

ENROLLED ACT NO. 69, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2023 GENERAL SESSION

AN ACT relating to public health and safety; requiring health care providers to develop plans of safe care for infants as specified; requiring hospitals to report to the department of family services as specified; providing definitions; requiring rulemaking; and providing for effective dates.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 35-2-1401 is created to read:

ARTICLE 14
PLANS OF SAFE CARE FOR INFANTS

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

(a) As used in this article:

(i) "Early intervention and education program" means a program that provides services for infants and children with developmental delays and disabilities;

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

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

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(b) When an infant is born with and identified, or identified prenatally, as being affected by substance abuse or withdrawal symptoms resulting from prenatal drug or alcohol exposure, a member of a patient care team shall develop a plan of safe care, in cooperation with the infant's parents, families or guardians and with a priority of keeping the infant in the home as the safety and wellbeing of the infant allows in order to:

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

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

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

(c) The plan of safe care shall take into account whether the infant's prenatal drug exposure occurred as a result of medication assisted treatment or medication prescribed for the mother by a healthcare provider, and whether the infant's mother is or will be actively engaged in ongoing substance use disorder treatment that would mitigate the future risk of harm to the infant following discharge.

(d) If applicable, a copy of the plan of safe care shall be provided to the appropriate community partners involved in the infant's future care and included in the

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instructions for the infant upon discharge from the hospital or other health care provider.

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

(f) A plan of safe care shall contain a termination date not to exceed one (1) year after the plan of safe care is initiated. The patient care team and the parents, families or guardians may initiate subsequent plans of safe care after the termination of the initial plan of safe care under this subsection.

Section 2. The department of family services, in consultation with the department of health, shall promulgate rules and regulations necessary to implement this act.

ORIGINAL SENATE
FILE NO. SF0079

ENGROSSED

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Section 3.

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

(b) Sections 2 and 3 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk