



Testimony in Support of:
L.D. 1646, An Act to Amend Maine's Good Samaritan Laws
Regarding Suspected Drug-related Overdoses
by Heide Lester on behalf of EqualityMaine

January 7, 2026

Dear Senator Beebe-Center, Representative Hasenfus, and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety,

My name is Heide Lester, and I am the Deputy Director of EqualityMaine, which has been advocating on behalf of Maine's LGBTQ+ community since 1984. We strongly support L.D. 1646.

LGBTQ+ people have higher rates of substance use and substance use disorders compared to non-LGBTQ+ people: LGB adults are nearly twice as likely as heterosexual adults to experience a substance use disorder,¹ and transgender people are almost four times as likely as cisgender people to experience a substance use disorder.² Higher rates of substance use disorder are often exacerbated by social stigma, discrimination, and the pressures of minority stress. LGBTQ+ people may also be at increased risk of opioid overdose given other substance use disparities (e.g., alcohol, methamphetamine) and the link between poly-substance use disorders and opioid overdose.³

Opioid overdose is often reversible through the timely administration of naloxone and other emergency care as needed; and people experiencing overdose caused by non-opioid drugs also benefit from emergency medical care. Yet people often fear that alerting EMS to an overdose might result in themselves, the person overdosing, or both receiving criminal penalties, and this is why Good Samaritan laws are so critical: they mitigate bystander fears and are associated with lower rates of overdose deaths.⁴ However, the Maine Supreme Court's 2025 decision⁵ that calling 911 for a "medical event" is insufficient to trigger Good Samaritan protections is not only confusing, but may prevent individuals at the scene of an overdose from calling for emergency medical care.

We urge you to vote "Ought To Pass" on L.D. 1646 and restore the original intent of the statute. Laws should reflect real life scenarios, especially when lives are at stake.

¹ Rosner, Bastian, et al. "Substance Use among Sexual Minorities in the US – Linked to Inequalities and Unmet Need for Mental Health Treatment? Results from the National Survey on Drug Use and Health (NSDUH)." *Journal of Psychiatric Research*, Pergamon, 17 Dec. 2020, sciencedirect.com/science/article/pii/S0022395620311316.

² Wanta, Jonathon W., et al. *Transgender Health*, Nov. 2019, liebertpub.com/doi/pdf/10.1089/trgh.2019.0029.

³ Paschen-Wolff, Margaret M, et al. "The State of the Research on Opioid Outcomes Among Lesbian, Gay, Bisexual, Transgender, Queer, and Other Sexuality- and Gender-Diverse Populations: A Scoping Review." *LGBT Health*, U.S. National Library of Medicine, pmc.ncbi.nlm.nih.gov/articles/PMC10081720/#abstract1.

⁴ Hamilton, Leah, et al. "Good Samaritan Laws and Overdose Mortality in the United States in the Fentanyl Era." *The International Journal on Drug Policy*, U.S. National Library of Medicine, pmc.ncbi.nlm.nih.gov/articles/PMC9529169/.

⁵ *Maine v. Beaulieu*, 2025 ME 4.