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**Statement of Ceilidh Shea, Consumers for Affordable Health Care  
To the Joint Standing Committee On Health Coverage, Insurance, and Financial Services**

**Speaking in Support of:  
LD 227, An Act Regarding Health Care in the State**

**February 29, 2023**

Standing Committee On Health Coverage, Insurance, and Financial Services, thank you for the opportunity to submit these comments in support of LD 227, An Act Regarding Health Care in the State.

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. 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, which fielded over 7,000 calls and emails last year from people across Maine who needed 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.

LD 227 would act as a countermeasure to states that have restricted reproductive and gender-affirming healthcare since the Dobbs ruling through multiple provisions, such as clarifying that access to reproductive healthcare and essential medical care for transgender people are legally protected in Maine. The bill also ensures Mainers will not have their medical records about protected healthcare shared with law enforcement agencies in other states where such care is banned. The bill would also create a civil right of action to counter hostile litigation from other states seeking to penalize providers of healthcare in Maine.

As the national landscape continues to change and morph into a patchwork of accessibility state by state, access to reproductive and gender affirming care continues to come under attack, even across state borders. Some states have banned or severely limited access to essential medical care, in many instances criminalizing providers for practicing medicine in line with the standards of care. The importance of this bill cannot be overstated given many politicians in ban states have expressed interest or intent to prevent people from accessing reproductive and gender-affirming healthcare anywhere in the country – even in states where it is legal.

To date, 21 states across the country have banned access to some or all abortion healthcare. At least 23 states have banned access to safe and effective medical care for transgender adolescents and even restricted access to care for adults. As I mentioned earlier, the landscape of access is ever-changing, especially post Dobbs. However, we have chosen to uphold access to abortion and gender affirming care in Maine. We cannot allow bans in other states to affect people in Maine.

Legislators in ban states have and may continue trying to pass legislation that specifically targets out-of-state travel for abortion or that criminalizes the conduct of those in other states who provide abortion care to the antiabortion state's residents.<sup>1</sup> Hypothetically, under these laws, abortion providers in Maine might be criminalized for providing care to patients from out of state. This bill would ensure Mainers are protected from this type of prosecution.

Since the Dobbs ruling, nearly one in five patients now travel out of state for abortion care.<sup>2</sup> Some healthcare clinics in Maine have reported more patients crossing state lines to access their services, including abortion and gender affirming care.<sup>3</sup> We must ensure that both providers and patients in Maine are protected from harmful bans on necessary healthcare in other states.

In Maine we have recognized the importance of access to healthcare for all. This bill would ensure we are able to uphold Mainers rights to make personal decisions with their families and providers. At least 17 states and Washington, D.C. have enacted shield laws for reproductive healthcare, and at least 11 states and Washington, D.C. have enacted shield laws for gender-affirming healthcare. I urge the committee to follow suit and vote ought to pass on LD 227. Thank you and I would be happy to answer any questions you might have.

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<sup>1</sup> <https://evidence.nejm.org/doi/full/10.1056/EVIDra2200280>

<sup>2</sup> <https://www.guttmacher.org/2023/12/high-toll-us-abortion-bans-nearly-one-five-patients-now-traveling-out-state-abortion-care>

<sup>3</sup> <https://mainebeacon.com/maine-clinic-provides-refuge-of-trans-inclusive-abortion-care-and-rights/>