



TESTIMONY OF MICHAEL KEBEDE, ESQ.  
LD 429 – Ought Not to Pass

**An Act to Track Certain Information Regarding and Seek Federal  
Reimbursement for Medical Care Provided to Asylum Seekers**

Joint Standing Committee on Health & Human Services  
April 9, 2025

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Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, greetings. My name is Michael Kebede and I am policy director for the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions through advocacy, education, and litigation. On behalf of our members, we urge you to oppose LD 429.

If enacted, this bill would require hospitals to collect immigration status information from all patients and to report that data to the Department of Health and Human Services (“the Department”) and require the Department to report this information to the legislature on a quarterly basis.

The ACLU of Maine has consistently advocated for the rights of asylum seekers, under the Equal Protection Clause of the U.S. Constitution.<sup>1</sup> The United States Supreme Court has stated that classifications based on alienage “are inherently suspect”<sup>2</sup> because noncitizens are a “discrete and insular minority” for whom the political process is not available to “bring about repeal of undesirable legislation.”<sup>3</sup> This means that any law discriminating based on alienage must pass strict scrutiny: the state must have a “legitimate and substantial interest” at stake if it wishes to discriminate based on alienage and the policy discriminating must be “necessary and precisely drawn” to achieve that state interest.<sup>4</sup>

Although this bill provides an “opt-out” for asylum seekers who are surveyed about their immigration status at hospitals, this legislation would have a chilling effect on access to healthcare. This committee should be cautious of legislation that singles out asylum seekers and could deter this category of people from accessing healthcare.

For these reasons, we urge you to vote that LD 429 ought not to pass.

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<sup>1</sup> U.S. const. amend. XIV.

<sup>2</sup> *Graham v. Richardson*, 403 U.S. 365, 372 (1971).

<sup>3</sup> *United States v. Carolene Products Co.*, 304 U.S. 144, 152-153 n.4 (1938).

<sup>4</sup> *Nyquist v. Mauclet*, 432 U.S. 1, 7 (1977).