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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3059**

February 18, 2010

Authored by Ruud; Murphy, E.; Abeler; Champion; Clark and others

The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight

March 4, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Public Safety Policy and Oversight

March 15, 2010

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act
1.2 relating to health; modifying mandatory reporting requirements related to
1.3 pregnant women; amending Minnesota Statutes 2008, section 626.5561,
1.4 subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 626.5561, subdivision 1, is amended to
1.7 read:

1.8 Subdivision 1. **Reports required.** (a) Except as provided in paragraph (b), a person
1.9 mandated to report under section 626.556, subdivision 3, shall immediately report to the
1.10 local welfare agency if the person knows or has reason to believe that a woman is pregnant
1.11 and has used a controlled substance for a nonmedical purpose during the pregnancy,
1.12 including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages
1.13 during the pregnancy in any way that is habitual or excessive.

1.14 (b) A health care professional or a social service professional who is mandated to
1.15 report under section 626.556, subdivision 3, is exempt from reporting under paragraph
1.16 (a) a woman's use or consumption of tetrahydrocannabinol or alcoholic beverages during
1.17 pregnancy if the professional is providing the woman with prenatal care.

1.18 (c) Any person may make a voluntary report if the person knows or has reason to
1.19 believe that a woman is pregnant and has used a controlled substance for a nonmedical
1.20 purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or
1.21 has consumed alcoholic beverages during the pregnancy in any way that is habitual or
1.22 excessive. An oral report shall be made immediately by telephone or otherwise. An oral
1.23 report made by a person required to report shall be followed within 72 hours, exclusive
1.24 of weekends and holidays, by a report in writing to the local welfare agency. Any report

2.1 shall be of sufficient content to identify the pregnant woman, the nature and extent of the
2.2 use, if known, and the name and address of the reporter.

2.3 (d) For purposes of this section, "prenatal care" means the comprehensive package
2.4 of medical and psychological support provided throughout the pregnancy.