

Janet T. Mills
Governor

Sara Gagné-Holmes
Commissioner



Maine Department of Health and Human Services
Office of Behavioral Health
11 State House Station
41 Anthony Avenue
Augusta, Maine 04333-0011
Tel.: (207) 287-2595; Fax: (207) 287-9152
TTY: Dial 711 (Maine Relay)

Testimony of the Office of Behavioral Health
Maine Department of Health and Human Services

Before the Joint Standing Committee on Health and Human Services

In support of LD 710, *An Act to Expand Access and Reduce Barriers to Access to Naloxone Hydrochloride and Other Opioid Overdose-reversing Medications*

Sponsor: Representative Zager Hearing
Date: March 17, 2024

Senator Ingwersen, Representative Meyer, and members of the Joint Standing Committee on Health and Human Services, my name is Katherine Coutu, and I serve as the SUD Division Manager for the Office of Behavioral Health (OBH) in the Maine Department of Health and Human Services. I am here today to testify in support of LD 710, *An Act to Expand Access and Reduce Barriers to Access to Naloxone Hydrochloride and Other Opioid Overdose-reversing Medications*.

The intent of this bill is to clarify the requirements for access to, and distribution of, naloxone hydrochloride or other opioid overdose-reversing medications, in response to naloxone hydrochloride and other opioid overdose-reversing medications' approval or anticipated future approval for over-the-counter availability. The proposed clarifications to the current statute would incorporate language for other opioid overdose-reversing medications to account for future approval of similar medications to naloxone hydrochloride¹, eliminate the training requirements for community-based drug overdose prevention programs and recovery residences, expand municipal access and provision through incorporation of vending machines as a permissible container, and add additional immunity protections for all individuals who may administer naloxone hydrochloride or another opioid overdose-reversing medication to another person in good faith when they believe the other person is experiencing an opioid-related overdose. It is important to note that the proposed statutory revisions will not incur any cost to the Department.

The Department supports this legislation as it focuses on assuring greater and easier access to life-saving opioid overdose-reversing medications, aligning with Priority E, Strategy 21 in the Governor's Opioid Response Strategic Action Plan to "ensure widespread distribution, saturation of availability, and ease of access to naloxone and other FDA-approved reversal medications by the general public in all communities". The provision of vending machines within municipalities would support expansion of low-barrier access to life-saving medication in both urban and rural communities in Maine.

The State of Maine continues to have one of the strongest Good Samaritan laws in the country.

¹ Nalmefene, though currently only available with a prescription, for example.

This legislation seeks to provide further immunity to those acting in a good faith effort to assist an individual who is believed to be experiencing an opioid-related drug overdose by removing additional disciplinary action against those individuals administering naloxone hydrochloride or another opioid overdose-reversing medication. This amendment to the current statute is proposed in hopes of reducing fatal and non-fatal overdoses in our communities.

To ensure that there is not only no interruption to providing life-saving measures, but that 22 MRSA, §2353, ch. 556-A does not also require future amendments as other opioid overdose-reversing medications become available, the Department supports the addition of 'and other opioid overdose-reversing medications' into the current language. This addition would ensure inclusion of any opioid overdose-reversing medications as they become available for use.

The Department feels that the additional training requirement to administer naloxone hydrochloride or another opioid overdose-reversing medication is no longer necessary as each dose comes with step-by-step instructions on how to administer to an individual who is believed to be experiencing an opioid-related overdose. While the intent is to expand access and reduce barriers to these life-saving medications, removing this requirement aims to ensure that all individuals may play a crucial role in preventing overdoses and saving lives of their fellow Mainers.

In conclusion, these minor revisions to the current statute will have a substantial impact toward expanding low-barrier access to life-saving opioid overdose-reversing medication in our communities.

Thank you for your time and attention. I would be happy to answer any questions you may have and to make myself available for questions at the work session.