

**HB0245/123726/3**

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 245

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Law –” insert “Use of Controlled Dangerous Substances During Pregnancy and”; in line 3, after “of” insert “prohibiting a person from using a certain controlled dangerous substance during pregnancy except under certain circumstances; requiring a certain health care practitioner to make a certain oral and written report within a certain period of time; authorizing a certain report to be used as evidence in a certain proceeding;”; and in line 26, after “5-704.2” insert “and 5-704.3”.

AMENDMENT NO. 2

On page 5, after line 33, insert:

**“(A) IN THIS SECTION, “HEALTH CARE PRACTITIONER” HAS THE MEANING STATED IN § 1-301 OF THE HEALTH OCCUPATIONS ARTICLE.**

**(B) A PERSON MAY NOT USE A CONTROLLED DANGEROUS SUBSTANCE INCLUDED IN SCHEDULE I OR SCHEDULE II UNDER TITLE 5, SUBTITLE 4 OF THE CRIMINAL LAW ARTICLE WHILE PREGNANT.**

**(C) SUBSECTION (B) OF THIS SECTION DOES NOT PROHIBIT USE OF A CONTROLLED DANGEROUS SUBSTANCE DURING PREGNANCY IF THE CONTROLLED DANGEROUS SUBSTANCE WAS PRESCRIBED FOR THE PERSON BY A LICENSED HEALTH CARE PRACTITIONER.**

**(D) A HEALTH CARE PRACTITIONER WHO DISCOVERS THAT A PERSON HAS VIOLATED THIS SECTION SHALL:**

(Over)

**(1) MAKE AN ORAL REPORT TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE COUNTY IN WHICH THE DISCOVERY WAS MADE AS SOON AS POSSIBLE; AND**

**(2) MAKE A WRITTEN REPORT TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE COUNTY IN WHICH THE DISCOVERY WAS MADE NOT LATER THAN 48 HOURS AFTER DISCOVERING THE VIOLATION.**

**(E) A REPORT MADE UNDER SUBSECTION (D) OF THIS SECTION MAY BE USED AS EVIDENCE IN A PROCEEDING UNDER TITLE 3, SUBTITLE 8 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.**

**5-704.3.”.**