

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 275, Page 2, Section 21.790, Line 33, by
2 inserting after said section and line the following:

3
4 "191.737. 1. Notwithstanding the physician-patient privilege, any physician or health care
5 provider [~~may~~] shall refer to the children's division families in which children may have been
6 exposed to a controlled substance listed in section 195.017, schedules I, II and III, or alcohol as
7 evidenced by:

8 (1) Medical documentation of signs and symptoms consistent with controlled substances or
9 alcohol exposure in the child at birth; or

10 (2) Results of a confirmed toxicology test for controlled substances performed at birth on
11 the mother or the child; and

12 (3) A written assessment made or approved by a physician, health care provider, or by the
13 children's division which documents the child as being at risk of abuse or neglect.

14 2. Nothing in this section shall preclude a physician or other mandated reporter from
15 reporting abuse or neglect of a child as required pursuant to the provisions of section 210.115.

16 3. Any physician or health care provider complying with the provisions of this section, in
17 good faith, shall have immunity from any civil liability that might otherwise result by reason of such
18 actions.

19 4. Referral and associated documentation provided for in this section shall be confidential
20 and shall not be used in any criminal prosecution."; and

21
22 Further amend said bill by amending the title, enacting clause, and intersectional references
23 accordingly.

Action Taken _____ Date _____