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**State of Maine | 132nd Legislature
Joint Standing Committee on Judiciary
Testimony of Lori Dwyer on behalf of Penobscot Community Health Care
January 29, 2026**

**Supporting:
LD 2106, An Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial Review
Sponsored by Representative Sato**

Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on Judiciary, I am Lori Dwyer, President & CEO of Penobscot Community Health Care (PCHC). I write on behalf of PCHC in support of LD 2106 (the "Bill"), an Act to Prohibit the Disclosure of Nonpublic Records Without Proper Judicial Review.

PCHC is the largest of Maine's 20 federally qualified health centers (FQHC), serving approximately 55,000 patients with locations in Penobscot, Waldo, and Somerset Counties. We provide high quality integrated primary care – including mental health services, pediatrics, care management, pharmacy, dental care, audiology and speech services, and treatment for substance use disorder—at 22 clinical service sites, regardless of a patient's ability to pay. We employ approximately 715 mission-driven staff, including more than 200 clinicians. Community health centers are the largest independent primary care network in Maine.

This Bill promotes pragmatic safety measures, and it makes an important statement of support for Maine's immigrant communities. PCHC condemns unlawful enforcement activities in Maine and across the country. With respect to lawful enforcement activities, PCHC urges that all tactics and methods used to enforce federal and state law are sensitive to and do not enhance the risk of harm to individuals and to our communities; in fact contribute to making our communities more safe; are applied transparently and are subject to accountability measures; are aligned with the values we hold as Americans and as Mainers; and underscore the idea that our law enforcement officers faithfully engage in the duty to protect and serve. This Bill contains one reasonable step by the State to curtail the use of unlawful, intimidating, or aggressive tactics and detentions in violation of due process and to clarify roles and responsibilities of staff working in certain environments.

PCHC sees the impact recent enforcement activity is having on people across the state, and in particular the impacts on the health care community: patients are cancelling appointments, staying home, and avoiding critical care that they are entitled to and should be able to access free of intimidation. Employees are calling out of work given fear of moving freely about our communities, which is weakening the health care infrastructure. This Bill will not fully solve this or assuage fear, but it will help.

PCHC raises for the Committee's consideration a few technical details, with an eye toward broadening the definition of "health care facility" to align with the Bill's intent. Specifically, the current definition of "health care facility" in LD 2106



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references 5 MRS § 19201 (2-B). 5 MRS § 19201 (2-B) defines "health care facility" as follows:

"Health care facility" or "facility" means a facility, institution or entity licensed pursuant to Title 22 that offers health care to persons in this State, including a home health care provider and hospice program.

"Health care facility" or "facility" includes a pharmacy licensed pursuant to Title 32."

- The following health care facility types are licensed under Title 22: "hospital, sanatorium, convalescent home, rest home, nursing home, ambulatory surgical facility, urgent care facility or other institution for the hospitalization or nursing care of human beings" 22 MRS § 1811.
- Notably, community health centers, including FQHCs are not licensed under Title 22. Community Health Centers and FQHCs are not licensed in any capacity in the state of Maine. These entities are regulated by the federal Health Resources and Services Administration (HRSA) and overseen by accrediting bodies like the Accreditation Association for Ambulatory Health Care (AAAHC).
- 5 MRS § 19201 (2-B), however, specifically includes pharmacies licensed under Title 32 of the Maine Revised Statutes. PCHC's pharmacies, which are located at the entrance in four of our clinics, are licensed under Title 32, and therefore would fall within the current definition of "health care facility" in LD 2106.
- Additionally, the current definition of "health care facility" in LD 2106 would seemingly not apply to mental health organizations in Maine, which are licensed under Title 34-B of the Maine Revised Statutes.
- PCHC is licensed as a "mental health organization" for services it delivers via its Unlimited Solutions Clubhouse (one location) and all locations delivering Behavioral Health Homes Services through the MaineCare program. These facilities and services are licensed under Title 34-B, but would not fall within the definition of "health care facility" under LD 2106.
- If the Bill sponsors wish to expand the definition of "health care facility" currently reflected in LD 2106 to include mental health organizations and community health centers and FQHCs, we recommend explicitly incorporating these entities and additional license types in the Bill.

Thank you for your consideration. PCHC fully supports the purpose set forth in the Bill's preamble – that "it is in the public interest to ensure that individuals are not discouraged from seeking an education, medical care or child care and that public schools, public libraries, health care facilities and child care facilities are safe and accessible for all residents of the State." We agree that timely guidance for organizations like ours, and our staff, on how to interact with law enforcement officers seeking to enforce immigration laws is vital to orderly operations and the safety of Maine people.

Thank you very much for your time and the work you do for the State. Please reach out to me if you have any questions. I am happy to answer any additional questions you may have.

Sincerely,

Lori Dwyer, Esq.
President and CEO
Penobscot Community Health Care