



December 16, 2015

The Honorable Pat Toomey
 248 Russell Senate Office Building
 Washington, DC 20510
 ATTENTION: Dan Brandt

Dear Senator Toomey:

This month, Reuters unveiled a special investigation – Helpless and Hooked: The most vulnerable victims of America’s opioid epidemic. Reuters identified 110 infants and toddlers who died from preventable deaths after their “mothers used opioids during pregnancy.”

Six-week-old Brayden Cummings, who died in in Carbon County Pennsylvania in 2014, was featured in Reuters’ special investigation. Brayden, who was receiving methadone and spent weeks in a neonatal intensive care unit (NICU), died shortly after his release from the hospital to the care of his mother and father. He died after his young mother took her prescribed methadone along with a number of other drugs (e.g., amphetamines, methamphetamines and Xanax). She then took Brayden to bed with her. Brayden suffocated while in this hazardous sleeping condition. Brayden is dead and his mother, who was 20-years-old and known to many publicly funded systems (e.g., child welfare, courts, probation, drug treatment, Medicaid), has been sentenced to prison. Tragically Brayden is not the only Pennsylvania infant or toddler that has died in similar circumstances.

The findings of the Reuters investigation invites **immediate** Congressional action and oversight. We are hopeful that, at a minimum, the Congressional Baby Caucus working with the Senate Health, Education, Labor and Pensions (HELP) Committee and the U.S. House Committee on Education and the Workforce, which have jurisdiction over the Child Abuse Prevention and Treatment Act (CAPTA), will quickly:

1. Convene a hearing to gain insight into how states have implemented the federal CAPTA provision requiring that health care providers report substance-exposed infants to the child protection agency. And how often then these referrals are leading to the required dual-generation Plan of Safe Care. Congress should also gather information about how states are applying the reporting and Plan of Safe Care provision when the infant’s exposure is linked to drugs taken by the mother, as legally prescribed (e.g., Methadone).
2. Require states to amend in a timely way (e.g., within 90 days) their CAPTA state plan to identify how the state is effectively developing inter-disciplinary Plans of Safe Care. Also how the state is working across cabinet-level departments and federal funding streams (e.g., evidence-based home visiting, maternal and child health, substance abuse treatment, child welfare) to support substance-exposed infants and their mothers. This CAPTA plan amendment should address if the

state's development of a Plan of Safe Care is extended to infants where withdrawal is linked to legal drugs the mother is taking, as prescribed.

3. Identify any immediate areas where federal guidance and/or technical assistance is needed, particularly related to information sharing and confidentiality, so that states are not delayed or deterred in efforts to effectively engage an inter-disciplinary team approach to protecting substance-exposed infants.

We fully appreciate that Congress recently enacted the Protecting Our Infants Act in order to further study and develop recommendations about prenatal opioid use, including neonatal abstinence syndrome (NAS). Respectfully, however, the number of infants and toddlers affected today, including those who have died, along with the significant number of pregnant women striving to overcome the chronic health condition of addiction so they can safely parent their baby, demands immediate, not delayed action.

We implore your urgency and we look forward to working with you in our shared goal that every infant is nurtured, protected and connected to a safe and supported family.

Sincerely,

A Child's Place PA

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