and*
31 *midwives; representatives from private community-based family support organizations; impacted parents;*
32 *the Virginia Interfaith Center for Public Policy; the Virginia Poverty Law Center; and other relevant*

33 *stakeholders. The work group shall submit a written report of its findings and recommendations to the*
34 *Chairs of the Senate Committees on Education and Health and Rehabilitation and Social Services and the*
35 *House Committee on Health and Human Services by December 1, 2026.*