

House Bill 1518
Opioid–Exposed Newborns and Parents Addicted to Opioids –
Mobile Application – Pilot Program (I’m Alive Today App)

OPPOSE

The Maryland Association for the Treatment of Opioid Dependence (MATOD) is an opioid use disorder provider and advocacy organization comprised of the majority Maryland’s 93 Opioid Treatment Programs (OTPs), 7 Local Addiction and Behavioral Health Authorities and several behavioral health advocacy agencies.

MATOD strongly opposes HB 1518, which establishes a Pilot Program in Allegany, Garrett, and Washington counties to require the Maryland Social Services Administration and local departments of social services to develop a mobile application in order to communicate and monitor “opioid-addicted parents”, to “assess the risk of harm to and safety of an opioid-exposed newborn”.

Maryland legislators, citizens and MATOD all want to protect the lives of children. Existing Maryland laws, however, address child welfare, including the reporting of substance exposed newborns to the local departments of social services. It is through this process that concerns about a mother’s ability to care for her infant can be addressed. MATOD has grave concerns about the development and utilization of a smart-phone application that mandates a person to “check-in”. Patients in Substance Use Disorder (SUD) treatment face significant stigma about their illness and treatment. The use of an application that requires a “check-in” to ensure safety and compliance with local departments of social services is a dangerous precedent and undue burden, which increases stigma exponentially. This proposed bill will promote government sanctioned tracking of individuals with SUD, which reinforces the stigma against SUD (and its treatment) with the authority of the state. The undesired consequence of this could be that women will not seek SUD treatment and/or obstetrical services due to fear of being judged as “non-compliant” for many reasons, including lack of cellular service and funding for smart phones.

MATOD is also concerned about the practical implementations that are equally troublesome as the stigma concerns. HB 1518 seeks to obtain information about substance exposed newborns and their mothers, many of who are already under the care of Opioid Treatment Programs (OTPs). OTPs and their patients are protected by HIPAA and federal confidentiality laws through 42 CFR, Part 2. OTPs work with local social service and child welfare agencies to assist new mothers in getting the services they need to care for their infants when proper consents are signed. The proposed mobile app does not satisfy confidentiality and privacy concerns and the protection of Protected Health Information (PHI).

Current law requires notification of local departments of social services of the birth of substance exposed newborns. DSS is required to perform an assessment, and develop a plan to monitor the safety of a newborn in cases the department determines that further intervention is needed. In addition, OTP clinical staff are mandated to report the suspicion of child abuse and/or neglect. The development of the proposed application will be costly, using resources perhaps better spent on transportation to and from treatment. This bill puts an undue burden on a mother with a newborn child simply because she suffers from a treatable chronic medical disorder that is widely present in Maryland.

MATOD urges an **unfavorable** report for HB 1518.



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MATOD members include community and hospital based Opioid Treatment Programs, local Health Departments, local Addiction and Behavioral Health Authorities and Maryland organizations that support evidence-based Medication Assisted Treatment. MATOD members include thousands of highly trained and dedicated addiction counselors, clinical social workers, physicians, nurse practitioners, physician assistants, nurses, peer recovery specialists and dedicated staff who work every day to save and transform lives.