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Testimony of Representative Nina Milliken presenting
**LD 1001, An Act to Prohibit Medical Providers and Certain Others
from Reporting Prescribed Medication-assisted Treatment of
Parents to Child Protective Services**
Before the Joint Standing Committee on Health and Human Services

Good afternoon, Senator Ingwerson, Representative Meyer, and friends and colleagues on the Joint Standing Committee on Health and Human Services (HHS). My name is Nina Milliken and I am honored to represent the communities of Blue Hill, Brooksville, Castine, Sedgwick, Surry and Trenton in the Maine House. I am happy to be here today to present my bill **LD 1001, An Act to Prohibit Medical Providers and Certain Others from Reporting Prescribed Medication-assisted Treatment of Parents to Child Protective Services**.

I want to start by saying that the feeling in the Legislature has been a bit tense as of late and I know that many of us are being met with a great deal of hostility. I want to take a moment to tell each of you that I am so grateful for the work that you are doing. Even though we don't always agree, I know that all of you are showing up each day to do the best you can to represent your constituents and all of Maine. I am especially appreciative of this committee, as I know each of you shoulders a heavy load on HHS. Thank you for your service to the state. I hope the kindness you are receiving is outweighing the negativity.

I know this committee is aware that Maine has been facing significant challenges with substance use disorder in the last many years. I have shared on many occasions that I myself am a person in long-term recovery from many substance use disorders, including a heroin use disorder. I am extraordinarily thankful every day that I am in recovery, because being in recovery has allowed me to be a mom to my three beautiful children.

I was called some months ago by a friend who works in the recovery field in Maine and alerted to a situation where a woman had just given birth and child protective services (CPS) showed up to the hospital immediately following the delivery. The mom had been using street drugs prior to becoming pregnant but upon learning that she was pregnant, she was prescribed medically assisted treatment to help her abstain from using street drugs. She remained off all street drugs

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for the duration of her pregnancy. Despite this abstinence, CPS was called and they showed up for her baby upon delivery. She was told that she had only been off street drugs for seven months and she could have her baby back when she had been off drugs for one year. In other words, she couldn't have her baby until the baby was five months old. As a mother, this breaks my heart. And, as a person in recovery, this makes me deeply worried about that mother's ability to remain off drugs due to the devastating loss of her newborn baby and the loss of what should be some extremely important bonding time.

Not long after that, I was scrolling Facebook and saw a post from a private recovery group that I am in. It was from a woman who had just given birth and who had been on MAT and off street drugs for seven years. CPS was called to report her for her use of MAT while pregnant and they showed up at her delivery. I believe she was ultimately allowed to leave with the baby, but I would imagine that these types of experiences make what should be the most joyous occasion of your life one of the most emotionally difficult, traumatic and stressful. This isn't good for new moms – and it certainly isn't good for new babies.

Ultimately, we want moms to use MAT while pregnant. We do not want them to use street drugs. Of course, ideally, they would not use anything, but I know how unrealistic this is. I know how hard it is to stop using drugs, specifically opiates. This bill would prohibit medical providers from reporting to the Department of Health and Human Services any pregnant woman who is taking MAT that is prescribed to her by a medical professional, as long as there is no reasonable suspicion of any abuse or neglect. Providers would still be allowed to and expected to make the report if the pregnant person is using substances that are not prescribed.

I appreciate your time and thank you for your attention to this bill and your commitment to supporting all Mainers. I am happy to try to answer any questions.