

## Letter of Support Guide:

The Letter of Support Advocacy Template is meant to serve as an example to help providers brainstorm what makes sense for their patients and practice. Medication-assisted treatment (MAT) providers should always consider federal and local laws regarding patient privacy and release of information. As a best practice, providers should review letters with patients prior to sending them to ensure that patients are comfortable with the amount and type of information disclosed, including how the involvement with the MAT provider is characterized. If a patient has an attorney, their attorney may be the best person to help providers develop the most effective letter for the individual situation. If your patient is open to this type of coordination and provides authorization, consider speaking with them and asking how you might help the legal situation, such as through writing a letter of support or examination. Ask if they would consider reviewing and providing feedback on the letter prior to sending.

### Some Avenues for Advocacy

- Child protection matters
  - Patient is a parent: Judges, case workers, mandated substance abuse or psychological assessments, Court Appointed Special Advocates (CASAs)—a whole host of individuals may make remarks or specific orders about your patient ending MAT. A letter of support or further advocacy may mean the difference between your patient being able to retain custody of their child or reunify if their child is in the care of someone else.
  - Patient is a child: Some states allow youth to remain in foster care until they are 21 years old. This means that theoretically, you can encounter an MAT patient who may be a child in foster care. In addition to all of the individuals above, foster parents play a critical role in supporting the young adult. Your advocacy for foster children may be crucial in helping them develop appropriate future plans and goals, as well as helping their support network understand the role of MAT in reaching those goals.
  
- During court hearings
  - Judges may order a client to remain “100 percent sober” or discontinue MAT, not viewing it as a sustainable treatment for substance use and not considering it “true sobriety.” If the patient has a paid or court-appointed attorney, you may want to consider how you can coordinate with your patient so that they can effectively respond to this type of rhetoric. A letter to the judge also may be helpful in this circumstance.
  
- Probation/pretrial supervision
  - Pretrial occurs, as the word indicates, prior to trial, while probation is a type of sentence that sometimes occurs after a matter is adjudicated. Both involve a form of regular check-in or monitoring, sometimes involving substance screenings. Patients may be encouraged to wean or discontinue MAT during this process, so a letter of support may be especially beneficial.



- If/when detained by police
  - Some types of MAT may alter a patient's presentation. This may mean that they appear intoxicated when they are not. Consider making patients aware of side effects and helping them articulate that they are on medication if they are stopped by police. It is also helpful for them to differentiate the side effects of those while on illicit drugs.

Specific Considerations:

- Context of intended use
  - What type of case is this and how could a letter from our practice be useful?
- Patient's desire to share
  - How much information is the patient personally comfortable disclosing?
- Not wanting to over-disclose and lead to increased liability for patient
  - Do all parties know the patient has SUD?
  - Do all parties know what substance the patient was using?
- Specificity level
  - How much detail does the situation require?
- Pregnant patients
  - If the patient is pregnant, be sure to include a brief statement supporting the use of MAT in pregnancy based on research and individual assessment of the patient.
- Authorship
  - Who is doing the writing? MDs tend to have more credibility with the court, but individual therapists or other staff may best know the client and their progress better.
  - Consider drafting the letter collaboratively, ensuring that the treating physician is at least one of the signers.

Disclaimer: This guide and corresponding template does not constitute legal advice and is for informational purposes only. Please contact an attorney for specific legal advice.

Modified: July 2020

