

SB

156



SENATOR FRED DYSON

SB 156

Sponsor Statement

"An Act relating to Warnings about Drinking Alcohol While Pregnant"

Updated: April 7, 2003

Contact: Senator Fred Dyson's office at (907) 465-2199

Prenatal Alcohol Poisoning of unborn children (FAS/FAE) is the leading cause of permanent mental deficits today and Alaska has the highest rate in North America.

In an attempt to slow down this poisoning of Alaskan children, former Senate President Drue Pearce sponsored our present law requiring bars to post warnings about the dangers of drinking alcohol while pregnant.

SB-156 takes our efforts the next step by facilitating and requiring a notification to accompany products used by sexually active people including pregnancy testing kits, contraceptive devices, and birth control prescriptions.

We have talked with organizations representing drug manufactures and retailers and it appears that they will actively support this effort or at least not resist this initiative.

Much more must be done to stop the scourge of Fetal Alcohol Poisoning of our children but this small step will help by raising awareness of the existence and the severity of the problem related to drinking alcohol while pregnant.

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 156
(S) Publish Date: 4/16/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
Title "An Act relating to the posting and giving certain BRU Criminal Division
warnings about drinking alcohol during pregnancy ..." Component All
Sponsor Senator Dyson
Requester Senate Labor & Commerce Committee Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill requires persons selling or giving pregnancy related items to individuals, including pregnancy testing kits, birth control devices, and birth control prescriptions, to both post a warning and provide a written statement to the effect that drinking alcohol during pregnancy can cause permanent brain damage and birth defects for the unborn child. A person who knowingly violates these provisions by failing to post the warning, or instruct employees to give the written statement out, is guilty of a class B misdemeanor.

The Department of Law does not anticipate many new cases will arise from this new law, and does not anticipate a fiscal impact.

Prepared by: Joan M. Kasson Phone (907) 465-5370
Division Attorney General's Office Date/Time 4/11/03 3:32 PM
Approved by: Kathryn Daughhete for Gregg D. Renkes, Attorney General Date 4/11/2003
Agency Department of Law

Characteristics and Symptoms of Fetal Alcohol Syndrome

By Teresa Kellerman



A diagnosis of Fetal Alcohol Syndrome (FAS) is based on certain criteria: facial features, small birth weight, central nervous system dysfunction, and history of prenatal exposure to alcohol. Babies who do not have all the physiological symptoms may be given a diagnosis of Fetal Alcohol Effects (FAE).

Facial Features

Babies with FAS have many (but not always all) of the following characteristics:

- Epicanthal folds
- Small, widely spaced eyes
- Flat midface
- Short, upturned nose
- Smooth, wide philtrum
- Thin upper lip
- Underdeveloped jaw

One or two of these facial features can occur in a healthy child as a matter of genetics, features that are inherited from a birth parent. Only when several of these features are present along with central nervous system symptoms together with prenatal alcohol exposure can FAS be considered for diagnosis.

Note: Facial characteristics may not be as apparent immediately after birth or during adolescence or adulthood as they are between the ages of two and ten.

Physiological Anomalies

Babies with FAS may have low birth weight, and may have trouble gaining weight. The head circumference may be smaller than normal. Some infants may have heart defects or suffer anomalies to the ears, eyes, liver, or joints.

Developmental Delays

Most children with FAS have developmental delays and some have lower than normal IQ. The degree of physiological characteristics usually correspond with the degree of developmental delays. Most children with FAS have IQs that are legally considered in the "normal" range.

Central Nervous System

Most infants with FAS are irritable, don't eat well, don't sleep well, are extra sensitive to sensory stimulation, and have a strong startle reflex. They may hyperextend their heads or limbs, and can exhibit hypertonia (too much muscle tone) or hypotonia (too little muscle tone) or both.

Invisible but Serious

The most serious characteristics of FAS are the invisible symptoms of neurological damage that results from prenatal exposure to alcohol. These symptoms can occur in FAS or FAE:

- Attention deficits
- Memory deficits
- Hyperactivity
- Difficulty with abstract concepts (math, time, money)
- Poor problem solving skills
- Difficulty learning from consequences
- Poor judgment
- Immature behavior
- Poor impulse control

Note: These symptoms are not "behavior problems" but are a result of permanent, unchanging damage to the brain (static encephalopathy) and are not always within the child's control.

Adults with FAS have difficulty maintaining successful independence. They have trouble staying in school, keeping jobs, or sustaining healthy relationships. Children and adults with FAS are also quite vulnerable to physical, sexual, and emotional abuse.

Without early intervention services, these individuals have a high risk of developing secondary conditions such as mental illness, trouble with the law, trouble with school, abusing alcohol and other drugs, and unwanted pregnancies.

Fetal Alcohol Syndrome

FAS is a set of mental and physical disorders that can include mental retardation, brain dysfunction, physical abnormalities, learning disabilities, and psychological disorders. FAS occurs as a result of prenatal exposure to alcohol.

