



Statement of Maryland Rural Health Association (MRHA)

To the House Judiciary Committee

Chair: Delegate Luke Clippinger

February 23, 2023

House Bill 667: Criminal Law - Overdosing in Public - Prohibition

POSITION: OPPOSITION

Chair Clippinger, Vice Chair Moon and members of the Committee, the Maryland Rural Health Association (MRHA) is in OPPOSITION of House Bill 667, Criminal Law - Overdosing in Public - Prohibition.

MRHA believes that substance use disorder and addiction are behavioral health conditions, and not the result of moral failings. Criminalizing overdosing in public is harmful because most overdoses are unintentional.¹ Moreover, an individual overdosing in a private residence might not have anyone there to assist in an emergency, which would increase overdose deaths. Homeless individuals who use drugs only have access to public spaces, and this bill would place an unnecessary and harmful burden on an already burdened population.

The compulsory treatment that this bill imposes for those who are found to have overdosed in public is additionally problematic. There is little evidence suggesting that compulsory substance use treatment is effective. Most studies report no difference between the rates of relapse compared to the control treatment.²

Banning overdoses in public will not reduce overdoses or overdose deaths. True prevention, as outlined by the US Department of Health and Human Services Overdose Prevention Strategy, would include increasing access to Naloxone and fentanyl test strips, increasing the availability of medication-assisted treatment, and creating safe injection sites.³ This bill does none of those things, and serves only to further stigmatize marginalized individuals and push individuals away from seeking treatment or emergency services they might need. In order to preserve the fundamental human right of health, we urge you to oppose HB 667.

Sincerely,

Jonathan Dayton, MS, NREMT, CNE, Executive Director

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1. Olfson M, Rossen LM, Wall MM, Houry D, Blanco C. Trends in Intentional and Unintentional Opioid Overdose Deaths in the United States, 2000-2017. JAMA. 2019;322(23):2340–2342. doi:10.1001/jama.2019.16566
2. Werb D, Kamarulzaman A, Meacham MC, et al. The effectiveness of compulsory drug treatment: A systematic review. Int J Drug Policy. 2016;28:1-9. doi:10.1016/j.drugpo.2015.12.005
3. Harm reduction. Overdose Prevention Strategy. <https://www.hhs.gov/overdose-prevention/harm-reduction>. Published November 29, 2022. Accessed February 20, 2023.