

**§4011-C. Notification regarding infants affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure or fetal alcohol spectrum disorder**

**1. Notification regarding infants affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure or fetal alcohol spectrum disorder.** A health care provider involved in the delivery or care of an infant the provider identifies as having been born affected by substance abuse, as having withdrawal symptoms resulting from prenatal drug exposure or as having a fetal alcohol spectrum disorder shall notify the department of that condition in the infant.

A. This section, and any notification made pursuant to this section, may not be construed to establish a definition of "abuse" or "neglect." [PL 2025, c. 353, §5 (NEW).]

B. This section, and any notification made pursuant to this section, may not be construed to require prosecution for any illegal action, including, but not limited to, the act of exposing a fetus to drugs or other substances. [PL 2025, c. 353, §5 (NEW).]

[PL 2025, c. 353, §5 (NEW).]

**2. Report.** When a health care provider suspects that an infant has been abused or neglected, the provider shall report to the department in accordance with section 4011-A, subsection 1, paragraph A. If the infant has a family care plan developed under section 4004-C, subsection 2, a copy of the family care plan must accompany the report.

[PL 2025, c. 353, §5 (NEW).]

**3. Definition.** For purposes of this section, "health care provider" means a person described in section 4011-A, subsection 1, paragraph A, subparagraphs (1) to (10), (15), (17) to (20) and (22) or any person who assists in the delivery or birth of a child for compensation, including, but not limited to, a midwife.

[PL 2025, c. 353, §5 (NEW).]

**4. Rulemaking.** The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2025, c. 353, §5 (NEW).]

**SECTION HISTORY**

PL 2025, c. 353, §5 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 132nd Maine Legislature and is current through October 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.