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Judiciary Committee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 9th, 2022

The Honorable Delegate Shane Pendergrass

Chairwoman of the House Health and Government Operations Committee

6 Bladen Street, Room 241

Annapolis, Maryland 21401

House Bill 1335

Good afternoon, Chair Pendergrass, Vice Chair Peña-Melnyk, and members of the Health and Government Operations Committee. I am Delegate Nicole Williams of District 22, and today I will be testifying in favor of **House Bill 1335**, also known as **Perinatal Care - Drug and Alcohol Testing and Screening - Consent**. This bill would prohibit physicians or other health professionals from performing drug and alcohol testing on pregnant and perinatal persons and their infants without their informed consent.

This legislation comes as many women who belong to marginalized communities face inequity in our healthcare system. Oftentimes, these women and their babies are subjected to drug and alcohol screenings without their knowledge. We see in healthcare facilities across the nation that poor women and women of color are drug tested at far higher rates than white and middle- to upper-class women. Black and brown children face the greatest consequence of this practice, being removed from their homes and placed in a foster care system that may not always have their best interests at heart.

A positive result can spell disaster, with newborns being separated from their families and mothers being forced to enter drug treatment. A positive test result by itself, however, is not indicative of a substance abuse disorder and a mother's ability to be a good parent. Denying them the chance to show their ability to be a caretaker only further exacerbates the trauma and anxiety felt by both the parents and the child.

Passing this bill would show that this legislature is committed to ending unjust family separation, favors keeping the family unit together if possible and is committed to dismantling the structures that perpetuate racism in our healthcare and foster care systems. In doing so, we can reaffirm the opportunity for everyone to be a part of a whole, loving family.

For these reasons, I urge this committee to give a favorable report on House Bill 1335.

Sincerely,

Nicole A. Williams, Esq.

Delegate Nicole A. Williams, Esq.