



REPRODUCTIVE JUSTICE INSIDE

c/o NPCMF

1323 N. Calvert Street – Suite A

Baltimore, MD 21202

<http://www.rjinside.org>

HB 1476 Oversight and Review Board for Health Care Of Inmates in State Correctional Facilities Position: SUPPORT

Chairman Clippinger
Vice Chair Atterbeary
Members of the House Judiciary Committee

Reproductive Justice Inside (RJI) and our coalition members and partners stand in support of HB 608. RJI is Maryland's only statewide coalition working to address the needs of systems-involved individuals and their access to quality and timely sexual and reproductive healthcare and the right to parent with dignity.

Inmates are one of the few groups in the United States who have a constitutionally protected right to adequate health care. Yet we know that the health care being provided for the individuals in the care, custody and control of the state is inadequate and places inmates and staff at increased risk, raises the costs associated with chronic care conditions, and costs the state millions of dollars each year. And these costs and the impact of this sub-par health care delivery is a result of there being no oversight or regulations as there are for community health systems and providers.

The lack of adequate healthcare provision and oversight is directly related to poor health outcomes that impact not only someone who is incarcerated but follows them back into the community upon their release.

HB 1476 will provide a mechanism to analyze and review the healthcare being provided, the needs facing the inmate population and make recommendations on policies and procedures in order to ensure adequate healthcare for all inmates that will lead to improved health outcomes

It should be also be said that the Department has admitted that the healthcare providers they have contracted have failed their contract multiple times, have not adhered to proper reporting procedures, and that the current system of reporting (including medical records) is inaccurate, failing and not up to current standards.

The Department has utilized and continues to utilize an internal system of oversight. This is akin to policing themselves.

The medical contractor (Corizon) that DPSCS currently, has a long history and record nationwide of inadequate care, abuses and neglect, and high damage lawsuits. However, this contractor continues to provide care to Maryland facilities.

Finally, the number of people incarcerated with mental health and substance use disorders is high, the number of individuals being treated for chronic illness and disabilities has risen and as a result, the lack of adequate healthcare demands that an independent oversight board be impaneled to reverse the existing practices and impact.

Legally, failure to oversee correctional healthcare is tantamount to deliberate indifference towards the state and federal constitutional right to correctional healthcare. It invites prison officials to “simply bury their heads in the sand and thereby skirt liability” for the actions of their medical staff.

Gordon v. Schilling, 937 F.3d 348, 361 (4th Cir. 2019) (quoting Roe v. Elyea, 631 F.3d 843, 861-867 (7th Cir. 2011)).

HB 1476 is good legislation and the Reproductive Justice Inside Coalition, its members and allies urge your support and favorable report.

Respectfully submitted,

Kimberly Haven
Reproductive Justice Inside
Coalition Coordinator