



## Department of Public Safety and Correctional Services

### Office of Government and Legislative Affairs

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**BILL: SENATE BILL 394**

**POSITION: SUPPORT**

**EXPLANATION:** This bill would require the Department's Division of Correction (DOC) and Division of Parole and Probation (DPP) to have a protocol to offer an opioid reversal drug approved by the Food and Drug Administration (FDA), free of charge, to sentenced individuals have an opioid use disorder or who are at risk of opioid overdose before the individual's release or while under DPP supervision. The bill would also require the Maryland Department of Health to purchase and provide the opioid reversal drug to the Department.

### Comments:

- The Senate passed this bill with amendments and the Department supports the bill in its current posture. As amended, the bill was changed from naming a specific opioid reversal drug to the use of FDA approved opioid reversal drug and it clarified that the Department will establish protocols to provide the FDA approved opioid reversal drug to individuals being released from the DOC and who are under DPP supervision.
- The Department's Division of Correction (DOC) operates 13 State correctional facilities which house offenders sentenced to incarceration for 18 months and longer.
- Successful re-entry is absolutely critical to the Department's mission of public safety and distributing an FDA approved opioid reversal drug 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 DPP in 2021. Not only would this bill memorialize this program in statute, but it would also expand it to the DOC and local correctional facilities. The Department recognizes the value of extending the program to the incarcerated population by offering it to them prior to their release.
- Compliance with this bill would require the Department to receive authorization for an FDA approved opioid reversal drug so that it could be

distributed under a blanket order. This would require the appropriate medical director to sign off on the certification for the DOC.

- In addition, the bill would require any individual distributing an FDA approved opioid reversal drug to participate in training and any individual receiving the opioid reversal drug to be trained in the administration of it.
- The Department supports the amendments to the bill clarifying that the FDA approved opioid reversal drug 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 DPP.
- As such, the Department is supportive of the bill as it passed the Senate.

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