



February 27, 2024

The Honorable Donna Bailey
Chair
Health Coverage, Insurance, and
Financial Services Committee
Maine State Senate
3 State House Station
Augusta, Maine 04333

The Honorable Anne Perry
Chair
Health Coverage, Insurance, and
Financial Services Committee
Maine House of Representatives
2 State House Station
Augusta, Maine 04333

Dear Senator Bailey and Representative Perry:

I appreciated the opportunity to appear before your committee on February 13th. As you may recall, I spoke in support of LD 2096 as we, at Voices for Non-Opioid Choices, believe this legislation provides a critical opportunity to prevent opioid addiction in the millions of patients who develop an opioid use disorder every year following a surgical procedure.ⁱ

Voices for Non-Opioid Choices is a Washington, DC-based coalition dedicated to preventing opioid addiction where we can. This work includes increasing patient and provider access to and use of non-opioid pain management approaches.ⁱⁱ

As your Committee is well-aware there are currently barriers that exist in ensuring patient access to these therapies. Many of these barriers relate to antiquated insurance coverage policies that continue to incentivize the use of prescription generic opioids because of short-sighted economic considerations. Voices, and our members, work to change this reimbursement landscape by equalizing the economics between providing opioid-based analgesia and non-narcotic forms of pain relief.

LD 2096 would further this goal.

At the hearing, it seemed that there were two questions that you and your Committee members had as it related to LD 2096. First, there was some question as to the landscape of non-opioid products currently on the market and would stand to benefit from this legislation. Second, there was some remarks about the need or the urgency for such a piece of legislation.

I'd like to use this opportunity to respond to both questions.

There are currently some FDA-approved, safe, and effective non-opioid pain management products that are currently on the market. These include nerve blocks which provide regionally pain relief and are commonly used during oral and soft tissue surgeries. There are also brand name non-steroidal anti-inflammatory drugs (NSAIDs) that are used in a variety of other acute pain incidents, such as sports injuries, migraines and other short-term pain incidents. Finally, there are other physician-administered products that are used instead of fentanyl for cataract surgeries. All of these products greatly diminish reliance on prescription opioids, provide effective analgesic support for patients, and reduce quantities of opioid prescribed and consumed in the United States.

On top of these products that are currently on the market and could benefit from the increased access that LD 2096 would provide, this legislation sends a strong market signal to others developing novel therapies that there will be a consumer for these products.

There are a number of promising innovative products that may soon come to market from over a dozen manufacturers.ⁱⁱⁱ These products come after years of investment in research and development and offer additional opportunities for patients and providers to provide effective pain relief without relying on prescription opioids. Some of these products may come to market as soon as 2025.

There are solutions on the market and there are more on the way. However, all of this work, innovation, and advocacy will be for naught if we do not ensure that patients and providers can easily access these products. LD 2096 is an important patient safeguard and a commonsense solution to an opioid addiction crisis that gets worse every year.

We look forward to working with you and your Committee in furtherance of this legislation.

I am happy to serve as a resource for you and your committee as you continue your work to advance LD 2096. Should you have any follow-up questions or comments, please feel free to reach me at chris@nonopioidchoices.org.

Sincerely,

Chris Fox
Executive Director

ⁱ Wide-ranging online data for epidemiologic research (WONDER). Atlanta, GA: CDC, National Center for Health Statistics; 2021. Overview | Drug Overdose | CDC Injury Center

ⁱⁱ For more, visit www.nonopioidchoices.org.

ⁱⁱⁱ Kingwell, K. (2022, October 14). *New non-opioid pain drug pushes through to pivotal trials*. Nature. <https://www.nature.com/articles/d41573-022-00175-2>