
DIGEST

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Hoffmann

HB No. 370

Abstract: Authorizes a district attorney in a parish with a certain population to convene a multidisciplinary team regarding cases of pregnant women who test positive for controlled dangerous substances following an arrest.

Proposed law provides that a district attorney in a parish with a population of not less than 27,000 and not more than 30,000 and a parish with a population of not less than 150,000 and not more than 160,000 may convene a multidisciplinary team to assist in making a determination of the appropriate disposition of a case where a pregnant woman under arrest tests positive for controlled dangerous substances for which she does not have a valid, legal prescription, as provided for in the Uniform Control Dangerous Substance Law.

Proposed law provides that the members of the multidisciplinary team shall serve a term of two years.

Proposed law provides that the multidisciplinary team may include:

- (1) A La. board certified physician trained in obstetrics and gynecology.
- (2) A licensed nurse with experience in caring for drug- or alcohol-exposed newborn infants.
- (3) A law enforcement officer employed by a local or state law enforcement agency.
- (4) An employee of the Dept. of Children and Family Services with a background and experience with federal and state benefits, such as Medicaid.
- (5) An individual associated with a nonprofit organization with a background and experience in charitable and faith-based resources for treatment of alcohol and drug abuse or addiction.
- (6) A licensed social worker or counselor with training and experience in the treatment of drug or alcohol addiction.

Proposed law provides that "appropriate disposition" may include the filing of a petition for involuntary commitment as provided for in present law.

Proposed law provides that the authority in proposed law shall exist from the time of arrest to the

time of dismissal, acquittal, or conviction.

(Adds R.S. 40:1094)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Deleted the provisions in proposed law which gave authority to the district attorney to convene a multidisciplinary team for a woman abusing or addicted to controlled dangerous substances or alcohol and added such authority relative to a pregnant woman who is under arrest and tests positive for a controlled dangerous substance.
2. Added authority for the multidisciplinary team to include certain persons with training in certain areas.
3. Provided that the authority granted to the district attorney pursuant to proposed law shall exist from the time of arrest to the time of dismissal, acquittal, or conviction.

House Floor Amendments to the engrossed bill.

1. Added a provision to restrict members of the multidisciplinary team to a term of two years.
2. Added a provision to change the authority for a district attorney to convene a multidisciplinary team from statewide application to a district in a parish with a population of not less than 27,000 and not more than 30,000 and a parish with a population of not less than 150,000 and not more than 160,000.
3. Added an exception for a pregnant woman who has a valid legal prescription for a controlled dangerous substance.
4. Made technical amendments.