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TO: The Joint Standing Committee on Health and Human Services
FROM: Mikenzie Dwyer, Public Health & Government Affairs Associate
DATE: Wednesday, February 15, 2023

NFNA – LD 228, An Act to Require Substance Use Disorder to Be Disclosed as a Cause of Death on Death Certificates.

The Maine Medical Association, Maines largest Physician Organization, submits comments nether for nor against LD 228. The bill would require a death certificate to include substance use disorder as a factor in the cause or proximate cause of death and identify the substance underlying the disorder if substance use disorder is a factor in the cause of death.

The Maine Medical Association recognizes the intent of the bill to further address the rising number of lives lost to drug overdose. However, we would like to raise some concerns. Deaths from drug overdose are a significant public health problem. The factors that contribute to such deaths are often complicated and challenging to evaluate. Moreover, it is important to note the providers filling out the death certificates may not have the individual's full history as they are not their regular providers. Meaning, they may not have the ability to properly diagnose or flag a death caused by substance use disorder. Additionally, any death suspected to be unnatural is assigned to the Medical Examiner for further investigation. Lastly, physicians and health care providers licensed by the State of Maine hold a professional and ethical obligation to provide care that is evidence-based, individualized, safe and medically appropriate. Any legislation requiring or mandating a physician in the practice of medicine threatens the ability to provide this level of care and expertise.

Thank you for the opportunity to provide comments. Please reach out with any questions.

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