

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 1029 (Delegate Haynes, *et al.*)
Health and Government Operations

Public Health - Substance Use Disorders

This bill requires the Secretary of the Health and Mental Hygiene to adopt regulations setting standards that use the American Society of Addiction Medicine (ASAM) criteria for treatment, care, and rehabilitation of individuals with a substance use disorder.

Fiscal Summary

State Effect: None. Department of Health and Mental Hygiene (DHMH) already uses ASAM criteria for substance use treatment services and intends to promulgate regulations reflecting the criteria in the immediate future.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapter 460 of 2014 merged DHMH's Alcohol and Drug Abuse Administration and Mental Hygiene Administration into the Behavioral Health Administration (BHA), which is established in statute. BHA is headed by a director appointed by, and subject to the authority of, the Secretary of Health and Mental Hygiene. The director has various powers and duties, including the power to appoint assistant directors and staff provided for in the State budget and, unless expressly provided otherwise by law, the power to delegate functions to any subordinate unit or individual in BHA.

Generally, with regard to alcohol and drug abuse programs and facilities, the Secretary must plan and encourage development, and coordinate the programs and services that offer treatment, care, or rehabilitation for individuals with a substance use disorder, and must adopt regulations that set standards for treatment, care, and rehabilitation for individuals with a substance use disorder. Statute specifies that a BHA-operated facility is a health facility, not a correctional institution. BHA must annually evaluate all publicly funded licensed substance disorder treatment using federal outcomes measures.

Background: BHA uses ASAM criteria for substance abuse treatment services and intends to promulgate regulations that incorporate the criteria in the immediate future. The ASAM criteria are required in over 30 states and, according to the ASAM website, provide separate placement criteria for adolescents and adults to create comprehensive and individualized treatment plans. Adolescent and adult treatment plans are developed through a multidimensional patient assessment over five broad levels of treatment that are based on the degree of direct medical management provided; the structure; safety, and security provided; and the intensity of treatment services provided.

Additional Information

Prior Introductions: None.

Cross File: SB 327 (Senator Klausmeier, *et al.*) - Finance.

Information Source(s): Department of Health and Mental Hygiene, American Society of Addiction Medicine, Department of Legislative Services

Fiscal Note History: First Reader - February 27, 2015
md/ljm

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