

U.S. Senate Committee on Health, Education, Labor and Pensions
The Opioid Crisis: Leadership and Innovation in the States
Thursday, March 8, 2018 – 10:00 a.m.
Dirksen Senate Office Building 430

Written Testimony
Governor Lawrence J. Hogan, State of Maryland

Chairman Alexander, Ranking Member Murray, and Distinguished Members of the Committee:

Thank you for the opportunity to be here today to discuss what I believe is the number one health crisis facing our nation. In Maryland, we have been shining a spotlight on the heroin and opioid crisis for the past four years. Sitting next to my honorable colleague from Oregon, I want to underscore how non-partisan this issue is for the states. This is about doing everything we can to fight an epidemic that has already claimed too many lives and sparing families from the destruction and despair caused by opioid addiction and overdose.

My message to the federal government is simple: With fentanyl--which is fifty times more powerful than heroin--now the leading cause of overdose deaths in Maryland, we need our federal partners to step up, stop the flow of illicit synthetic drugs into our country, and provide the resources necessary for battling this scourge. I am pleading with you, your colleagues in Congress, and the Administration to take action, as only the federal government can truly prevent illegal drugs from entering our country. Washington may be paralyzed by partisanship, but every second we waste in addressing this crisis, lives are being lost, families are being forever changed, and futures are being squandered.

Since taking office in 2015, fighting the heroin and opioid epidemic in Maryland has been a top priority of our administration. The epidemic has hit Maryland hard, with statistically higher rates of drug overdose deaths than the national average. From 2015 to 2016, total intoxication deaths increased from 1,259 to 2,098, signaling an alarming upward trend. By contrast, in 2016, motor vehicle accidents accounted for only 569 deaths. Nearly every day, in the most prosperous suburbs, rural towns, and everywhere in between, people wake up to the reality of their community's heroin and opioid problem.

Last March, I signed an executive order declaring a State of Emergency in response to the heroin, opioid, and fentanyl crisis, activating emergency management authority and enabling increased and more rapid coordination between our state and local emergency teams. Additionally, our administration has established the Opioid Operational Command Center to lead the state's response and coordinate directly with all 24 local jurisdictions.

We remain steadfast in our commitment to using all the tools at our disposal to fight this epidemic and save lives. Our administration has committed half a billion dollars toward fighting the heroin and opioid epidemic and substance use disorders, with a four-pronged approach focused on education, prevention, treatment, and enforcement.

But even as our state commits ever greater resources to this fight, the challenge we face continues to grow, and the evolving threat posed by fentanyl and other synthetic drugs has made our efforts that much more difficult. According to the latest Maryland Department of Health data released in January 2018, as heroin-related and prescription opioid-related deaths have started to show a slight drop, fentanyl and fentanyl analog-related deaths are steadily increasing. Illicit drugs blended or substituted with fentanyl are being purchased and trafficked into our country at a staggering rate and are more dangerous than ever. Due to the cheap price of fentanyl, wholesale suppliers sell heroin and other drugs mixed or substituted with fentanyl to make a larger profit. Law enforcement tells us that fentanyl is being unknowingly substituted in the drug supply prior to entering the Maryland area, and we're seeing that reflected in the latest overdose data.

Fentanyl is now the deadliest controlled dangerous substance in the State of Maryland, with over two-thirds of all overdose deaths in 2017 through September involving fentanyl. Of the 1,705 drug and alcohol-related deaths across the state, the vast majority of those deaths (1,501) were opioid-related, and 1,173 deaths were related to fentanyl.

The increase in fatal fentanyl overdoses is widespread across Maryland and is occurring within all demographic populations, affecting all ages and backgrounds. Fentanyl overdoses are increasingly impacting younger age demographics, possibly because of the increased chance of accidental overdose to unknowing users. However, the impact appears to be widening toward all age ranges. Additionally, the number of fatal cocaine overdoses is increasing and is primarily attributed to cocaine being mixed with fentanyl analogs. Fatal overdoses from cocaine laced with fentanyl are increasing across demographic lines and are driving an increase in overall fentanyl-related overdose deaths.

We know that Maryland's current drug threat is primarily from fentanyl. Even more alarming, we know that fentanyl is now present in the majority of the drug market, not just opioids. As governor, I am committed to doing everything in our power at the state level to protect Marylanders from this scourge and prevent future victims. But there's no denying that the majority of this illicitly manufactured fentanyl killing our citizens is being shipped in from China or smuggled across the border from Mexico, so it naturally falls on the federal government to stop it. Without ramped up enforcement efforts at the federal level, and more resources to supplement the state's efforts on prevention and treatment, we're tragically going to keep seeing more fentanyl-related deaths.

