

Testimony of Lani Graham, MD, MPH

IN SUPPORT OF LD 1862

An Act To Strengthen Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance

Before the Criminal Justice and Public Safety Committee, February 9, 2022

Senator Deschambault, Representative Warren and Members of the Criminal Justice and Public Safety Committee, my name is Lani Graham. I am member of the Public Health Committee (PHC) of the Maine Medical Association (MMA) and of the Maine Public Health Association. I am a former Chief Public health Officer for Maine. I live in Freeport.

Substance use disorders are a public health crisis. These are illnesses – just like cancer, diabetes, or, heart disease. But, because of our laws, the way that we treat medical emergencies related to those illnesses compared to substance use disorder is very different. It is nearly inconceivable that, upon receiving a call regarding a suspected heart attack, police would show up first to the scene and search everyone in the home before emergency medical technicians arrived. Because this does not happen, people who suspect a heart attack for themselves or their families do not hesitate to call 9-1-1. But, in the case of opioid overdoses, both of those things currently happen. The fear of facing 30 years in prison or being sent back to jail or prison for violating a condition of release, means that many people are afraid to call for help when their friend or loved one experiences an overdose.

In the case of opioid overdoses, naloxone blocks the effects of opiates on the brain and can restore breathing within two to three minutes. During that time, it is often necessary to perform CPR. And, sometimes, it can take more than one administration of naloxone to fully stop the effects of an opioid overdose, requiring multiple bouts of CPR to be administered. In all of this, time is of the essence. The sooner that emergency medical technicians arrive, the better the chance that

someone who has overdosed on opioids has of surviving. We should incentivize the life-saving action of calling 9-1-1.

Current Maine law does the opposite. It treats people who use drugs, who have a substance use disorder, as potential criminals first and foremost. Perhaps inadvertently current law prioritizes arrest and incarceration of ill people and their friends over their health and wellbeing. Just as we were not able to stop people from using alcohol by prohibition, we will not be able to stop people from using drugs or pressure people into recovery from substance use disorder by treating them as criminals.

The law under consideration will put the priority on saving lives by exempting from arrest and prosecution those who call for help medical help in the context of a drug-related overdose. Given the wide-spread and even growing problem with substance use disorders, the life so saved might be a family member, a co-worker, or a friend. Don't they all deserve the best possible chance at a healthy life?

I urge the Committee to support LD 1862 unanimously ought to pass.

Thank you for your attention and patience, and I would be pleased to answer any questions you might have.