

(p) Is a Drug Endangered Child because the parent, guardian, or the person having the care or custody of the dependent person is

(1) the parent, guardian, or the person having the care or custody of the dependent person is an habitual user of illegal drugs as defined in chapter 34 of this title, and by reason thereof:

(i) is unwilling or incapable of exercising proper control over the child;

(ii) is unwilling or incapable of providing necessary emotional support to the child;

(iii) is unwilling or incapable of providing a suitable home or environment for the child as demonstrated by neglect, abuse, unsanitary or dangerous conditions, lack of food or other necessary provisions, or access to harmful materials; or

(iv) places the dependent person in danger of being brought up to lead an idle, dissolute and immoral life through exposure to illegal drugs or association with persons under the influence of illegal drugs.

(2) Whose parent, guardian, or the person having the care or custody of the dependent person is impaired to the degree that the dependent person is endangered with a risk of harm by lack of care, supervision, or exposure to an unsafe environment and such impairment is caused by alcohol or any drug listed in § 13-3401 unless taken as prescribed by a medical practitioner licensed pursuant to title 32 chapters 7, 11, 13, or 17.