



**HB0116 - Public Health - Correctional Services - Opioid Use Disorder Examinations and Treatment**  
Presented to the Hon. Luke Clippinger and Members of the House Judiciary Committee.  
February 19, 2019 1:00 p.m.

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POSITION: SUPPORT

NARAL Pro-Choice Maryland **encourages the House Judiciary Committee to support HB0116**, Public Health - Correctional Services - Opioid Use Disorder Examinations and Treatment, sponsored by Delegate Erek Barron.

Our organization is an advocate for the rights of incarcerated women, particularly in the area of sexual and reproductive healthcare access. It is vital that pregnant inmates and detainees have access to the care that they need to recover or manage substance use issues. This bill provides for this and also ensures a level of nuance when it comes to prescribing the most appropriate remedy. For a pregnant woman or girl taken into custody, immediate assessment and access to beginning or continuing treatment with the patient's consent is vital to the health of both mother and her fetus. As members of the coalition, Reproductive Justice Inside, we are aware of reports of pregnant individuals brought into correctional and detention facilities in which staff and administrators, including medical personnel, are unprepared to address such issues. It is not appropriate to force a pregnant individual into involuntary substance use withdrawal. When this occurs, the risk of miscarriage or pre-term labor is great. When a pregnant person uses, and goes through the withdrawal process, the fetus does as well. Upon birth, an infant can suffer from stunted growth, convulsions, and even death<sup>1</sup>. There are also certain types of medication that are better for a pregnant individual with an opioid use disorder, and one should not be subjected to whatever medication happens to be in supply at the facility. In addition to immediate assessment of the pregnant patient, the bill calls for a more holistic treatment of opioid use disorder as a variety of options should be made available for use in correctional facilities than only methadone detoxification. While methadone or buprenorphine use can be an effective treatment in this instance, evidence also shows that breastfeeding an infant can reduce the newborn's need for drug treatment<sup>2</sup>.

HB0116 ensures that those diagnosed with opioid use disorder be offered treatment within 24 hours after proper assessment. The 24-hour rule also extends to those being released as treatment must be resumed within that time period. By doing so, it is ensured that women facing opioid use disorder throughout and after their time in incarceration are not disadvantaged in their treatment by their sentence coming to an end, meaning that the treatment is more likely to be successful overall. Given that 65%<sup>3</sup> of those incarcerated meet the criteria for some form of substance addiction, this thorough treatment will benefit a very large number of returning citizens.

We strongly support this effort to improve criminal justice system's response to the epidemic of opioid use disorder in correctional facilities and to ensure immediate assessment and access to treatment with the patient's consent. **For these reasons, NARAL Pro-Choice Maryland urges a favorable report on HB0116.** Thank you for your time and consideration.

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<sup>1</sup> Drugabuse.gov. (2017). *Treating Opioid Use Disorder During Pregnancy*. [online] Available at: <https://www.drugabuse.gov/publications/treating-opioid-use-disorder-during-pregnancy/treating-opioid-use-disorder-during-pregnancy> [Accessed 4 Feb. 2019].

<sup>2</sup> Klamon, S. (2017). *Treating Women Who Are Pregnant and Parenting for Opioid Use Disorder and the Concurrent Care of Their Infants and Children: Literature Review to Support National Guidance*. [online] Available at: [https://journals.lww.com/journaladdictionmedicine/Fulltext/2017/06000/Treating\\_Women\\_Who\\_Are\\_Pregnant\\_and\\_Parenting\\_for.4.aspx](https://journals.lww.com/journaladdictionmedicine/Fulltext/2017/06000/Treating_Women_Who_Are_Pregnant_and_Parenting_for.4.aspx) [Accessed 4 Feb. 2019].

<sup>3</sup> Drugabuse.gov. (2017). *Treating Opioid Addiction in Criminal Justice Settings*. [online] Available at: <https://www.drugabuse.gov/publications/treating-opioid-addiction-in-criminal-justice-settings/treating-opioid-addiction-in-criminal-justice-settings> [Accessed 4 Feb. 2019].