
A BILL FOR AN ACT

RELATING TO PERINATAL CARE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Since mid-1980, Hawaii has been gripped by an
2 epidemic of methamphetamine use. Females in Hawaii, in
3 particular, have been adversely impacted. In the year 2000,
4 Child Welfare Services received reports of two hundred eight
5 drug-exposed infants on the island of Oahu, 78.8 per cent of
6 whom (one hundred sixty-four infants) were reportedly exposed to
7 methamphetamine. In 2002, the criminal justice system reported
8 that one-half of adult female arrestees in Honolulu tested
9 positive for methamphetamine. In 2004, Child and Welfare
10 Services reported that methamphetamine use was involved in over
11 eighty per cent of its active cases.

12 While methamphetamine receives a great deal of attention,
13 little is known about its adverse effects during pregnancy.
14 More is known about the harmful nature of legal drugs such as
15 tobacco and alcohol, which are much more widely used before and
16 during pregnancy. Approximately sixty-five per cent of
17 reproductive-aged women use alcohol and unfortunately, despite
18 strong warnings about harmful effects, many women do not stop



1 using alcohol during pregnancy. One University of Hawaii study
2 showed that twenty per cent of women used alcohol during
3 pregnancy. Fetal alcohol syndrome is the number one cause of
4 preventable birth defects. In addition, nineteen per cent of
5 pregnant women in Hawaii smoke. Smoking during pregnancy is
6 associated with pre-term labor, small for gestational age,
7 abruption, and other serious pregnancy complications. Studies
8 have shown that treating smoking addiction during pregnancy
9 works, and offering treatment for nicotine addiction provides a
10 great opportunity to enroll women who would otherwise be too
11 afraid to seek care in methamphetamine addiction treatment
12 programs.

13 In 2004, the state legislature enacted a law requiring
14 health providers involved in the delivery or care of a drug-
15 affected infant to notify Child and Welfare Services. The law
16 also requires Child and Welfare Services to implement and
17 operate a statewide program, including:

- 18 (1) A plan of safe care for drug-addicted infants; and
- 19 (2) Triage procedures for appropriate referral to a
20 community organization or voluntary preventive
21 services for a child not at risk of imminent harm and
22 for the child's family.



1 A cornerstone of programs that address perinatal drug use
2 has been the prevention of infant abandonment or placement into
3 out-of-home care. Many studies have shown better outcomes when
4 children are raised by their biological parents. This has led
5 to interventions designed to maintain the family structure while
6 preventing or treating substance use during pregnancy and
7 providing prenatal care.

8 However, women who suffer from substance abuse have
9 difficulty using traditional systems of care. Services are not
10 accessed for a number of reasons:

- 11 (1) Fear of losing custody of children;
- 12 (2) Fear of forced treatment;
- 13 (3) Lack of transportation to treatment sites;
- 14 (4) Stigmatization due to substance abuse; and
- 15 (5) Fear of criminal prosecution.

16 Fear of losing custody is the primary reason why women do
17 not seek prenatal care. In addition, rather than being a
18 deterrent to drug use during pregnancy, policies such as
19 criminal prosecution serve as a deterrent to obtaining prenatal
20 care. In South Carolina, Cornelia Whitner was tested without
21 her knowledge or consent for the use of crack cocaine during her
22 pregnancy and was prosecuted. Subsequently, the Supreme Court



1 upheld the ruling that made it mandatory in South Carolina to
2 report suspected drug abuse in pregnant women. After
3 implementation of the mandatory reporting laws and the
4 prosecution of Cornelia Whitner, there was a precipitous drop in
5 admissions to drug treatment programs for pregnant women and a
6 subsequent increase in infant mortality as well as a twenty per
7 cent increase in the number of abandoned babies.

8 In addition to the fear of detection and criminal
9 prosecution, treatment services may not be accessed for reasons
10 such as unreadiness for treatment or a coexisting mental
11 illness. Other system-related barriers to prenatal care are the
12 stigmatization due to substance abuse and negative attitudes of
13 health care providers.

14 Further, the importance of comprehensive, coordinated, and
15 individualized service provided by an interdisciplinary team of
16 professionals who are supportive, nonjudgmental, and nurturing
17 has been widely acknowledged. However, separate service
18 delivery systems have traditionally been provided for prenatal
19 care and substance abuse treatment.

20 Women with high-risk pregnancies, such as drug-exposed
21 pregnancies, have been shown to adapt to pregnancy and
22 motherhood differently and less easily than women with low-risk



1 pregnancies, and require specialized services to create a
2 nurturing and caring environment. Health care workers in a
3 traditional, separate service delivery system might lack not
4 only the knowledge and skill to identify substance abuse, but
5 also familiarity with available resources and therapeutic
6 management. In contrast, workers in a separate substance abuse
7 treatment delivery system are unlikely to have the capacity to
8 adequately address needs specific to pregnant women.

9 The purpose of this Act is to establish a pilot clinic to
10 address Hawaii's current lack of facilities equipped to provide
11 comprehensive prenatal, delivery, and postpartum care to women
12 who have a history of methamphetamine and other substance abuse,
13 including alcohol and tobacco. The pilot clinic will provide
14 care at one location and the care will include nonjudgmental
15 substance abuse counseling, parenting classes, social service
16 resources, and legal services. The goals of the comprehensive
17 care and services provided by the clinic will be to facilitate
18 the patient's transition from a troubled, pregnant woman to a
19 coping, capable parent, assess the safety of the home
20 environment for the child, and prevent outplacement and keep
21 families together whenever possible.



1 SECTION 2. (a) There is established within the John A.
2 Burns school of medicine university clinical educational and
3 research associates program at the University of Hawaii
4 department of obstetrics, gynecology, and women's health, a
5 pilot perinatal clinic, which in collaboration with the
6 departments of pediatrics and psychiatry shall provide:

- 7 (1) Prenatal, delivery, and postpartum care for women with
8 a history of substance abuse on the island of Oahu;
- 9 (2) Substance abuse counseling;
- 10 (3) Pediatric care with appropriate developmental
11 interventions;
- 12 (4) Psychiatric care for patients with dual diagnoses; and
- 13 (5) Case management, including social services and
14 coordination with child welfare services to ensure
15 that the home environment is safe and to prevent the
16 abandonment of children, and keep families intact
17 whenever possible, as long as the safety of the
18 children can be assured.

19 In addition to state funding of the pilot perinatal clinic,
20 funding for perinatal and pediatric services of the clinic shall
21 be pursued through the state medicaid program.



1 (b) The pilot perinatal clinic shall cease operations on
2 June 30, .

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$, or so much
5 thereof as may be necessary for fiscal year 2006-2007, to
6 establish a pilot perinatal clinic and provide case management
7 services.

8 The sum appropriated shall be expended by the John A. Burns
9 school of medicine university clinical educational and research
10 associates program at the University of Hawaii department of
11 obstetrics, gynecology, and women's health for the purposes of
12 this Act.

13 SECTION 4. This Act shall take effect on July 1, 2050.

Report Title:

Appropriation, Pilot Perinatal Clinic

Description:

Establishes funding for a pilot clinic to provide comprehensive prenatal, delivery, and postpartum care and social services on the island of Oahu to women who have a history of methamphetamine and other substance use. (HB2045 SD1)

