

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Allow Noninvasive Testing of Infants for the Presence of Drugs without a Parent's Consent**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §1534** is enacted to read:

### **§ 1534. Detection of the presence of addictive drugs at birth**

A hospital, maternity home or other maternity service or physician may test a newborn infant or cause the infant to be tested for the presence of addictive drugs through noninvasive meconium or urine testing with or without the consent of one or both of the infant's parents. A hospital, maternity home or other maternity service or physician must conduct a test if that test is ordered by the department. At the discretion of the department, reports and records of test results may be required to be submitted to the department. The department may, upon request, offer consultation and training to a hospital, maternity home or maternity service or physician. The department shall adopt rules to implement the provisions of this section, including specifying testing methods, materials and procedures. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

### **SUMMARY**

This bill provides for noninvasive testing of newborn infants for the presence of addictive drugs with or without the consent of one or both parents. The bill provides for routine technical rules to be adopted by the Department of Health and Human Services.