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Governor

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Lieutenant Governor



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TESTIMONY IN SUPPORT OF HOUSE BILL 203

March 7, 2024

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The Governor's Office of Crime Prevention and Policy's (GOCPP) role is to advise the Governor on criminal justice strategies, coordinate across public safety agencies, and allocate resources Statewide to support public safety. One of GOCPP's focuses is the implementation of medication-assisted opioid use disorder (MOUD) treatment programs, also known as medication-assisted treatment or MAT programs, in local correctional facilities, as provided in section 9-603 of the Correctional Services Article.

House Bill 203 is a modest bill, removing four duplicative data elements required by current law. HB 203 removes the following data reporting requirements from the list of items local jails must report to GOCPP:

- 9-603(j)(5) requires facilities to report the number of incarcerated people diagnosed with opioid use disorder
 - Duplicates 9-603(j)(1), which requires facilities to report the number of incarcerated people diagnosed with a mental health disorder; an opioid use disorder; a non-opioid substance use disorder; and a dual diagnosis of mental health and substance use disorder.
- 9-603(j)(8) requires facilities to report the number of medications and medication-assisted treatments for opioid use disorder provided according to each type of medication and medication-assisted treatment options
 - Duplicates 9-603(j)(4), which requires facilities to report the type and prevalence of medication or medication-assisted treatments for opioid use disorder provided
- 9-603(j)(11) requires facilities to report the number of incarcerated individuals who initiated treatment with medication or medication-assisted treatment for opioid use disorder who were not being treated for opioid use disorder prior to incarceration
 - GOCPP can determine this based on data reported in 9-603(j)(1) described above and (3), which requires facilities to report the number of incarcerated individuals who were receiving medication or medication-assisted treatment for

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opioid use disorder immediately prior to incarceration

- 9–603(j)(14) requires facilities to report the number of incarcerated individuals receiving medication or medication-assisted treatment for opioid use disorder prior to release
 - GOCPP can use data reported in (4) and (13) to address this item
 - 9–603(j)(4) requires facilities to report the type and prevalence of medication or medication-assisted treatments for opioid use disorder provided
 - 9–603(j)(13) requires facilities to report a review and summary of the percent of days, including the average percent, median percent, mode percent, and interquartile range of percent, for incarcerated individuals with opioid use disorder receiving medication or medication-assisted treatment for opioid use disorder as calculated overall and stratified by other factors, such as type of treatment received

GOCPP’s goal is to take steps, however small, to ease the burden of MAT implementation on local correctional facilities and support more efficient and widespread MAT implementation.

Section 9–603 of the Correctional Services Article, the Opioid Use Disorder Examinations and Treatment Act, was a crucial milestone in Maryland’s approach to addressing opioid misuse. The law established programs for opioid use disorder (OUD) screening, evaluations, and treatment in local correctional facilities, contributing significantly to public safety and community well-being.

In our efforts to support MAT implementation, GOCPP collaborated with HealthCare Access Maryland (HCAM) and Health Management Associates (HMA) to provide technical assistance to local correctional facilities. The challenges identified during this collaboration include onerous data collection and reporting requirements, as well as the critical issue of insufficient State funding for complete MAT implementation. The [FY23 Opioid Use Disorder Examinations and Treatment Annual Report](#) describes implementation challenges in detail.

HB203 is a small step toward addressing these challenges and improving statewide MAT implementation in jails and prisons. It is crucial to recognize that incomplete MAT implementation not only hinders our State’s ability to break cycles of addiction and crime but may also run afoul of our legal obligations under federal law, including the Americans with Disabilities Act.

GOCPP urges you to report favorably on House Bill 203. By doing so, we can make progress in enhancing public safety, reducing crime and juvenile delinquency, and ensuring the well-being of individuals with opioid use disorder in our correctional facilities.