

(B) (1) PROMPTLY AFTER RECEIVING A REPORT FROM A HOSPITAL OR HEALTH PRACTITIONER OF SUSPECTED NEGLECT RELATED TO DRUG ABUSE AND CONDUCTING AN APPROPRIATE INVESTIGATION, THE LOCAL DEPARTMENT MAY:

(I) FILE A PETITION ALLEGING THAT THE CHILD IS IN NEED OF ASSISTANCE UNDER TITLE 3, SUBTITLE 8 OF THE COURTS ARTICLE; AND

(II) OFFER THE MOTHER ADMISSION INTO A DRUG TREATMENT PROGRAM.

(2) THE LOCAL DEPARTMENT MAY INITIATE A JUDICIAL PROCEEDING TO TERMINATE A MOTHER'S PARENTAL RIGHTS, IF THE LOCAL DEPARTMENT OFFERS THE MOTHER ADMISSION INTO A DRUG TREATMENT PROGRAM UNDER THIS SUBSECTION WITHIN 90 DAYS AFTER THE BIRTH OF THE CHILD AND THE MOTHER:

(I) DOES NOT ACCEPT ADMISSION TO THE PROGRAM OR ITS EQUIVALENT WITHIN 45 DAYS AFTER THE OFFER IS MADE; OR

(II) FAILS TO FULLY PARTICIPATE IN THE PROGRAM OR ITS EQUIVALENT.

[(b)](C) . If a report has been made to the State's Attorney's office under § 5-706(i) of this subtitle and the State's Attorney's office is not satisfied with the recommendation of the local department, the State's Attorney's office may petition the court, at the time of the report by the representative, to remove the child, if the State's Attorney concludes that the child is in serious physical danger and that an emergency exists.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent upon the inclusion in the operating budget of \$1,700,000 for drug abuse treatment for mothers of children born drug exposed.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 2 above, this Act shall take effect October 1, 1997.

Approved May 8, 1997.

**CHAPTER 368**

**(House Bill 1209)**

AN ACT concerning

**Child Neglect—Definition and Investigation**  
**Children in Need of Assistance – Drug-Addicted Babies**

~~FOR the purpose of including within the definition of "neglect" the use of a controlled dangerous substance by a woman resulting in an infant's addiction to or dependence on a controlled dangerous substance or the presence of a controlled dangerous substance in the infant's blood as evidenced by certain tests; establishing a certain~~