

March 12, 2023

Dear Senator Morrison and Representative Richardson,

I write to support HF 2099/SF 2139, a bill to create a Task Force to establish uniform guidelines for supporting pregnant mothers with substance use disorder.

Two years ago, legislators passed a bill (SF 1182) lifting mandatory reporting requirements when a pregnant mother with substance use disorder continued meeting with her provider and addressing substance use. Since this law went into effect, we have learned the language did not have the impact intended, and mothers continued to be reported to Child Welfare. The level of complexity of this issue warrants a deep dive with stakeholders and a comprehensive plan to get our response for mothers, babies, and their families right, and to support these families, rather than penalize them.

Minnesota has some of the most penalizing statutes in the country regarding mandatory reporting of pregnant women who are suffering from substance abuse. These laws create barriers and often punitive consequences for pregnant individuals. Substance use reporting during pregnancy dissuades women from seeking prenatal care and may unjustly single out the most vulnerable, particularly women with low incomes and women of color. Providers, nurses, social workers and others struggle to help their patients receive the care they need because these mothers are afraid of child protective services.

Practices that penalize pregnant women and activate negative consequences for disclosing substance use to health care providers are harmful and generally prevent women from seeking prenatal care and other beneficial health care services during pregnancy. Instead, health care providers have been advocating for health policy informed by scientific research and evidence-based practice to reduce the harm of prenatal substance abuse and optimize outcomes for mothers and their babies.

Hennepin Healthcare has been a leader in working to streamline the process around maltreatment reporting for prenatal exposure to chemicals, including advocating for the 2021 changes to the maltreatment reporting statute. Maltreatment reporting continues to vary widely across the state, leading to racial disparities and ultimately disproportionate numbers of American Indian and Black children involved in the child protection system.

A task force of professionals, practitioners and community members with lived experience who could document current practice around the state and make recommendations for future practice would be a valuable step towards reducing the disparities and ultimately providing opportunities to support new mothers with substance use disorder while keeping children safe and with their families.

I am eager for this taskforce to help lay out a plan that gives providers more opportunity to help pregnant women in need without the fear of losing their children because of the disease of addiction.

Sincerely,



Jennifer DeCubellis
Chief Executive Officer
Hennepin Healthcare