

SCHWARTZ, METZ & WISE, P.A.

ATTORNEYS

20 WEST STREET
ANNAPOLIS, MARYLAND 21401

TEL: 410-244-7000

FAX: 410-269-5443

TO: The Honorable Peter A. Hammen, Chair
Members, House Health & Government Operations Committee
The Honorable Kathy Szeliga

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

DATE: February 2, 2016

RE: **OPPOSE** – House Bill 15 – *Harford County – Suspected Overdoses – Reporting Requirements*

On behalf of the Maryland State Medical Society (MedChi), the Maryland Chapter of the American Academy of Pediatrics (MDAAP) and the Maryland Chapter of the American College of Emergency Physicians (MDACEP), we oppose House Bill 15.

House Bill 15 requires a healthcare practitioner to contact the state police within 48 hours of treating a person believed to have overdosed on a Schedule I drug. The reporting requirement only applies to Harford County. It is presumed that the intention of the sponsors is to assist in addressing the overdose crisis that is occurring in Harford County, a problem that is also prevalent throughout the State. However, despite the notable intentions of the sponsors, there are a number of unintended consequences that defeat the presumed objectives.

The reporting requirement violates existing patient confidentiality requirements that must be adhered to by health care professionals and interferes with the appropriate role of the physician in the physician-patient relationship. The legislation also runs counter to the growing body of evidence that there is a need to shift from a focus on law enforcement to treatment if we are to effectively address overdose rates. Most important, the legislation may have the unintended consequence of increasing deaths from overdose. If a person using a Schedule I drug believes they will be reported to law enforcement if they seek medical care, it is highly likely they will avoid accessing necessary medical services. Failure to access care when experiencing an overdose will unquestionably increase deaths and will prevent these individuals from being referred to substance use services that may assist in addressing their drug use.

If the objective is to gain a greater understanding of drug use in Harford County in order to address overdose rates, it would be better to work with the County Health Department in the development of a data collection system that does not violate patient confidentiality but provides statistics that could be used to design programs to address the overdose incidence. For the reasons stated, an unfavorable report is requested.

For more information call:

Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
(410) 244-7000