

To: The Health and Government Operations Committee
From: Rachel White, JD, Child Welfare Policy Director
Re: HB1518-
Date: March 11, 2020
Position: Oppose

Thank you for the opportunity to provide testimony on HB1518- Opioid-Exposed Newborns and Parents Addicted to Opioids – Mobile Application – Pilot Program (I'm Alive Today App). Advocates for Children and Youth opposes this bill. While well intentioned, it simply will not protect substance exposed newborns from abuse and neglect.

This will not protect babies from being neglected by their parents who may be under the influence of drugs. There are other ways to ensure the safety of a newborn. Ensuring the safe care plans are robust, providing parents with the appropriate supportive services to decrease the chances of relapse, and the caseworker is required to visit family routinely and make judgement calls as to whether the child is safe in the home.

In addition, Maryland has opted into the Family First Prevention Services Act which allows the state to be federally reimbursed for preventive services for children and family at risk for entering foster care. The state has defined "candidate at risk" as those who are already receiving in-home services by the department- this includes parents of substance exposed newborns. This landmark legislation allows the state to draw down federal dollars for preventive services program to include parenting classes, and residential family-based treatment programs where a parent can receive services while their child remains on site.

While we understand that this bill has been amended in the years that it was previously introduced as a pilot for only Washington, Garrett, and Alleghany county- we are afraid that passage of this bill will create a precedence with negative implications. We understand that the local departments of social services are in support of this bill, however this is not in the best interests of families and will not keep more children safe. It is unduly burdensome.

The bill requires parents to communicate periodically with the department through a mobile app to signal that they are alive and conscious and able to care for their children. This is not a practical or reasonable way to measure a parent's viability to care for their children. There are extreme issues and concerns with this requirement. Questions to consider:

- What if the parent does not have a mobile device?

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- Who is responsible for paying for the service and the wifi necessary?
- What if the parent doesn't have a smart phone that can download apps? What if the phone dies?
- What if the phone is not in the parent's possession?
- What if someone other than the parent indicates that they are alive?
How can department trust the integrity of the admission?

In addition, the bill is silent as to what the Department must do if the parent does not report that they are conscious and how soon the department is expected to be out to the home. Does the family receive a sanction if they do not respond, will the child be removed if the parent does not respond?

While we recognize that there is a growing opioid epidemic and more substance exposed newborns are being brought to the attention of the Department of Social Services, requiring parents to indicate that they are alive and conscious will not prevent future neglect and harm but is unduly burdensome. The state's resources should be used in a different way if the goal is to save more lives and prevent future abuse or neglect.

For the reasons stated above, Advocates for Children and Youth ask that you issue an unfavorable report on HB 1518.