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THE MAINE SENATE
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Testimony in Support of LD 2096
An Act to Ensure Access to Nonopioid, Nonnarcotic Medication for Acute Pain Relief

***Presented to the Joint Standing Committee on Health Coverage, Insurance and
Financial Services***

February 13, 2024

Senator Bailey, Representative Perry and members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services, my name is Troy Jackson. I serve as President of the Maine Senate and have the great honor of representing Aroostook County in the Legislature. I am here today to introduce LD 2096, "An Act to Ensure Access to Nonopioid, Nonnarcotic Medication for Acute Pain Relief."

The opioid crisis has impacted every corner of the state, devastating families, communities and lives. As our state responds to this pervasive crisis, many folks are asking what more can be done to reduce the likelihood or prevent opioid addiction early on. The good news is that public outcry has forced drug companies to consider the same question. As a result, a number of pharmaceutical companies are currently in the process of developing non-opioid pain medication – some are even getting closer to FDA approval.¹ Though this is promising for patients, Americans know all too well that just because a drug exists does not mean it is accessible or affordable.

When a new drug comes onto the market, it is often priced out-of-reach for the average, working-class person. Instead, only the wealthy elite can access and afford it. With a drug as game changing as a non-opioid pain reliever, we cannot allow this to happen. If we are serious about combating the opioid crisis and reducing rates of opioid-addiction, we need to ensure Mainers have all the options when it comes to managing their pain – especially if it means managing pain without putting themselves at risk of developing a debilitating addiction.

LD 2096 seeks to ensure that these new non-opioid pain relievers reach as many eligible patients as possible as soon as they become available. It requires insurers to treat non-opioid

¹<https://investors.vrtx.com/news-releases/news-release-details/vertex-announces-positive-results-vx-548-phase-3-program>
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medications the same way that they treat their opioid counterparts. Ensuring parity between drugs used for acute pain treatment will prevent insurers from giving opioids preferential treatment and pushing patients towards those drugs over their non-opioid counterparts.

I understand that the way the language has been drafted is a bit confusing so I want to clarify that my intent is to require parity – not mandate coverage of non-opioid medication in situations where opioids are not covered. If the language needs to be clarified to reflect that intent, I would support an amendment to do so.

Making non-opioid medication available at the same level as opioid medication will help make sure that folks have options when it comes to managing acute pain and can afford to opt against taking opioid medication without paying extreme prices for a new non-opioid drug. These options will only benefit our communities in the long-term by reducing the use of opioids and opportunities to develop an addiction in the first place.

Thank you for your time and consideration of this bill. I will do my best to answer any questions you may have.