

Vote Yes on SB 3136: Family Recovery Plans

Key Points

The leading cause of maternal mortality in Illinois is **substance use disorder**.¹

The Illinois Maternal Mortality Review Committee recommends the **use of family recovery plans** for pregnant and postpartum patients with substance use disorders.¹

Background

A Family Recovery Plan is a plan for medical treatment, recovery services, and referrals to community agencies/resources for the identified infant and caregiver(s). These plans are designed to improve infant and maternal health outcomes.

Bill Summary

- SB 3136 creates a statewide **multidisciplinary task force** to design a **model for family recovery plans** for substance-exposed infants. These plans are required by federal law. The task force will develop recommendations for the creation, implementation, and management of these plans.
- SB 3136 promotes the **safety of pregnant and postpartum people, infants and children, and families**. This bill increases the opportunities for preservation of the family and is an important step forward in addressing maternal and infant mortality in Illinois.
- SB 3136 lifts **existing punitive policies** negatively affecting families with substance use disorders:
 - Amends the Illinois Juvenile Court Act to remove positive toxicology at birth from the definition of neglect;
 - Amends the Illinois Adoption Act to remove positive toxicology at birth as a basis for a finding of unfitness for purposes of terminating parental rights; and
 - Removes a provision from Abused and Neglected Child Reporting Act (ANCRA) requiring DCFS to forward reports of infants with positive toxicology screens to law enforcement.
- SB 3136 **does not change any reporting requirements** under ANCRA.
 - DCFS will continue to receive reports of infants with positive toxicology screens at birth and will be required to provide services to the family.
 - Any changes in reporting requirements will require additional legislative action.
- SB 3136 **will not impact** a court's ability to act when a child is being abused or neglected. If the child's care or environment is not safe, the court may find the child neglected based on remaining provisions of the Juvenile Court Act.

Supporting Organizations

- American College of Obstetrics and Gynecologists, Illinois Section
- EverThrive Illinois
- Illinois Academy of Family Physicians
- Illinois Chapter, American Academy of Pediatrics
- Illinois Collaboration on Youth
- Illinois Health and Hospital Association
- Illinois State Medical Society
- Office of the Cook County Public Guardian

¹ <https://dph.illinois.gov/content/dam/soi/en/web/idph/publications/idph/topics-and-services/life-stages-populations/maternal-child-family-health-services/maternal-health/mmmr/maternal-morbidity-mortality-report2023.pdf>

² Flaherty L, Kranz A, Russell-Fritch J, Patrick S, Cantor J, Stein B. Association of Punitive and Reporting State Policies Related to Substance Use in Rates of Neonatal Abstinence Syndrome. JAMA Open 2019.