

James Berry
Northern New England Society of Addiction Medicine
LD 1024

March 30, 2025

Testimony 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 Covering Drug-related Medical Assistance

Dear Senator Beebe-Center, Representative Hasenfus, and Honorable Members of the Joint Standing Committee on Criminal Justice and Public Safety:

I am James Berry MD, representing the American Society of Addiction Medicine and its local branch, the Northern New England Society of Addiction Medicine, whose members treat substance use disorders in Maine, New Hampshire, and Vermont.

We are testifying in opposition to LD1024. We supported the expansion of the Good Samaritan law in 2022 and oppose any weakening of its provisions. Maine lives have been saved by reporting of overdoses by witnesses and fellow users.

The current exceptions for protection from charges brought against those reporting a suspected overdose are those relating to threats or actions of physical harm and OUI. The expanded list in this bill includes furnishing and dealing in drugs, which would tend to discourage bystanders from reporting.

The other assault on the Good Samaritan Law is the recent Maine Supreme Court decision in State of Maine vs Beaulieu, which implies that to be covered by this law the reporting person has to specify that the medical event is caused by an overdose. Why would a caller be expected to provide a diagnosis when summoning help for a medical emergency? A bill will be forthcoming to address this loophole.

The members of NNESAM urge your continued support of the Good Samaritan Law by opposing LD1024 and any other limitations with the potential to weaken it.

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