Clearly, combating a crisis of this scale is going to require a much more aggressive approach from the federal government, backed up by sufficient federal funding. I recognize this committee's leadership on this issue and want to thank you for getting the 21st Century Cures Act passed back in 2016. As a result of this law, the Maryland Department of Health was awarded a \$20 million grant from the Substance Abuse and Mental Health Services Administration (SAMHSA), to be used over two years to combat opioid abuse. This investment in Maryland's opioid response efforts has already made a positive impact, supporting our balanced approach of prevention, enforcement, and improving access to treatment. I also welcomed the Administration's declaration of the opioid crisis as a public health emergency in October 2017. However, while the 21st Century Cures funding and federal emergency

declaration are both significant steps in the right direction, they are clearly not enough to tackle a crisis that continues to ravage our nation.

Your outreach to states regarding specific recommendations is appreciated, as we are on the front lines of this epidemic. I'm grateful for the continued conversation this committee has fostered and want to emphasize that action on these items can't come soon enough.

Increased Federal Funding for the Opioid Crisis

First, we need to treat the heroin, opioid, and fentanyl crisis as we would treat any other life-threatening emergency: with an all-hands-on-deck approach and resources that measure up to the severity of this problem. I urge you and your fellow lawmakers to make increased funding for the opioid crisis a top priority as you negotiate the Fiscal Year 2018 appropriations bill in the coming weeks.

First Responder Training and Increased Availability of Naloxone

In June 2017, our administration issued a statewide standing order that allows pharmacies to dispense naloxone, the non-addictive life-saving drug that can reverse an opioid overdose, to all Maryland citizens. We are working tirelessly to bring naloxone to all jurisdictions through coordinated efforts and distribution to local health departments, and grant funding from the 21st Century Cures Act, along with state funds, is helping us accomplish this. However, the need continues to grow, especially with fentanyl and carfentanil requiring multiple doses of naloxone to be administered to help victims overdosing on these substances. More federal support is needed to help us make naloxone available to first responders and law enforcement. We also must provide resources to first responders on safety around fentanyl and how to respond after exposure.

Education on Fentanyl

We ask the federal government to support campaigns at the national and state level to educate the public about the lethality of fentanyl, which is increasingly mixed with heroin and other drugs, including those that appear to be prescription drugs.

In May 2017, our administration launched "Before It's Too Late," a web portal designed to provide resources for individuals, families, educators, and health care professionals and raise public awareness of the rapid escalation of the heroin, opioid, and fentanyl crisis in Maryland. We also signed into law the Start Talking Maryland Act (HB 1082/SB 1060), which increases school and community-based education and awareness efforts to continue to bring attention to the crisis and to equip Maryland's youth with knowledge about the deadly consequences of opioids. Among other provisions, the legislation requires programming on heroin and opioid related addiction and prevention (including information on fentanyl) beginning in third grade, a county-level school policy on naloxone, the designation of a school health services coordinator, and community action officials to coordinate school-based community forums and public awareness efforts.

Targeted Enforcement of Fentanyl and Other Synthetic Opioids

One thing Congress can do right now is pass the Synthetic Trafficking & Overdose Prevention (STOP) Act, which would help address dangerous vulnerabilities in international mail by requiring the U.S. Postal Service to collect advanced electronic data on international packages. The tightening of international parcel shipping regulations has never been so critical for Maryland, with the majority of all opioid fatalities now coming from illicit synthetic fentanyl. Most deadly fentanyl is purchased online from labs in China and shipped into the U.S. through the mail, and funding and support for USPS drug detection and interdiction efforts is essential.

The federal government can also be supportive of Maryland's law enforcement efforts by:

- Enhancing data collection, collation, and analysis for strategic intelligence and situational awareness related to the opioid threat.
- Increasing the availability of data to identify criminal networks responsible for trafficking and distributing fentanyl and other synthetic opioids in Maryland.
- Enhancing enforcement efforts focused around the identification, dismantlement, and disruption of criminal organizations importing drugs into the country.
- Expanding the capacity of law enforcement to quickly and safely detect fentanyl seizures to better mirror overdose data specificity and more quickly identify trafficking organizations to increase interdiction.

In January, as part of a package of proposed legislation targeting the opioid crisis, we introduced the Overdose Data Reporting Act to allow Emergency Medical Services (EMS) providers and law enforcement officers to input and share data about opioid overdoses. This enhanced data-sharing ability will enable first responders to track this information and allocate resources, including life-saving naloxone, in near real time to respond to an extremely potent batch of opioids in a specific area. We are eager to see a greater focus at the federal level on information sharing initiatives to link law enforcement investigations across jurisdictions.

Thank you for your time today and for your consideration of these recommendations. I was pleased to see many of these ideas embraced in the bipartisan opioid legislation introduced last week in the Senate, as well as in the House Energy and Commerce Committee legislative package on opioids. I urge you to keep this momentum going--Maryland needs action now, and we look forward to continuing to work with our federal partners to address this epidemic. Federal support is desperately needed to stop the flow of fentanyl into our country and end this scourge. As this crisis evolves, so must our response to it, and in Maryland, we are using every possible tool at our disposal. Ultimately, this is about saving lives, and it will take a collaborative, holistic approach to achieve that.