



Pennsylvania Society of Addiction Medicine

A Chapter of American Society of Addiction Medicine

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October 31, 2023

The Honorable Dan Laughlin
Pennsylvania Senate
District 49
Senate Box 203049
Harrisburg, PA 17120-3049

Re: PSAM's Concerns with SB 962, Involuntary Commitment Legislation

Dear Senator Laughlin,

On behalf of the Pennsylvania Society of Addiction Medicine (PSAM), the medical specialty society representing physicians and clinicians in Pennsylvania who specialize in the prevention and treatment of addiction, thank you for the opportunity to comment on this important topic. **We write today to express our concerns with SB 962, which would expand Pennsylvania laws to provide a process for the involuntary commitment for a person with a substance use disorder (SUD).** Specifically, the legislation establishes an involuntary commitment process for individuals administered opioid antagonists in response to a drug overdose. While we appreciate your commitment to addressing the overdose epidemic in our state, we fear that this legislation will do more harm than good for people with SUD. Pennsylvania is experiencing an unprecedented overdose crisis with thousands more Pennsylvanians tragically losing their lives to drug overdose every year.¹ PSAM is resolved to address this crisis and save lives. **However, we strongly believe that this goal can only be accomplished through supporting public health solutions rather than through this proposed legislation.**

The expansion of involuntary commitment statutes to cover persons with SUD is commonly cited as a solution to address rising drug overdose deaths. While involuntary commitment has been used on a limited basis in the most extreme circumstances to prevent imminent threats to personal or public safety, its adoption on a widespread basis is insufficient as a strategy to address untreated SUD. The effectiveness of involuntary commitment for SUD is questionable based upon the research. For example, research shows that involuntary treatment is less effective than voluntary treatment.^{2 3} Further, some of those subject to involuntary commitment have not received treatment. Instead, individuals are placed in prison-like facilities due to the lack of sufficient resources.⁴ When involuntarily committed individuals are placed in these facilities, evidence-based treatment for SUD is rarely provided. Instead, research shows that people encounter policies of forced abstinence and face greater risk of future drug overdose as a result.⁵

Hence, PSAM does not believe that expanding the use of involuntary commitment to address SUD is the best approach to address this current landscape. Instead, we must meet people where they are so we increase the likelihood that they will voluntarily seek treatment. Pennsylvania has already made great strides in that direction, including action that enshrined Good Samaritan protections in cases of overdose.⁶ There are additional steps the legislature could take, such as establishing a well-resourced emergency medical and behavioral health team response system to provide care in the immediate aftermath of an overdose event.⁷ Additionally, policymakers interested in reducing overdose deaths and their effect on communities should also consider reversing bans on overdose prevention sites (OPS) from operating in

areas of high need. These sites have the potential to save lives and increase connections to treatment for SUD.^{8 9}

We greatly appreciate the opportunity to voice our concerns about the introduction of SB 962. We share a similar mission to reduce the number of overdose deaths in our state, connect people to evidence-based care, and protect the health and safety of all Pennsylvanians. **As such, we are willing and eager to work with you and your colleagues to craft evidence-based policies that will expand access to treatment and save lives. However, we cannot support SB 962 as currently constructed.** Please contact kmvz@yahoo.com if you have any questions or concerns. We are happy to work with you.

Sincerely,



Kristin Van Zant, MD, FASAM
President, Pennsylvania Society of Addiction Medicine

CC: The Honorable Tony Williams
The Honorable Wayne Langerholc
The Honorable Judy Schwank
The Honorable Jimmy Dillon
The Honorable Marty Flynn
The Honorable Tracy Pennycuick
The Honorable Gene Yaw
The Honorable Michele Brooks
The Honorable Lisa Boscola

¹ Ahmad, F. B., Cisewski, J. A., Rossen, L. M., Sutton, P. (2023). Provisional Drug Overdose Death Counts. National Center for Health Statistics. <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

² Bazazi, A. R. (2018). Unpacking involuntary interventions for people who use drugs. *Addiction*, 113(6), 1064–1065. <https://doi.org/10.1111/add.14202>

³ Jain, A., Christopher, P., Appelbaum, P. S. (2018). Civil Commitment for Opioid and Other Substance Use Disorders: Does It Work? *Psychiatric Services*, 69(4), 374–376. <https://doi.org/10.1176/appi.ps.201800066>

⁴ Parker, C. M., Miranda-Miller, O. E., Albizu-Garcia, C. (2022). Involuntary Civil Commitment for Substance Use Disorders in Puerto Rico: Neglected Rights Violations and Implications for Legal Reform. *Health Hum Rights*, 24(2), 59–70. PMID: 36579313; PMCID: PMC9790954.

⁵ Evans, E. A., Harrington, C., Roose, R., Lemere, S., & Buchanan, D. (2020). Perceived Benefits and Harms of Involuntary Civil Commitment for Opioid Use Disorder. *The Journal of Law, Medicine & Ethics*, 48(4), 718–734. <https://doi.org/10.1177/1073110520979382>

⁶ Center for Public Health Law Research Staff. (2023). Good Samaritan Overdose Prevention Laws. PDAPS. <https://pdaps.org/datasets/good-samaritan-overdose-laws-1501695153>

⁷ ASAM - American Society of Addiction Medicine. (2023). Strengthening Good Samaritan Laws to Prevent Fatal Overdose. <https://www.asam.org/advocacy/public-policy-statements/details/public-policy-statements/2023/10/22/strengthening-good-samaritan-laws-to-prevent-fatal-overdose>

⁸ Krauth, D. (2022). 7 on your side: 1 year later, NYC's Overdose Prevention Centers have save hundreds of lives. ABC7 New York. <https://abc7ny.com/7-on-your-side-investigates-nyc-overdose-prevention-center-drug-addiction/12511336/>

⁸ CBS Mornings. (2022). Inside overdose prevention centers designed to reduce harm from illicit drug use.
<https://www.youtube.com/watch?v=9YUKwJXPq4>.