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House Judiciary Committee

January 27, 2021

Support of House Bill 212

The Maryland Association for the Treatment of Opioid Dependence (MATOD) urges a favorable opinion on HB 212.

Drug overdoses are a serious public health challenge in Maryland and across the country. In Maryland, the total number of overdose deaths has risen steadily since 2010, mainly due to the **increase in opioid-related deaths, including a disturbing 14% increase in the first three quarters of 2020 over the previous year.** In 2014, Maryland enacted a “Good Samaritan” law to encourage people to call for help when someone is facing a medical emergency due to drugs or alcohol. This is a life-saving measure, but people will not call 911 if they believe they will be arrested because of their involvement.

House Bill 212 will build on our existing law to do three things:

- Clarify that the victim of the overdose or medical emergency is provided the same immunity from arrest, charge and prosecution as the person calling for help;
- Expand the offenses that people are immune from to include all misdemeanor offenses and possession with intent to distribute (not volume or king pin dealing); and
- Prohibit a person from being detained or prosecuted in connection with an outstanding warrant of another nonviolent crime if the only reason the police are involved is because of someone calling to save someone’s life.

Maryland’s law currently provides protection from arrest and prosecution for certain specific crimes and expands the charges from which people assisting in an emergency overdose situation are immune. If someone calls 911 in an effort to help during an overdose crisis, or they are experiencing an overdose, their parole and probation status will not be affected, and they will now not be arrested, charged, or prosecuted for:

- Possession of a controlled dangerous substance
- Possession or use of drug paraphernalia
- Providing alcohol to minors

This law covers any kind of overdose, whether it is related to opioids or alcohol or other drugs. We urge a favorable opinion on HB 212.

MATOD members include community and hospital based Opioid Treatment Programs, local Health Departments, local Addiction and Behavioral Health Authorities and Maryland organizations that support evidence-based Medication Assisted Treatment. MATOD members include thousands of highly trained and dedicated addiction counselors, clinical social workers, physicians, nurse practitioners, physician assistants, nurses, peer recovery specialists and dedicated staff who work every day to save and transform lives.