



**House Health & Government Operations Committee
March 11, 2022**

**House Bill 1335
Perinatal Care - Drug and Alcohol Testing and Screening - Consent**

Support with Amendment

The Maryland Affiliate of the National Council on Alcoholism and Drug Dependence (NCADD-Maryland) supports, with amendments, House Bill 1335 which requires informed consent before a pregnant person can be tested for drugs or alcohol. To be clear, we fully support efforts to ensure that children's well-being is protected and believe that there is a legitimate and important role for the State to intervene when there is a threat to a child's safety. We also believe that when a person has a substance use disorder, a health intervention should be the response.

There remains a strong bias against people using medications such as methadone when they have an opioid use disorder. This stigma exists for pregnant people as well, despite years of research that demonstrate medication in addiction treatment is safe and effective. This stigma exists among health care professionals in hospital and other care settings, as well as among those in local departments of social services.

We know that when a person with an opioid use disorder becomes pregnant, the fear of having their child taken away can either lead them to seek addiction treatment, or specifically avoid any interaction with the health care system, including prenatal care. The fear of giving birth in a hospital where staff may not understand or support the use of methadone by pregnant people with opioid use disorders, can deter people from going to the hospital when in labor.

Over the years, there has been an effort to increase the knowledge that all involved have about the disease of addiction, the efficacy of treatment, and the legitimate role of child welfare services with regard to the safety of children. Informed consent prior to drug or alcohol testing would mean that people would be aware not just the consequences of a positive test, but what support services could be made available to the family.

NCADD-Maryland would seek an amendment to take out of the bill the need for informed consent for an alcohol or drug screen. Screening tools are an important part of routine health care and consent requirements may deter clinicians from asking simple questions that can be effective in identifying when someone may need additional support or services.

We ask the Maryland General Assembly to continue supporting policies that address substance use disorders with proven public health policies and continue to move away from punitive approaches to address this disease.