

House Bill 737 – Public Health – Nonopioid Advance Directive

House Health and Government Operations Committee

February 19, 2025

Position:

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in support of HB 737.

HB 737 would allow a person to state their wish in advance that they are not offered or administered any opioid medication. The bill also requires the Department of Health to develop a nonopioid advance directive form.

As of June 2022, seven states enacted nonopioid advance directive legislation and 10 states were considering such bills. Legislation to develop a nonopioid advance directive has also been introduced in Congress. There are good reasons for such action.

People who are in recovery from opioid use disorder especially may wish to not receive an opioid in a medical emergency or for pain management. Studies have shown that for those in recovery, exposure to an opioid may trigger cravings and lead to a resumption of opioid misuse. Others too, knowing of the risk of long-term opioid use when these drugs are prescribed for pain, may prefer to receive alternatives. Prescription opioid use before and/or after surgery has been associated with poorer outcomes for patients including more serious complications. In addition, approximately 3% to 10% of patients who were not using an opioid medication before surgery continued consuming opioid drugs on a prolonged basis after surgery.¹

HB 737 would promote patient autonomy and patient-centered care, and facilitate a more informed and open dialogue between patients and their treatment providers. Numerous studies have demonstrated that patient engagement in health care decisions is associated with improved outcomes.

For this reason, MHAMD supports HB 737 and urges a favorable report.

¹ Mark Bicket et. al. Nonopioid Directives - Unintended Consequences in the Operating Room. American Medical Association Health Forum (June 2022).