

The Substance-Exposed Newborn (SEN)

"DID YOU KNOW?"

Did you know that an SEN Report can be substantiated without a toxicology report?

- By the plain language of the statute, a health professional can make a determination of substance exposure or intrauterine drug exposure (IUDE)
- DCS can accept an SEN or IUDE determination by the following health professions:
 - Physicians/Surgeons;
 - Nurse Practitioners; or
 - Physician Assistants acting under the direction of a Physician/Surgeon

The following **two elements** must be present to prove neglect involving SEN:

1. A determination by a health professional that a newborn infant was exposed prenatally to a drug or substance listed in A.R.S. § 13-3401. This determination must be based on **one or more** of the following:
 - a) Clinical indicators in the prenatal period including maternal and newborn presentation;
 - b) The mother's history of substance use or abuse;
 - c) The medical history pertaining to the pregnancy; and/or
 - d) The results of toxicology or other laboratory tests on the mother or newborn infant.
2. That the prenatal drug exposure was **not the result of a medical treatment** administered to the mother or newborn infant by a health professional.

PRACTICE TIP: The DCS Specialist should follow usual investigative practices and, to the extent possible, gather all of the following information:

1. The child's complete medical record;
2. The mother's medical records pertaining to the period of pregnancy; and
3. Any records (such as police reports or medical records) evidencing the drug and/or alcohol abuse of the child's parent(s), guardian(s) and/or custodian(s).

Testing Mothers

Maternal urine drug testing (toxicology) will generally identify only common drugs of abuse (e.g., marijuana, opiates, barbiturates, benzodiazepines, amphetamines, and PCP) that have been **used within the last 24 to 48 hours** and will be negative if drugs were

used earlier in the pregnancy. Alcohol use is best identified by blood or saliva testing and cannot be determined through urine.

Testing Newborns

A negative urine toxicology result in the newborn is very common even in the presence of substance use or abuse. Therefore, urine drug testing should not be used due to the inadequacies of this testing method. **Meconium testing is the most reliable and comprehensive** toxicology screen in the newborn. Meconium (early stool) formation starts between 16 to 20 weeks gestation, and continues until birth. Newborn meconium testing will identify most substance used by the mother after 20 weeks gestation, such as: cocaine, marijuana, opiates, barbiturates, benzodiazepines, amphetamines, and PCP. Best results are obtained by collecting multiple meconium specimens. Routine meconium testing will not detect the use of alcohol.

