



# Smith v. Aroostook County, 922 F.3d 41 (1st Cir. 2019)

Topics Covered:      Mental Health Rights

## **Outcome: Favorable**

### **Issue**

The issue in this case was whether the Americans with Disabilities Act can require a county jail to provide a patient suffering from opioid addiction with medications to prevent or alleviate her withdrawal symptoms.

### **AMA Interest**

The AMA supports the use of buprenorphine for treatment of opioid use disorder.

### **Case Summary**

Brenda Smith, a long-time abuser of opioids, was sentenced to 40 days of jail in Aroostook County, Maine. Prior to her incarceration, she had been treated, pursuant to a physician's supervision, with buprenorphine to control her substance disorder. Buprenorphine, while not as potent as some other opioids, is itself addictive. Smith's treatment, while not a cure, had been relatively successful in mitigating her symptoms.

Smith sought permission to continue her use of buprenorphine, either within the jail facility or through administration outside the jail. The jail refused, stating that such therapy fell outside its guidelines.

Smith sued under the Americans with Disabilities Act in the United States District Court for the District of Maine for permission to continue her medication-assisted treatment. Pursuant to Smith's motion for a preliminary injunction, the district court ordered the jail to allow Smith to continue her buprenorphine treatment. The jail appealed to the First Circuit, which affirmed the preliminary injunction.

### **Litigation Center Involvement**

The Litigation Center, along with numerous state and specialty medical societies, sought leave to file an *amicus* brief to support Smith. However, the First Circuit denied their motion, as it had already ruled and it considered the motion moot.