

January 26th, 2026

Senator Carney, Representative Kuhn, and members of Committee on Judiciary,

My name is Eliza Burwell, I am a Licensed Clinical Social Worker from Portland, ME. I am writing in support of **LD 2106: An Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial Review.**

In writing this today, my very first graduate school paper came to mind; the assignment was on health care as a human right. In this paper, I referenced a fact sheet from the Office of the United Nations High Commissioner for Human Rights that explicitly states:

that States parties should respect the right of non-citizens to an adequate standard of physical and mental health by, *inter alia*, refraining from denying or limiting their access to preventive, curative and palliative health services. The Special Rapporteur on Health has also stressed that sick asylum-seekers or undocumented persons, as some of the most vulnerable persons within a population, should not be denied their human right to medical care.¹

Without explicit legislation barring immigration agents from our health care facilities, we are, in essence, inadequately providing healthcare to our New Mainer community, knowing that many people will not receive needed care out of fear they will be detained in the process.

Passing this legislation today is a vital step in supporting a universal right to health care in Maine, something we have fallen short of nationally time and time again. The barriers for our New Mainer community to seek care are already high enough. From waitlists to costs to communicating with providers through a translator, it is very challenging for New Mainers to have their health care needs adequately addressed. The least that we can do is to make sure that when they are seeking care in our healthcare facilities, they do not have to worry about being detained in the exam room or having their medical records used against them by immigration agents.

Thank you for your time and consideration.

¹ Office of the United Nations High Commissioner for Human Rights (2020). *The Right to Health (Fact Sheet No. 31)*. Office for the United Nations High Commissioner for Human Rights:
<https://www.ohchr.org/sites/default/files/Documents/Publications/Factsheet31.pdf>

Eliza Burwell
Portland, ME
LD 2106

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