

House Bill 235 Correctional Services – Pregnant Incarcerated Individuals – Substance Abuse Assessment and Treatment

Judiciary Committee

January 26, 2021

Position: SUPPORT

The Mental Health Association of Maryland is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health, mental illness and substance use. We appreciate this opportunity to present testimony in support of House Bill 235.

HB 235 requires correctional facilities to perform a substance use disorder screening of pregnant inmates, and if appropriate, to facilitate care with a behavioral health provider.

The number of women incarcerated has outpaced men – since 1978 it has increased nine-fold¹. Many female inmates learn they are pregnant upon entry into a correctional facility². Pregnant inmates are in a unique situation and should not have barriers to health care, especially when they are in restrictive housing. A pregnant inmate who is going to deliver for the first time may not know of prenatal care and requires support services to improve delivery outcomes. Commonly, these women did not make health care a priority; thus they may have a poor medical history and/or a substance use disorder.

Given there is an opioid epidemic in Maryland, pregnant inmates with opiates in their system would need considerably more attention and care to allow for detox and limit a high-risk pregnancy. HB 235 requires each correctional facility to use an evidence-based screening to diagnose a pregnant inmate for an opioid use disorder and then provide them with medication-assisted treatment if appropriate. As such, while incarcerated, the inmate will receive treatment to protect herself and the fetus. Upon release, HB 235 provides a pregnant inmate with a substance use disorder with an aftercare plan to continue with treatment. This requirement helps to connect them to providers and resources in the community to support their recovery.

For these reasons, MHAMD supports HB 235 and urges a favorable report.

¹ <https://www.acog.org/About-ACOG/ACOG-Departments/State-Legislative-Activities/Incarcerated-Women?IsMobileSet=false>

² <https://www.ncchc.org/womens-health-care>