

February 15, 2024

The Honorable Luke Clippinger
Chair, Judiciary Committee
House Office Building, Room 101
Annapolis, Maryland 21401

RE: TESTIMONY ON HB 833 - Children in Need of Assistance - Parents in Substance Use Disorder Treatment - POSITION: FAVORABLE

Dear Chair Clippinger and Members of the Judiciary Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide favorable testimony on House Bill 833 (HB 833). With offices in every one of Maryland's jurisdictions, we empower Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to workforce development and career opportunities. The Social Services Administration within DHS implements Child Prevention services, Protective Services, Family Preservation, and Out-of-Home Programs which serves the children and parents impacted by HB 833.

HB 833 aims to protect parents' ability to safely maintain custody of and care for their child(ren) when Substance Use Disorder (SUD) is the prevailing reason for shelter of the child(ren) by creating presumptions that a child remains with their parent when the parent is actively participating in family-based residential or outpatient substance use treatment. On average, 8.7 million children in the U.S. live with at least one parent with a substance use disorder. In Maryland caregiver substance abuse is a leading circumstance contributing to removal of children from home. Thirty percent of children removed in 2023 had parental SUD as a primary factor contributing to removal. Children aged 4 and under were particularly impacted by removal for parental substance use (25%), and 38% of the children were under the age of 1. Nationally, children removed from homes where a parental substance use disorder was present spend more time in foster care and are less likely to reunify with family.

HB 833 supports the Department's family first, family-centered model of practice with supportive parenting during treatment and recovery while ensuring the safety of children. Family-based residential treatment programs and, where appropriate, outpatient treatment programs, ensure families have necessary services and support to avoid the social, emotional, and developmental trauma children and parents may experience as the result of separation and out of home placement. Research shows family-based residential treatment significantly improves parenting skills, compared to treatment for substance use disorder alone. Parents participating in family-centered programs reduce substance use more than treatment focused only on substance use disorders. Critically, on-going evaluation of family-based substance use treatment is demonstrating lower risk of child maltreatment.

Further, child safety concerns that may arise in particular cases can be addressed by providing a court with information rebutting legislative presumptions in favor of family preservation. Unavailability of family-based substance use treatment may also rebut the bill's family integrity



presumptions. HB 833 facilitates implementing foster care prevention and child safety goals of the federal Family First Prevention Services Act (FFPSA). Recognizing the importance of keeping children with their parents when safe, FFPSA enables Maryland to draw down federal funding for treatment for parents engaged in eligible evidence-based substance use treatment services when a child can remain safely at home with those services. Maryland can also claim federal Title IV-E foster care maintenance payments to help cover the child's costs when a child in foster care is placed with their parent in a licensed residential family-based treatment program.

HB 833 may also help increase cooperation between treatment programs for substance use disorders and the child welfare system. Parents benefit from programs addressing the difficulties of both parenting and recovery. Moreover, the parent-child relationship is often a primary motivator for achieving and maintaining sobriety, and contributes to successful treatment. We are committed to reducing barriers to entering and completing treatment while safely preserving parent-child relationships.

We appreciate the opportunity to provide favorable testimony to the Committee for consideration during your deliberations. We look forward to the decision of the Committee and welcome continued collaboration on HB 833.

If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,



Rafael López
Secretary