

# MedChi

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# American Academy of Pediatrics

DEDICATED TO THE HEALTH OF ALL CHILDREN™  
Maryland Chapter



# ACOG

THE AMERICAN CONGRESS OF OBSTETRICIANS AND GYNECOLOGISTS

TO: The Honorable Shane E. Pendergrass, Chair  
Members, House Health and Government Operations Committee  
The Honorable Mike McKay

FROM: Richard A. Tabuteau  
Pamela Metz Kasemeyer  
J. Steven Wise  
Danna L. Kauffman

DATE: March 13, 2018

RE: **OPPOSE** – House Bill 1271 – *Family Law – Opioid-Exposed Newborns and Parents Addicted to Opioids – Mobile Application (I'm Alive Today App)*

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The Maryland State Medical Society (MedChi), the Maryland Chapter of the American Academy of Pediatrics (MDAAP), and the Maryland Section of the American Congress of Obstetricians and Gynecologists (MDACOG) submit this letter of **opposition** for House Bill 1271.

House Bill 1271 requires a local department of social services to assess the risk of harm to and safety of an opioid-exposed newborn or a child whose parent has been found guilty of possession of an opioid. A court must make a referral to the local department for an assessment of the risk of harm to and safety of a child if the child's parent has been found guilty of possession of an opioid. The Social Services Administration in the Department of Human Services must develop a mobile application to be used by parents who are determined to have opioid addictions that could result in harm or potential harm to a child.

Though House Bill 1271 ostensibly attempts to provide a tool toward combating Maryland's heroin and opioid epidemic, it creates obligations based on presumptions for which there is no evidence. Specifically, there is an underlying presumption that simply because a person is convicted of possession of an opioid, they are automatically negligent in the care of their children. Such a presumption, without further evidence, could yield serious unintended consequences and result in a massive waste of limited state and local resources that could otherwise be used toward more effective strategies to combat this crisis. As such, MedChi, MDAAP, and MDACOG oppose House Bill 1271 and urge an unfavorable report.

**For more information call:**

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