

# UNDERSTANDING MANDATED REPORTING FOR SUBSTANCE USE IN PREGNANCY



This guide is for people who are pregnant or just had a baby. It gives clear and honest information about what happens if someone reports concerns about substance use. This guide helps you understand what to expect, so you can feel more informed and less afraid.

## WHAT IS MANDATED REPORTING?

Some people, like doctors, nurses, social workers, and teachers, are mandated reporters. They must make a report if they believe a child might be at risk of abuse or neglect. *They don't decide if abuse really happened - that's up to Children and Family Services (CFS). Their job is just to speak up when they're concerned.*

## SUBSTANCE USE IN PREGNANCY & HEALTH

Using substances (like alcohol, drugs, or nicotine/tobacco) during pregnancy can sometimes harm your baby. It might cause your baby to be born early, be smaller, or have trouble after birth.

Using substances does not mean you are a bad parent. Many people use drugs because of stress, pain, or hard life situations. You can still get help. There are people who care and want to support you.

## MYTHS

VS.

## FACTS

**IF I USE DRUGS WHILE I'M PREGNANT, MY BABY WILL DEFINITELY BE TAKEN FROM ME.**

In California, using drugs during pregnancy (or as a parent) by itself is not child abuse, but if there are safety concerns, CFS may get involved. They look at the whole picture, and having people and services in place that support your health and your child's health is a strength.

*Cal. Penal Code § 11165.13; WIC § 16501.1; CDSS Manual*

**IF I TEST POSITIVE FOR DRUGS WHEN MY BABY IS BORN, CFS WILL DEFINITELY GET INVOLVED.**

Testing positive for drugs doesn't always mean CFS will be called. Health care staff must report if they worry your baby might not be safe. Getting help and making a plan shows you're working to keep your baby safe.

*Cal. Penal Code § 11165.13; HSC § 123605*

**IF I TELL MY DOCTOR OR NURSE THAT I USE DRUGS, THEY WILL ALWAYS REPORT ME.**

Telling your doctor or nurse about drug use doesn't always mean they'll make a report. They look at your whole situation and might offer support through a Public Health Nurse referral\*.

*ACOG Committee Opinion No. 473*

**IF I'M IN OPIOID TREATMENT MY BABY WILL BE TAKEN AWAY.**

Being in a treatment with medicines like methadone or buprenorphine shows you're taking steps to care for yourself and protect your baby. Getting treatment and taking care of your health is a strength.

*Cal. Penal Code § 11165.13; Cal. HSC § 123605; CDSS Manual – Div. 31*

**NEED HELP OR HAVE QUESTIONS?**

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## \*WHAT IS A PHN REFERRAL?

Sometimes, a doctor, nurse, or social worker may refer you to a Public Health Nurse (PHN) in Community Health Nursing programs like Nurse-Family Partnership, Baby Steps to Wellness, or Field Nursing. Their job is to support you with health education, resources, and care coordination - not to judge or investigate you. A PHN can help you make a plan, connect you to services, and support you and your child to be healthy and safe.

You can struggle with substance use and still love your baby. Change is hard. Needing help means you are human. You don't have to be perfect to be a good parent. You just need & deserve support.