



STATE OF MAINE
GOVERNOR'S OFFICE OF POLICY INNOVATION AND THE FUTURE
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GORDON SMITH
DIRECTOR, OPIOID RESPONSE

TESTIMONY OF GORDON H. SMITH, DIRECTOR OF OPIOID RESPONSE, IN SUPPORT OF L.D. 1909, AN ACT TO REMOVE RESTRICTIONS ON SYRINGE SERVICE PROGRAMS, AS AMENDED, BEFORE THE COMMITTEE ON HEALTH AND HUMAN SERVICES, FEB. 1, 2022.

Senator Claxon, Representative Meyer and distinguished members of the Committee, I am Gordon Smith, of East Winthrop, Maine and I serve as Director of Opioid Response in the office of Governor Janet T. Mills, a position I have held since Feb. 6, 2019. It is my pleasure to testify in support of L.D. 1909 but with the amendment presented by Rep. MacDonald that proposes that a limit on the number of syringes distributed be established by rule. We believe that the amendment is a reasonable compromise between those advocates who support a law allowing for an unlimited number of syringes (a needs-based exchange) and those opponents who support the existing rule allowing for the distribution of only as many syringes as a participant returns. This "one-for one" exchange has been in the rule (Maine CDCP Chapter 252, section II, E. 1.) since 1998 when the first program opened in Portland except for the period of the global pandemic during which time Executive Order 27 allowed for unlimited distribution of syringes in order to protect participants from exposure to the coronavirus. That executive order expired on August 31, 2021. Our support for establishing a limit on the number of syringes returned (but still permitting receiving the number of syringes returned, as under current law) hinges on the desire to encourage program participants to visit the program sites in order to receive harm reduction services and products such as naloxone and fentanyl test strips and to establish a trusting relationship with the program staff. Studies show that the participants of syringe exchanges are five times more likely to seek recovery and having a regular schedule of visits to the site may encourage that behavior. In addition, establishing a reasonable limit may also have a positive impact on the number of syringes that are not properly disposed of. Improperly discarded syringes pose a public health hazard and has led to significant concerns in some of our largest cities, including Portland, Lewiston and Bangor.

The Annual Report of the Syringe Service Programs for twelve months ending Oct. 31, 2021 has been completed, is being reviewed at the Commissioner level, and will be available to you by the time of the work session, hopefully sooner. The report covers 10 months of operation under the Executive Order and 2 months under the existing rule. The state report relies on the reports from each of the certified programs. The report shows approximately 2.7 million syringes distributed and approximately 2 million syringes returned. The number distributed exceeded the previous year by nearly one million syringes. The average number of visits by a participant was 3.8 and the average number of syringes distributed during a visit was 99. This data has informed our drafting of the proposed committee amendment.

I would like to close with a bit of history. When Governor Mills began this work in February of 2019, there were seven certified sites and they were receiving a total of \$75,000 in state support. Beginning in 2019, the certified programs have received a total of approximately \$1 million dollars a year and that amount has

been set aside in the Opioid Response Prevention and Treatment Fund for the second year of this biennium beginning on July 1. There are now 18 certified sites operated by 8 different agencies, although four mobile sites are in their planning stages. We have been successful in providing this important service in some rural areas, for the first time, such as Caribou and Stonington. The administration is committed to supporting and expanding this proven harm reduction strategy. I believe that L.D. 1909 as amended continues us on that path, as called for in our updated Opioid Response Strategic Action Plan.

Thank you for the opportunity to testify today and I would be happy to answer any questions you may have.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Gordon Smith". The signature is fluid and cursive, with the first name "Gordon" being more prominent than the last name "Smith".

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