



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

February 7, 2024

The Honorable Joseline A. Peña-Melnyk
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: House Bill 119 – Public Health - Giving Infants a Future Without Transmission (GIFT) Act– Letter of Support

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of support for House Bill (HB) 119 – Public Health - Giving Infants a Future Without Transmission (GIFT) Act. This bill aims to amend human immunodeficiency virus (HIV) and syphilis reporting and testing requirements for hospitals and health care providers attending to pregnant women and newborns. Specifically, HB 119 mandates: (1) HIV and syphilis testing at certain times for expectant mothers; (2) newborn HIV testing in cases where the mother's HIV status is unknown; and (3) the reporting of pregnant women living with HIV by healthcare providers.

In recent years, Maryland has witnessed an increase in perinatal HIV transmissions. Although HIV testing is the standard of care for all pregnant women and is a routine component of preconception care, some pregnant women are not diagnosed with HIV until late in their pregnancy or after birth. If undiagnosed and untreated, HIV can be transmitted to the infant during pregnancy or delivery, resulting in the gradual weakening of the child's immune system and increased susceptibility to life-threatening infections. The risk of transmission is <1 % in women with HIV who begin treatment before or during pregnancy and sustain low levels of the virus throughout pregnancy.

Congenital syphilis (CS) in Maryland has reached epidemic proportions,¹ with a nearly 300% increase in reported CS cases, mirroring a decade of alarming increases nationwide,^{2,3} Numerous public health and medical organizations, including the Centers for Disease Control and Prevention,⁴ the American

¹ Data source: MDH NBS database. Note: CS cases are more than two standard deviations above the 5-year mean, diagnoses not limited to a geographic area.

² Data from Maryland's Statewide Sexually Transmitted Infections database, STI/HIV NBS. Accessed August 7, 2023.

³ McDonald R, O'Callaghan K, Torrone E, et al. Vital Signs: Missed Opportunities for Preventing Congenital Syphilis — United States, 2022. *MMWR Morb Mortal Wkly Rep* 2023;72:1269–1274. <https://www.cdc.gov/mmwr/volumes/72/wr/mm7246e1.htm>.

⁴ Ibid.

Academy of Pediatrics,⁵ the Association of State and Territorial Health Officials,^{6,7} and the National Governors Association,⁸ have issued calls to action advocating for enhanced testing. A CDC predictive modeling analysis of 2017 data revealed that 12 of Maryland's 24 jurisdictions were at elevated risk for congenital syphilis.⁹ A more recent review by MDH indicates an additional six jurisdictions reached that elevated threshold in 2022. Ninety-four percent of live births in Maryland in 2021 were residents of those 18 jurisdictions. Requiring syphilis testing at delivery not only aligns with the Code of Maryland Regulations¹⁰ and national recommendations but also serves as a safety net for women who had no prenatal care or who did not receive timely testing or timely and adequate treatment.

MDH urges a favorable report on HB 119, which provides for potentially life-saving and life-altering interventions for Maryland infants.

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.

Sincerely,



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

⁵ Williams JE, Graf RJ, et al. Maternal and Congenital Syphilis: A Call for Improved Diagnostics and Education. *Pediatrics* (2022) 150 (3): e2022057927.

⁶ Congenital Syphilis Call To Action Letter. April 2023. Association of State and Territorial Health Officials. <https://www.astho.org/globalassets/pdf/press-releases/congenital-syphilis-call-to-action-letter-april-2023.pdf>.

⁷ Congenital Syphilis Technical Package: Effective Public Health Approaches to Reducing Congenital Syphilis. Association of State and Territorial Health Officials. <https://www.astho.org/communications/blog/effective-public-health-approaches-to-reducing-congenital-syphilis/>.

⁸ Issue Brief: Congenital Syphilis. January 9, 2024. National Governors Association. <https://www.nga.org/publications/issue-brief-congenital-syphilis/>

⁹ Cuffe K, Torrone EA, Hong J, et al. Identification of US Counties at Elevated Risk for Congenital Syphilis Using Predictive Modeling and a Risk Scoring System. *Sex Transm Dis*. 2022 Mar 1;49(3):184-189. <https://pubmed.ncbi.nlm.nih.gov/32044864/>

¹⁰ Code of Maryland Regulations. 10.06.01.17D. Communicable Diseases and Related Conditions of Public Health Importance, Syphilis and HIV. <https://dsd.maryland.gov/regulations/Pages/10.06.01.17.aspx>. Accessed 1/23/2024.