



Department of Public Safety and Correctional Services

Office of Government and Legislative Affairs

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BILL: SENATE BILL 394

POSITION: SUPPORT WITH AMENDMENTS

EXPLANATION: This bill would require the Department to provide Naloxone to incarcerated/detained individuals upon release who are at risk for overdose or determined to have substance use disorder.

Comments:

- The Department's Division of Correction (DOC) operates 13 State correctional facilities which house offenders sentenced to incarceration for 18 months and longer. The Department also oversees the Division of Pretrial Detention and Services which operates the Baltimore City Pretrial Complex.
- Successful re-entry is absolutely critical to the Department's mission of public safety and distributing Naloxone to at-risk individuals would provide an additional resource to aid incarcerated individuals with re-entry.
- The Department began the distribution of Naloxone to individuals under the supervision of the Division of Parole and Probation in 2021 and recognizes the value of extending the program to the pretrial and incarcerated populations.
- Compliance with this bill would require the Department to receive authorization for Naloxone so that it could be distributed under a blanket order. This would require the appropriate medical director to sign off on the certification for both the Division of Correction (DOC) and the Division of Pretrial Services (DPDS).
- In addition, the bill would require any individual distributing Naloxone to participate in training and any individual receiving Naloxone to be trained in the administration of the nasal spray. This will require additional personnel as the protocols will include receiving, storing, tracking, and administering Naloxone.
- The bill defines a Reentry Program as a program established by any government or community based organization serving previously incarcerated individuals returning to their communities. This definition is

extremely broad and would include any government agency as well as any programs serving previously incarcerated individuals, including educational services, libraries, job centers, and other entities that may not realize they are serving previously incarcerated individuals.

- The Department supports amendments to the bill that would clarify that Naloxone is to be provided to sentenced individuals who have a substance use disorder or are at risk of experiencing a drug overdose and are being released from state and local correctional facilities; or are under the supervision of the Division of Parole and Probation.
- As such, the Department is supportive of the amendments outlined in the Administration's written testimony.

CONCLUSION: The Department of Public Safety and Correctional Services respectfully requests the Committee to vote **FAVORABLE** on Senate Bill 394 **with amendments**.