

April 14, 2021

Good Afternoon,

I am writing to provide feedback regarding pages 23 and 24, including the sections about Reporting Responsibilities, Definitions of Abuse and Definitions of Neglect. I am a Licensed Independent Clinical Social Worker, currently working as an inpatient medical social worker in a NICU within the Commonwealth. I have been working with families involved with The Department of Children and Families for the duration of my 23-year career in social work. In reading the report I am concerned with the very minimal reference to parental substance use at a time when substance use disorder is having such a significant impact on so many families within the Commonwealth.

Working in a hospital setting I could not agree more with some of the content from page 22 of the report. "The Commission noted that the mandatory reporter statute is a statute that many non lawyers seek out and review to fully understand the responsibilities of reporting child abuse and neglect. Therefore, the lack of any definition or indication of what may constitute abuse or neglect in the statute is a detriment to mandatory reporters who should be informed of their obligation with as much specificity as a wide statute can provide." My experience is that many medical professionals are not familiar with their role as a mandated reporter and as a result they due refer to what they view as "the law". I have consistently had physicians who quote the statute to express that the requirement to report maternal substance use is "physical dependence upon an addictive drug at birth". This one and only mention of substance use feels far from adequate. A woman who is taking prescribed methadone her entire pregnancy could deliver a baby who requires their own medication for treatment of withdrawals/physical dependence to the medicine. On the other hand, a woman using heroin daily may deliver a baby who is able to discharge from the hospital in five days due to not experiencing "physical dependence". In addition, cocaine use during pregnancy would be a concern, but would not result in a baby born "physical dependence". To give the impression that physical dependence to an addictive drug at birth is the threshold for filing feels just short of irresponsible.

As a social worker, I file reports from the perspective that parental substance use creates a risk of abuse or neglect of children in that person's care. Individuals that are not comfortable in their role as mandated reporters rely on the statute to guide them on when filing a report is necessary. I am writing to express that I feel it would be appropriate for there to be some mention of parental substance abuse in the statute, as it may relate to abuse/neglect. It is my opinion that the current language stating "physical dependence upon an addictive drug at birth" gives some mandatory reporters the impression that without physical dependence a report is not necessary. This is misleading and the statute would benefit from additional content/language pertaining to illicit drug use during pregnancy or parental drug use when in a caretaking role.

Thank you for reading my concern and your attention to this matter.

Respectfully Submitted By:

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