



Department of Public Safety and Correctional Services

Office of the Secretary Office of Government and Legislative Affairs

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BILL: SENATE BILL 768

POSITION: LETTER OF INFORMATION

EXPLANATION: This bill requires the Department to (1) adopt minimum mandatory standards for inmate food services that comply with the health and wellness standards adopted by the Secretary of Health; (2) adopt training standards for health care providers working in a State or local correctional facility that comply with the standards; and, (3) require the Department to provide one plant-based meal option and one plant-based beverage to all inmates at each meal at least one day each week and to every inmate at least each meal on request.

COMMENTS:

- The Department's Division of Correction (DOC) operates approximately 17 State correctional facilities, which house offenders sentenced to incarceration for 18 months and longer. The Department also runs the Baltimore City Pretrial Complex, under the Division of Pretrial Detention and Services (DPDS), which houses pretrial detainees and inmates sentenced to incarceration for 18 months and less.
- The Department is already required to adhere to auditable standards set by the Maryland Commission on Correctional Standards. The requirements under SB 768 would conflict with this process. Additionally, the managing official of a correctional facility is responsible for having written policies and procedures, including (1) providing for a menu approved annually by a registered dietitian; (2) ensuring that three meals a day are served with not more than a 14-hour interval between the evening meal and breakfast; and (3) ensuring that the food service operation is licensed and meets State sanitation and health regulations as verified by inspection as required by the health department.
- There would be a significant fiscal impact associated with implementing SB 768. The sentenced population under the Department's care, custody, and control was approximately 18,800 for fiscal year 2019. Under the bill, the Department must provide one plant-based meal option and one plant-based beverage to all inmates at each meal at least one day each week, which would cost \$106,054.52

- $\$0.55$ (potential plant based meal cost) X 18,541 (FY19 DOC average daily population) X 10.4 (52 weeks in a year / by 5 cycles) = $\$106,054.52$ a year.
- The bill also requires the Department to provide every inmate a plant-based meal upon request. If ten percent of the prison population requested plant based meals it would cost the Department $\$372,190.50$ annually.
 - $\$0.55 \times 1,854 \times 365 = \$ 372,190.50$
- The Department already provides healthy options to the incarcerated population. Below are some specifics of the current standardized menus, and what is available to the Maryland inmate population:
 - Inmates are able to sign up to have the option of a vegetarian meal plan (Lacto-Ovo).
 - Inmates may be placed on diets that adhere to religious practices and beliefs.
 - Inmates are placed on therapeutic diets for medical conditions. When this occurs, the therapeutic diets adhere to medical diets approved by the Department's Chief Medical Officer, Medical Services and the Department's Registered Dietitian.
 - Lower fat meals are also being served.
 - Beef products include soy resulting in a 3-5% reduction in fat content.
 - Most poultry based items typically result in a 1-3% reduction in fat content.
- The requirement set forth in this bill to provide a report detailing any change in illnesses or diagnoses of inmate that may result from the implementation of the Health and Wellness Food Standards or because of any other prescribed treatment will involve an independent study to be conducted by subject matter experts.

CONCLUSION: The Department of Public Safety and Correctional Services respectfully requests the Committee consider this information as it deliberates on Senate Bill 768.