



# Consumers for Affordable Health Care

Advocating the right to quality, affordable  
health care for all Mainers.

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Statement of Ceilidh Shea  
Consumers for Affordable Health Care  
To the Joint Standing Committee On Health and Human Services

Speaking in Support of:

LD 1204, An Act to Improve the Health of Maine Residents by Closing Coverage Gaps in the MaineCare Program for Incarcerated Persons

April 12, 2023

Senator Baldacci, Representative Meyer, and Members of the Joint Standing Committee On Health and Human Services, thank you for the opportunity to submit these comments in support of LD 1204, An Act to Improve the Health of Maine Residents by Closing Coverage Gaps in the MaineCare Program for Incarcerated Persons.

My name is Ceilidh Shea and I am a Policy Advocate at Consumers for Affordable Health Care, a nonpartisan, nonprofit organization that advocates the right to quality, affordable health care for every person in Maine. CAHC is a nonpartisan, nonprofit organization founded in 1988 and based in Augusta whose mission is to advocate the right to quality, affordable health care for every person in Maine. As designated by Maine's Attorney General, CAHC serves as Maine's Health Insurance Consumer Assistance Program (CAP), which operates a toll-free HelpLine. Our HelpLine, fields approximately 6,000 calls and emails every year from people across Maine who need help obtaining, keeping, using, or fixing problems with private health insurance or with accessing or affording health care services. CAHC also serves as the Ombudsman program for Maine's Medicaid program, MaineCare, and helps people apply for and navigate the enrollment process for MaineCare. It is with that background that we provide these comments.

Existing Maine law requires the Department to enter into a memorandum of understanding with the Department of Corrections to provide incarcerated individuals with assistance applying for MaineCare. LD 1204 builds upon this to ensure individuals incarcerated in county or regional jail are also provided assistance with applying for MaineCare. county or regional jail will ensure that this law is applied to all incarcerated persons.

According to the Prison Policy Institute, approximately 5,000 people are incarcerated in Maine.<sup>i</sup> The 2021 Maine Department of Corrections Adult Data Report found that in 2021, 359 men completed medication assisted treatment for opioid and substance use disorder treatment. 584 men were in outpatient treatment and an additional 136 were in residential treatment for opioid and substance use disorder – this comes to a total of 1,079 incarcerated men in opioid or substance use disorder treatment. In 2021 there were 83 women in opioid and substance use treatment programs.<sup>ii</sup> Substance and opioid use disorders are just one of many health issues prevalent amongst incarcerated populations. Ensuring that incarcerated people are able to enroll in MaineCare will also help ensure people continue to have access to coverage for needed health care services when they leave incarceration, including for preventive care,

treatment for serious and chronic conditions, and mental and behavioral health services, including treatment for substance use disorder. By ensuring more people re-enter their community with a MaineCare card in hand, this bill will help people avoid gaps in insurance coverage and reduce disruptions in care, which will help to reduce the likelihood of recidivism. Failure to treat substance use disorder, or any major disease, in the criminal justice system not only has negative societal implications, but also proves to be expensive. A study in California found that participation in treatment while incarcerated was associated with lower costs of crime in communities. Treatment while in jail or prison is critical to reducing overall crime and other drug-related societal burdens—such as lost job productivity, family disintegration and recidivism.<sup>iii</sup> A study from Washington state found there was a 16% reduction in subsequent detentions over a two year period when people leaving detention were enrolled in Medicaid.<sup>iv</sup>

National research over the past decade shows that over 60 percent of those in jail lived at or below the federal poverty level before they were arrested.<sup>v</sup> In a 2017 study, the Vera Institute of Justice found that although Black people in Maine constituted 2% of state residents, they represented 7% of people in jail and 9% of people in prison.<sup>vi</sup> Due to systemic racism and disparities in our economic and judicial systems, incarcerated people in Maine are disproportionately low-income, uninsured, and Black, Indigenous, and people of color. Ensuring eligible individuals can access MaineCare coverage during incarceration is a question of equity. For these reasons I urge you to support LD 1204. Thank you and I'd be happy to answer any questions.

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<sup>i</sup> <https://www.prisonpolicy.org/profiles/ME.html>

<sup>ii</sup> <https://www.maine.gov/corrections/sites/maine.gov.corrections/files/inline-files/2021%20Year%20End%20Adult%20Data%20Report.pdf>

<sup>iii</sup> <https://nida.nih.gov/publications/drugfacts/criminal-justice>

<sup>iv</sup> <https://ps.psychiatryonline.org/doi/full/10.1176/ps.2007.58.6.794>

<sup>v</sup> <https://bjs.ojp.gov/library/publications/drug-use-dependence-and-abuse-among-state-prisoners-and-jail-inmates-2007-2009>

<sup>vi</sup> <https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-maine.pdf>