



HB 738 – Criminal Procedure – Medical Emergency - Immunity

Committee: Judiciary

Date: February 25, 2020

POSITION: Support

The Maryland Coalition of Families: Maryland Coalition of Families (MCF) helps families who care for someone with behavioral health needs. Using personal experience as parents, caregivers and other loved ones, our staff provide one-to-one peer support and navigation services to parents and caregivers of young people with mental health issues and to any loved one who cares for someone with a substance use or gambling issue.

MCF strongly supports HB 738.

No one needs to be reminded that we are in the middle of an opioid epidemic. While the number of overdoses in the first three-quarters of 2019 declined slightly from the same period in 2018, they declined only slightly. The number of overdoses are still unacceptably high.

For this reason Maryland must enact strong measures to continue to curb the number of overdoses. The state took steps in 2015 to encourage those who were observing a medical emergency related to the consumption of drugs or alcohol to call for help without fear of arrest or prosecution for:

- Possession of a controlled dangerous substance
- Possession or use of drug paraphernalia
- Providing alcohol to minors

HB 738 would continue this effort. In order to seek help for themselves, an individual who is experiencing a medical emergency related to the consumption of drugs or alcohol must feel free to seek out medical assistance (or have others seek medical assistance for them) without fear that they themselves will be prosecuted. Immunity must apply to both the observer and the person experiencing the medical emergency.

In order to further strengthen the law, HB 738 expands the offences for which an individual would be protected from arrest or prosecution. This will further encourage people to seek help.

Along with our mental health work, MCF provides peer support and navigation services to families that care for a loved one with a substance use problem. We have twelve substance use staff who cover the state, some of whom have lost a child to an opioid overdose. Last year 46% of the families served by MCF's substance use staff had a

loved one with an opioid use disorder. While all of the substance use families that we work with are desperate to get help for their loved one, the families who have a loved one with an opioid use disorder are especially desperate. They are facing a life or death situation on a daily basis. We would be grateful for whatever the Judiciary Committee can do to help these families.

Therefore we urge a favorable report on HB 738.

Contact: Ann Geddes
Director of Public Policy
The Maryland Coalition of Families
10632 Little Patuxent Parkway, Suite 234
Columbia, Maryland 21044
Phone: 443-741-8668
ageddes@mdcoalition.org