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SENATE BILL NO. 133

~~SENATE BILL NO. 150~~
AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services
on January 23, 2026)

(Patron Prior to Substitute—Senator Locke)

A BILL to direct the Departments of Social Services, Behavioral Health and Developmental Services, and Health to study the Commonwealth's response to and services available to address parental prenatal and postnatal substance use and the effects of such substance use on newborns and children.

Be it enacted by the General Assembly of Virginia:

1. § 1. *The Departments of Social Services, Behavioral Health and Developmental Services, and Health shall convene a work group to study the Commonwealth's response to and services available to address parental prenatal and postnatal substance use and the effects of such substance use on newborns and children. Such work group shall (i) review existing statutes, regulations, agency guidance, and current practices regarding the response and provision of services to parents using substances legally and illegally and children born affected by exposure to substances, including the development and use of Plans of Safe Care, to determine whether changes in statute, regulation, or agency guidance are necessary to meet the needs of families, emphasize preservation of the mother-infant dyad, and ensure the safety of children; (ii) identify best practices for government agencies and service providers; (iii) identify service gaps and make recommendations for addressing them; (iv) identify data gaps and make recommendations for addressing them; (v) identify and recommend training policies and opportunities for government agencies and service providers; and (vi) identify inconsistencies in the implementation of toxicology or cord blood testing of a child or pregnant or postpartum woman and make recommendations to address inconsistent testing. Members of the work group shall include local and state representatives from departments of social services; local and state representatives from public health agencies; representatives from community service boards and behavioral health authorities, including staff from the Infant and Toddler Connection of Virginia; a representative from the Office of the Chief Medical Examiner; private health care providers, including OB/GYNs, of which at least one shall be an OB/GYN certified in addiction medicine, pediatricians and physicians board certified in substance use disorder, researchers that specialize in both maternal and child health and substance use harm reduction reducing harm, hospital emergency department staff, hospital social workers, and providers of medication-assisted substance use treatment; doulas and midwives; representatives from private community-based family support organizations; impacted parents; the Virginia Interfaith Center for Public Policy; the Virginia Poverty Law Center; and other relevant stakeholders. The work group shall submit a written report of its findings and recommendations to the Chairs of the Senate Committees on Education and Health and Rehabilitation and Social Services and the House Committee on Health and Human Services by December 1, 2026.*