



**House Health and Government Operations Committee
February 26, 2020**

**House Bill 1071
Public Health - Substance-Related Disorder Services
(Maryland Patient Protection and Treatment Ethics Act)**

Letter of Information

NCADD-Maryland submits this letter of information on House Bill 1071. We are strong supporters of consumer safety and ensuring a high quality of services to people needing substance use disorder treatment and people in recovery. While House Bill 1071 strives to provide protections to people, we believe the bill needs more work.

The legislation is broad in the activities it describes and makes illegal. It is unclear, however, what of these activities are already illegal under Maryland. Certain kinds of false advertising, for example, are already illegal. Health care providers accepting money for referrals is already illegal. A more thorough examination of Maryland law, including its Consumer Protection Act, is needed to avoid redundancy and any potential conflict.

The legislation may also have unintended consequences. There are legitimate, high quality referral and navigation agencies that have relationships with treatment programs and recovery residences. These relationships may include donations of scholarship treatment slots and sponsorships of fundraising events. We do not believe it is the intent of the legislation to interfere with these relationships as they do not constitute what may commonly be known as patient brokering. But we are not sure whether the bill would cover these activities.

There are also questions about how legitimate marketing activities and staff employed by programs engaging in this work may be impacted.

NCADD-Maryland is committed to consumer safety and commits to work with the bill sponsors, the Attorney General's Office, the Behavioral Health Administration, providers and consumer advocates during the Interim to assist with an analysis to identify what gaps, if any exist in Maryland law. Further, NCADD-Maryland commits to publicizing in the meantime what consumers should do if they believe they or a family member is a victim of patient brokering or other illegal activity.

The Maryland Affiliate of the National Council on Alcoholism and Drug Dependence (NCADD-Maryland) is a statewide organization that works to influence public and private policies on addiction, treatment, and recovery, reduce the stigma associated with the disease, and improve the understanding of addictions and the recovery process. We advocate for and with individuals and families who are affected by alcoholism and drug addiction.