



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 14, 2023

The Honorable Joseline A. Peña-Melnyk
Chair, Health and Government Operations Committee
Room 241, House Office Building
Annapolis, MD 21401-1991

RE: HB 1153 – Behavioral Health Programs - Residential Programs - Food Service Facility Requirements – Letter of Support with Amendments

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of support for House Bill (HB) 1153 – Behavioral Health Programs - Residential Programs - Food Service Facility Requirements. HB 1153 exempts residential substance-related programs with fewer than 17 residents from the requirements of COMAR 10.15.03 - Food Service Facilities.

MDH recognizes the value in tailoring regulations to address the needs of these smaller programs. Currently COMAR 10.15.03 requires residential substance-related programs to have a commercial-like food service kitchen, including commercial sinks, ventilation hoods, and follow commercial kitchen codes. Purchasing and maintaining a commercial-like kitchen can create a burden on these providers, especially as patients in these programs typically cook their own meals. Furthermore, a practical component of residential treatment is setting individuals up for success after they leave their treatment program. If individuals are able to practice and begin using skills and resources while in treatment, they are more likely to be able to maintain their recovery in the months and years following rehab.¹

MDH recommends amending this bill to replace language in the bill with uncodified language that would require MDH to establish regulations specific to these facilities. These regulations will be tailored to ensure proper food safety standards for these smaller programs.. MDH is committed to drafting language and will work with the bill sponsor and the Committee in providing proposed drafted amendment language. If you would like to discuss this further, please do not hesitate to contact Megan Peters, Acting Director of Governmental Affairs at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary

¹Medicaid Innovation Accelerator Program “Overview of Substance Use Disorder (SUD) Care Clinical Guidelines: A Resource for States Developing SUD Delivery System Reforms”.
<https://www.medicaid.gov/state-resource-center/innovation-accelerator-program/iap-downloads/reducing-substance-use-disorders/asam-resource-guide.pdf>