

ENROLLED HOUSE  
JOINT  
RESOLUTION NO. 1032

BY: JOHNSON (Rob) and NIEMI  
of the HOUSE

and

HANEY of the SENATE

A JOINT RESOLUTION CREATING THE TASK FORCE ON HARMFUL SUBSTANCE USE AND ABUSE DURING PREGNANCY; PROVIDING FOR MEMBERSHIP AND APPOINTMENT OF MEMBERS; SPECIFYING DUTIES OF COMMISSION; PROVIDING FOR OFFICERS OF TASK FORCE; PROVIDING FOR REIMBURSEMENT; REQUIRING REPORT; DIRECTING DISTRIBUTION; AND DECLARING AN EMERGENCY.

WHEREAS, it is in the best interest of the State of Oklahoma, its economy, and the health of its people to promote maternal health to ensure the birth of healthy children; and

WHEREAS, there is an increasing incidence of infants born nationwide and in Oklahoma who have been exposed during pregnancy to certain substances, including illegal drugs, alcohol and other chemicals or substances which are known or expected to be harmful; and

WHEREAS, exposure to harmful substances may have long-term consequences including low birthweight, mental retardation, physical anomalies, learning disabilities, impaired motor skills, and developmental delays; and

WHEREAS, the importance of bonding between parents and a newborn is proven and out-of-home placement of newborns is not always in the best interests of the child; and

WHEREAS, it is well established that the best methods of reducing the tragic occurrence of newborns who have been exposed to drugs, alcohol, and other harmful substances during pregnancy is through primary prevention, diagnosis and treatment of mothers and families with substance abuse problems and through early intervention and treatment for newborns of such families; and

WHEREAS, programs should be developed within the existing infrastructure of the state which provide information and services to mothers and other family members who have or may have drug, alcohol or other substance abuse problems in a preventative, educational and rehabilitative manner; and

WHEREAS, these educational, rehabilitative and prevention programs and programs to provide care for pregnant and postpartum women and their children who have drug, alcohol or substance abuse problems or addictions in the State of Oklahoma are severely limited; and

WHEREAS, fear of criminal or civil penalties may prevent pregnant women who have or may have drug, alcohol or substance abuse problems from seeking appropriate medical care and treatment for such problems.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 43RD OKLAHOMA LEGISLATURE:

SECTION 1. There is hereby created, to continue until January 1, 1992, the Task Force on Harmful Substance Use and Abuse During Pregnancy. The Task Force shall be composed of thirty-two (32) members to be appointed as follows:

1. The Speaker of the House of Representatives shall appoint two members from the Oklahoma House of Representatives, one member who is employed in the Maternal and Child Health Division of the Oklahoma State Department of Health, one member who is employed in the Prevention Division of the Department of Mental Health and Substance Abuse Services, one member who shall be a toxicologist from the O.U. Health Sciences Center, one member who is employed with the Child Welfare Division of the Department of Human Services, one member from the State Department of Vocational and Technical Education, one member from the State Department of Health's Healthy Futures Program, one member who shall be a member of the American College of Obstetrics and Gynecology, and one member who is a Doctor of Osteopathy.

2. The President Pro Tempore of the Senate shall appoint two members from the Oklahoma State Senate, one member who is employed in the Maternal and Child Health Division of the State Department of Health, one member from the Biomedical and Health Care Ethics Division of the O.U. Health Sciences Center, one member who is a member of the National Association of Social Workers, one member who is employed in the Treatment Programs Division of the Department of Mental Health and Substance Abuse Services, one member who shall be the State Chief Child Abuse Examiner, one member who is a member of the American Academy of Pediatrics, Oklahoma Chapter, one member who is a representative of the Oklahoma Bar Association, and one member who is a representative of a statewide association of court-appointed special advocates.

3. The Governor shall appoint one member who is employed with the State Department of Health, one member who is a representative from Indian Health Services, one member from the administration of the Department of Mental Health and Substance Abuse Services, one member from the O.U. Health Sciences Center, one member who is the Director of the Oklahoma Commission on Children and Youth, one member who represents a private substance abuse treatment facility for women and infants, one member from the Department of Corrections, one member from the Early Intervention Division of the State Department of Education, one member who is a member of the District Attorneys Council, one member from the Medical Services Division of the Department of Human Services, one member who is a public school educator, and one lay member.

SECTION 2. The Task Force on Harmful Substance Use and Abuse During Pregnancy shall be charged with the following responsibilities:

1. To establish concise definitions of certain terms relevant to the study of harmful substance use and abuse during pregnancy, including but not limited to, the terms "chemically dependent", "drug and harmful substance exposure", "drug and harmful substance addiction", and "harmful substance";

2. To make recommendations, including funding requirements and strategies, regarding a comprehensive needs assessment of the present and future services required to adequately address the population of women of childbearing years in Oklahoma who are or may have chemical, alcohol, drug or other harmful substance abuse problems;

3. To study the barriers to the delivery of prevention and treatment services and programs to women who have or may have chemical, alcohol, drug or other harmful substance abuse problems and to children of such women who are suffering from exposure or addiction to such substances;

4. To study and summarize the approaches taken by other states in treating the problems associated with drug, alcohol, chemical and other harmful substance abuse and use during pregnancy, including treatment options for families and long-term follow-up treatment for infants;

5. To review the recommendations of national and state organizations that have issued reports on this problem;

6. To study the social issues that accompany the problem of abuse and use of and addiction to drugs, alcohol, chemicals and other harmful substances by pregnant women, including but not limited to, the availability of adequate foster care for the children of such women and the stress that denial of custody may have on families;

7. To make recommendations for changes or additions to the Oklahoma laws and changes, additions or modifications to current programs offered by the state that may be needed to allow the state to provide comprehensive care and treatment to women, children and families affected by drug, alcohol, chemical and other harmful substance exposure, abuse or addiction during pregnancy; and

8. To address any other issues and make recommendations relating thereto, that the Task Force deems necessary to fulfill the directives and purposes of this resolution.

SECTION 3. The chairperson of the Task Force shall be chosen by the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate jointly and shall be one of the thirty-two members. The vice-chairperson shall be elected by the members of the Task Force. The members of the Task Force on Harmful Substance Use and Abuse During Pregnancy shall submit a written report of its findings and recommendations by January 1, 1992 to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor.

SECTION 4. Members of the Task Force shall be reimbursed for expenses incurred in performing their duties as members, pursuant to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes. Said reimbursement shall be paid in the case of state employee members by the agency employing the member, and for other members, by the Legislative Service Bureau. Staff assistance for the Task Force shall be provided through the staff of the House of Representatives and the Senate.

SECTION 5. Copies of this resolution shall be distributed to the State Commissioner of Health, the Director of the Department of Human Services, the Director of Corrections, the Commissioner of Mental Health and Substance Abuse Services and the Superintendent of Public Instruction.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 7th day of March, 1991.

Speaker of the House of  
Representatives

Passed the Senate the 27th day of March, 1991.

President of the Senate