Alcohol causes more damage to the developing fetus than any other substance, including marijuana, heroin, and cocaine. (Institute of Medicine, 1996)

The effects can be severe or mild, ranging from loss of IQ points, attention deficit disorder and learning disabilities to heart defects, cerebral palsy, brain dysfunction, and death. Many children experience serious behavior and social problems that last a lifetime.

More children are born with FAS than with Down Syndrome or Spina Bifida. (1991, Journal of American Medical Association)

Over 5,000 babies each year in the U.S. are born with FAS. Between 35,000 and 50,000 are born with related disorders. However, most cases go undiagnosed or misdiagnosed.

FAS in a Nutshell



- ◆ FAS is the leading known cause of mental retardation.
- ◆ Most individuals with FAS have normal intelligence.
- ◆ FAS causes serious social and behavior problems.
- ◆ Each year in the US 5,000 babies are born with FAS.
- ◆ Ten times as many are born with alcohol related disorders.
- ◆ No amount of alcohol is known to be safe during pregnancy.
- ◆ Alcohol causes more damage to baby than any other drug.
- ◆ FAS and related conditions are 100% preventable.

For more information on Fetal Alcohol Syndrome or to order this brochure, call (520) 296-9172 or visit:

www.fasstar.com

Fetal Alcohol Syndrome
Fasstar Information Series Brochure 0701CS1

Fetal Alcohol Syndrome



Characteristics and Symptoms

Fasstar Enterprises
Fetal Alcohol Syndrome: Support,
Training, Advocacy, & Resources

(520) 296-9172

www.fasstar.com

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES



Educating the Public about the Dangers of Drinking Alcohol

During Pregnancy: No Alcohol...Not even a drop!

by L. Diane Castro

Program Manager, DHSS Office of FAS

On September 9, 2002, in conjunction with International FAS Awareness Day, the State of Alaska, DHSS Office of Fetal Alcohol Syndrome (FAS) premiered its much anticipated statewide educational media campaign focusing on drinking and pregnancy. Eight months ago, the Office of FAS began its efforts to develop a statewide multimedia campaign to better educate the Alaskan public about the serious impacts of drinking alcohol during pregnancy. Through a contract with Nerland Agency in Anchorage we began the creative design of a multi-strategy campaign to inform Alaskans that drinking alcohol during pregnancy may cause life-long brain damage to a developing baby.

Through a series of "brainstorming" sessions, community meetings and two focus groups (one in Anchorage and one in Dillingham) two campaign themes were developed:

I Have the Power to Prevent FAS is a message aimed at women who are social drinkers and do not know that alcohol may harm their developing baby; and

Thankfully there are people who will help her...Are you one of them? is a message developed to reach the partners, family and friends of women who have a problem with alcohol and are pregnant, helping them find the resources they need to stop drinking.

Research has shown that drinking during pregnancy can potentially cause damage to the developing baby, most specifically the brain. And, statistics tell us that women, especially of child bearing age, are drinking more. Research also

indicates that due to the many variables associated with alcohol consumption (amount of alcohol consumed, when alcohol was consumed, mother's genetics, baby's genetics, drinking patterns, etc.) **there is no safe level of drinking during pregnancy.** So, choosing to drink alcohol during pregnancy, any amount of alcohol, is like playing a game of chance. Our goal, in partnership with Alaska CHIARR and many other Alaskan partners, is to educate women, their partners, family members, friends and communities about the potential dangers of drinking alcohol during pregnancy and helping women make positive and healthy choices so their new babies will be strong, healthy and free from the effects of prenatal exposure to alcohol!

The campaign includes three (3) radio PSA messages, two (2) 30 second TV spots, two (2) posters/display ads, two (2) informational brochures and message pens. We encourage all establishments that sell and distribute alcoholic beverages to join with us in getting the word out that **responsible drinking means no drinking during pregnancy.** Display posters, distribute message pens, offer free non-alcoholic beverages to women who are pregnant, market "virgin" drinks for pregnant women and utilize the TAM training to help employees better understand the impact alcohol has on the developing baby. For copies of any of these materials or to find out more about the campaign call the office at (877) 393-2287. Together we can prevent birth defects associated with maternal drinking during pregnancy—disabilities that are 100% preventable!

SENATE COMMITTEE REPORT

DATE: 4/16/03

FURTHER:

DATE TURNED
IN TO OFFICE: 4.23.03

Health, Education and Social Services Committee considered

SENATE BILL NO. 156

SB 156 PREGNANCY ALCOHOL WARNING

"An Act relating to the posting and giving of certain warnings about drinking alcohol during pregnancy when selling or dispensing pregnancy testing kits, birth control devices, or birth control prescriptions."

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical title

new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
LAW	4/11		X	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:		DO PASS	DO NOT PASS	NO REC	AMEND
Davis	<i>Beau Davis</i>			X	
Wilken	<i>Gary Wilken</i>				
Green	<i>Lepha Green</i>				
Guess	<i>Paul Guess</i>				
Dyson	CHAIR: <i>Paul Dyson</i>				