

# Nixa lawmaker wants to add criminal penalties for drug use during pregnancy



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Mothers who use narcotics or other controlled substances during their pregnancies would face criminal penalties under a bill proposed by Rep. Jered Taylor, R-Nixa.

Under the proposed bill, it would be a misdemeanor to use drugs while pregnant, and if a child died as a result of the drug use, the mother could face a felony charge, according to the bill's language. Taylor pre-filed the bill last month for the 2016 legislative session that begins Wednesday.

"It creates the crime of abuse of an unborn child," Taylor said of his legislation, later adding, "the issue is huge down here in southwest Missouri."

As [heroin use has risen in the Ozarks](#), the number of babies being born addicted to narcotics has also risen. The director of a neonatal department at a local hospital called the situation an ["epidemic"](#) in June.

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[Newborns addicted to opiates 'epidemic' in Ozarks](#)

Taylor's bill calls for mothers who give birth to babies "addicted or harmed" to "narcotic drug or controlled substance" to face a class A misdemeanor charge, which carries a maximum sentence of up to a year in prison.

If an infant dies because of his or her mother's drug abuse, under Taylor's bill the mother could face a class D felony charge, which carries a maximum sentence of seven years in prison.

A mother found to be using drugs during her pregnancy who gives birth to a healthy baby could still face a class B misdemeanor, which carries a maximum sentence of six months in prison.

Taylor's bill resembles a bill Tennessee passed in 2014. Proponents of the Tennessee law said it is a way to address a growing problem. Critics have said the law's criminal penalties discourage pregnant women with addictions from seeking out neonatal care, which further hurts them and their babies.

Local directors of neonatal care units were not available for comment this past week. Cox Health did release a statement on legislative responses to drug-addicted infants.

"A single baby affected by or addicted to controlled substances is a tragedy, yet the number of such cases continues to grow at an alarming rate," said Kaitlyn McConnell, media relations coordinator for CoxHealth, in an email. "CoxHealth wants to help reverse this trend while still encouraging an expecting mother to seek care for her pregnancy and addiction. We believe that our lawmakers will find a solution that protects these vulnerable babies and does not hinder a mother from seeking the care she needs."

Taylor noted that his bill carries a provision that will allow women who face criminal charges for using drugs while pregnant to avoid prison sentences by completing a drug court treatment program "to hopefully get off these drugs."

"I want to make sure that this bill is a prevention bill. I want to make sure these ladies get the help they need," Taylor said.