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Judicial Proceedings Committee



THE SENATE OF MARYLAND
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February 7th, 2023
Senate Judicial Proceedings Committee
The Honorable William C. Smith Jr.
2 East Miller Senate Building
Annapolis, MD, 21401

Re: Senate Bill 190 - Correctional Services - Pregnant Incarcerated Individuals - Substance Use Disorder Assessment and Treatment

Dear Chairman Smith and members of the Committee,

According to a September 28, 2022 AP story, a woman incarcerated in the Washington County jail in Hagerstown was left to give birth to her baby alone on the dirty concrete floor of her cell

Pregnant women represent a unique population for correctional facilities and require specialized care if concurrent opioid use disorder is present.

Senate Bill 190 requires substance use disorder screening to be provided to pregnant women who are incarcerated. If the woman scores positive on the screening, the bill requires her to be referred immediately to a behavioral health care provider and a reproductive health care provider for counseling and, if appropriate, the initiation or continuation of medication.

SB 190 further provides that a pregnant woman who was receiving medication for opioid use disorder prior to incarceration must be provided the same medication without a break in care once she is incarcerated. The bill explicitly states, however, that the woman has the right to decline or terminate treatment.

Before a pregnant woman is released from prison, the bill states that she be provided with health insurance coverage, that she be referred to a qualified reproductive health care provider and that she be referred to a community-based mental health and substance use professional for treatment and medication continuity. Finally, the bill requires that the woman be provided with a complete copy of her medical records upon her release.

Senate Bill 190 will ensure that pregnant incarcerated women receive the appropriate care to maintain a healthy pregnancy and greater likelihood of a healthy birth.

I appreciate the Committee's consideration of Senate Bill 190 and will be happy to answer any questions the Committee may have.