



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

February 11, 2025

The Honorable Joseline A. Pena-Melnyk
Chair, Health and Government Operations Committee
240 Taylor House Office Building
Annapolis, Maryland 21401

RE: HB395 – Procurement - Purchase of Opioid Overdose Reversal Drugs From Opioid Settlement Parties - Prohibition – Letter of Information

Dear Chair Pena-Melnyk and Committee Members:

The Maryland Department of Health (Department) respectfully submits this letter of information for HB395 – Procurement - Purchase of Opioid Overdose Reversal Drugs From Opioid Settlement Parties - Prohibition

HB 395 proposes to prohibit the use of state funds to purchase opioid overdose reversal drugs from entities involved in opioid settlements, effective July 1, 2025. While the legislation seeks to ensure ethical procurement practices, there are significant concerns that warrant careful consideration due to the potential impacts on public health programs and harm reduction efforts across the state.

The restriction on procurement from certain manufacturers could limit access to naloxone, a critical opioid overdose reversal drug widely used in harm reduction and public health programs. Many of these manufacturers are significant suppliers in the market and alternative options may be limited, potentially creating supply shortages. Transitioning to alternative suppliers may result in higher costs for naloxone, which could reduce the volume of the medication that programs can distribute within existing budgets. This would adversely affect Maryland's ability to sustain its overdose prevention initiatives. Identifying and contracting with alternative suppliers will likely require additional administrative resources and time, potentially delaying procurement and distribution of naloxone to high-risk populations. Local health departments and community-based harm reduction organizations, which depend on state-funded naloxone procurement, may face disruptions in their operations. These entities play a vital role in delivering services to underserved communities and could experience increased strain if affordable supplies become inaccessible. Disruptions in naloxone availability and distribution could undermine Maryland's ongoing efforts to combat the opioid crisis, leading to increased overdose deaths and negatively impacting vulnerable populations. Furthermore, the bill may inadvertently conflict with Maryland's harm reduction goals and strategies outlined in existing

public health statutes and regulations, which prioritize the broad and equitable distribution of overdose reversal medications.

While the ethical considerations behind HB 395 are commendable, the potential unintended consequences could significantly hinder Maryland's harm reduction efforts and public health objectives. The Department recommends further evaluation of the potential impacts on medication availability, costs, and program operations to ensure that the state's critical public health initiatives remain effective and sustainable.

Thank you for considering this information. We look forward to continuing to work together to address the opioid crisis and protect the health and well-being of Marylanders

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at sarah.case-herron@maryland.gov or 443-826-1851.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Laura Herrera Scott', with a stylized flourish at the end.

Laura Herrera Scott, M.D., M.P.H.
Secretary