

Testimony of Lani Graham, MD, MPH

In Opposition to LD 1024

An Act to Expand the List of Crimes That Do Not Qualify for Immunity Under Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance"

Presented by Representative Haggan

Before the Criminal Justice and Public Safety Committee, March 31, 2025

Senator Beebe-Center, Representative Hasenfus and Members of the Criminal Justice and Public Safety Committee, my name is Lani Graham. I am here in opposition to LD 1024 as a public health expert and as a physician interested in healing. Passage of this bill is almost certain to reverse our progress in addressing the Opioid epidemic here in Maine.

On May 3, 2022, Governor Janet Mills signed LD 1862, An Act To Strengthen Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance (known as the Good Samaritan Bill), into law. We were certainly not the first to enact such a law, and at this point virtually every state has recognized the value of these laws.

This law represents one important part of Maine's attempt to reduce the havoc that overdose deaths have visited on our state, killing hundreds of people every year. And indeed, at last for the first time in 2023, Maine was able to see a substantial decrease in overdose deaths. Overall, the U.S. CDC found that drug overdose deaths in the United States decreased by three percent in 2023, the first annual decrease since 2018. Drug overdose deaths in Maine decreased by nearly 16 percent over this same period; only Kansas, Nebraska, and Indiana also saw decreases of 15 percent or more, according to the report from the U.S. CDC's National Center for Health Statistics.¹ And this decrease in deaths continued in 2024. Though it is hard to quantify it seems likely that the Good Samaritan law played a part in this decrease, allowing people close to the person overdosing to call for help without fear of being arrested themselves.

Virtually every physician I know, including myself, carries naloxone in their car with the thought that a life might be saved. However, the chance of me or one of my physician friends being present at an overdose is quite low. It is far more likely that a friend or partner who also has an addiction problem would be present. That person calling for help might even have provided the person overdosing with the drug. This bill recommends making more of those friends and family vulnerable to arrest and puts a clear chill on calling for help.

¹ <https://www.maine.gov/governor/mills/news/governor-mills-announces-16-percent-decline-fatal-drug-overdoses-maine-2023-among-nations>

Sadly, it seems that there is always an attempt to “water down” our Good Samaritan law in every legislative session with the excuse that we might be able to arrest another person in our criminal approach to a medical epidemic. LD 1024 represents such an attempt.

Please don't pass LD 1024 and put Maine in the place to reverse the good progress on drug overdose deaths that has been made.

I urge a unanimous ought not to pass. Thank you for your attention.