



HB 59
Health and Wellness Standards- Correctional Facilities

MCAA Position: **OPPOSE**

TO: Judicial Proceedings Committee

DATE: January 31, 2023

FROM: MaryAnn Thompson, President
Brandon Foster, Legislative Committee
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The Maryland Commission on Correctional Standards (MCCS) is currently responsible for oversight of jails and prisons regarding inmate food services in the State of Maryland. All jails and prisons are required meet the standards set forth in COMAR regarding inmate food services and are regularly audited to ensure compliance.

The standard requires that meals must be wholesome, nutritionally adequate, well prepared, ample in portion, and served at reasonable intervals are essential to the health, behavior, and morale of inmates. Meals meeting this description will work to minimize a major source of complaint which could ultimately lead to discontent, disorder, and costly litigation. It is equally imperative that services associated with meeting the dietary needs of inmates be sanitary and safe.

The managing official, in accordance with the standards, shall have a written policy and procedure requiring that a menu be approved annually by a registered dietitian. Menus are to be maintained on file to verify that they meet nationally recommended dietary allowances for basic nutrition. All menus should be planned in advance, dated, and substantially followed. Any changes to an approved menu or substitutions in meals actually served should be determined by dietary personnel, documented, and be of equal nutritional value. A system should be developed to ensure reviews occur on schedule. Consideration should be given to posting the menu or otherwise making it available to staff and inmates.

The managing official, in accordance with the standards, shall provide for a written policy and procedure authorizing special diets as prescribed by qualified health care personnel and as necessary to adhere to the mandatory requirements of recognized faiths. Special medical or religious diets are to be provided for specific health problems as identified by qualified health care personnel and those of commonly recognized faiths as determined by the managing official in conjunction with the facility chaplain. The content of these diets should conform as closely as

possible to the approved menu. Special diets should be continued until specifically terminated by the approval authority. Menus for more common medical conditions, such as diabetes, etc., may include provisions for substitutions or alternate food selections, extra rations of acceptable menu items, etc. Consideration should also be given to accommodating dietary preferences during particular recognized religious holidays (*e.g.*, Ramadan, etc.). The distribution/availability of these meals should be recorded and maintained on file. Staff and inmates should be made aware of the procedures for obtaining and renewing such diets.

It is important to note that inflation rates over the past year, in all food categories, has significantly increased. Jail and prison food costs have risen significantly. If certain elements of this bill were implemented, it would only lead to even higher costs.

The MCCA believes the Secretary of Health's involvement in inmate food service is unnecessary since oversight by the MCCA is well established.

The MCAA opposes this bill and asks this committee for an unfavorable report on HB59.