



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 28, 2023

**Testimony in SUPPORT of HB 44 - Correctional Services – Pregnant Incarcerated
Individuals – Substance Use Disorder Assessment and Treatment**

Summary: HB 44 protects pregnant inmates in Maryland by requiring our state correctional institutions to provide them with substance use disorder screening while they are incarcerated and requires them to establish procedures for continuity of care after they are released from state custody.

Overview: Like many of you, I was absolutely horrified to hear the story of Jazmin Valentine, a woman who was [forced to give birth in solitary confinement](#) at the Washington County Detention Center while [guards laughed off her cries for help](#) because they presumed she suffered from substance use disorder.

It took over an hour after Jazmin gave birth for her to leave the jail to be transported to the hospital. Because of this, her baby, who weighed only 4 pounds, 8 ounces, caught a staph infection due to the unsanitary conditions at the jail. Thankfully, both Jazmin and Jamiyah are doing well today. However, no other incarcerated person should ever have to suffer through any situation like theirs again.

One way we can guarantee this is by ensuring that all of Maryland’s state correctional facilities provide all pregnant inmates who have substance use disorder with access to quality healthcare both while incarcerated and after they are released—making clear what standards of care they must provide to pregnant inmates they may try to write off as “on drugs.”

HB 44 requires that all pregnant inmates be screened for substance use disorder (SUD) upon intake. If the inmate tests positive, the facility must refer the inmate to a behavioral health provider for assessment, counseling on all treatment options, and continuation of medication (if applicable). If the inmate was not on medication treatment regimen for their SUD before incarceration, they must be started on medication if it is recommended by their provider and if they consent to the treatment.

HB 44 further provides for continuing care after the person is released from state custody by requiring correctional units to do the following before an inmate is released:

1. Work with government agencies to ensure that the individual has health insurance coverage;
2. Refer the individual to a qualified reproductive health care provider; and

3. Refer the individual to a community-based mental health and substance use professional for treatment and medication continuity in their communities.

These medications and treatments are essential for these women and necessary to ensure that they have healthy pregnancies and successful births. The [2020 Maternal Mortality Review Report](#) found that unintentional drug overdose was the leading cause of death for pregnant women for the sixth year in a row.

Timely, appropriate, proven interventions can help reduce this mortality rate by putting individuals on the path to recovery as early as possible, allowing them to have the healthiest pregnancies and deliveries they can.

Conclusion: Making sure that all pregnant individuals in state custody have access to quality health care providers that work to combat substance use disorder issues both while they are incarcerated and after will help protect the health and future of not only the women in Maryland's correctional facilities, but also the children they have.

Thank you and I ask for a favorable report.