Support A4285/S4281

We are fighting for a law that will increase the rights of parenting and pregnant people, especially those who use drugs.

WE'RE FIGHTING FOR A LAW THAT'LL REQUIRE:

If your medical provider tries to ask you questions about drug/alcohol use during pregnancy, or plans to test you for drugs/alcohol use during pregnancy, they MUST:
1. Tell you in the language YOU CHOOSE why the test is necessary for your care.
2. Get your PERMISSION verbally and in writing BEFORE asking or doing any tests for drugs and/or alcohol usage during pregnancy.
3. Tell you there is a risk they will report a positive result or disclosure of use to child protective services.
4. You CAN SAY NO!

THIS LAW WOULD ALSO APPLY TO YOUR BABY!

If your medical provider wants to test your newborn for drugs and/or alcohol, they MUST:
1. Tell you in the language YOU CHOOSE, or someone you choose to speak for your newborn, why the test is necessary for your newborn’s care.
2. Get PERMISSION from you, or the person you choose to speak for your newborn, verbally and in writing BEFORE doing any tests for drugs and/or alcohol on your newborn.
3. Tell you there is a risk they will report a positive result to child protective services.
4. You, or the person you choose to speak for your newborn, CAN SAY NO!
When would these rights start?

BEFORE ANY TESTING IS DONE!

1. If you SAY NO to testing, or do not wish to disclose use they CAN’T refuse to care for you or your baby.
2. If you, or the person you choose to speak for your newborn, SAY NO to testing, they CAN’T withhold medical care from your newborn.
3. They MUST give you, or the person you choose to speak for your newborn, time to think about the decision.
4. They CAN’T PRESSURE you, or the person you choose to speak for your newborn, to agree to testing.
5. They must tell you, or the person you choose to speak for your newborn, in writing, that a positive test could have LEGAL RISKS such as a report to child protective services.
6. They must tell you that you, or the person you choose to speak for your newborn, can talk to a lawyer before or after consent is given for the drug and/or alcohol testing.
7. They must tell you in writing, or the person you choose to speak for your newborn, who can get the results of the testing.
8. They must explain in writing what the test is and why they did it. There are people who can help, click this link to find more!

EMERGENCY SITUATIONS

1. In an emergency, a medical provider can order drug and/or alcohol testing for you and your newborn without consent IF your health or your newborn’s health is at risk.
2. If this happens, they must provide you, or the person you choose to speak for your newborn, a written and verbal explanation of the results of the testing, in a language of your choice.
3. The written document MUST explain the following:
   a. A positive result for drugs and/or alcohol can have LEGAL RISKS, including but not limited to a report to child protective services and you may wish to speak to a lawyer;
   b. You or the person you choose to speak for your newborn, may APPEAL the decision that unconsented testing was necessary due to an emergency;
   c. The emergency situation that required the unconsented testing;
   d. Who can get the results of the drug and/or alcohol testing.

You can join the campaign to fight for this law at Movementforfamilypower.org/reimagine-support. You can also voice your support for this law to pass by signing this letter at bit.ly/informed-consent-letter