

VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

CHAPTER 651

An Act to direct the Department of Social Services, Department of Behavioral Health and Developmental Services, and Department of Health to convene a work group to evaluate the Commonwealth's response to parental prenatal and postnatal substance use, the services available to address such substance use, and the effects of such substance use on newborns and children; report.

[S 133]

Approved April 13, 2026

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Social Services, Department of Behavioral Health and Developmental Services, and Department of Health shall convene a work group to evaluate the Commonwealth's response to parental prenatal and postnatal substance use, the services available to address such 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 under the federal Child Abuse Prevention and Treatment Act (42 U.S.C. § 5101 et seq.), to determine whether changes in statute, regulation, or 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 (a) representatives from the Department of Social Services; (b) representatives from local departments of social services; (c) representatives from local and state public health agencies; (d) representatives from community service boards and behavioral health authorities, including staff from the Infant and Toddler Connection of Virginia; (e) one representative from the Office of the Chief Medical Examiner; (f) private health care providers, including OB/GYNs of whom at least one must be an OB/GYN certified in addiction medicine; (g) pediatricians and physicians board-certified in substance use disorder; (h) researchers that specialize in maternal and child health and substance use harm reduction; (i) hospital emergency department staff; (j) hospital social workers; (k) providers of medication-assisted substance use treatment; (l) doulas and midwives; (m) representatives from private community-based family support organizations; (n) impacted parents; (o) a representative from the Virginia Interfaith Center for Public Policy; (p) a representative from the Virginia Poverty Law Center; and (q) 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.*