

TESTIMONY OF MEAGAN SWAY

**LD 1135 – Ought To Pass**

**An Act Regarding Substance Use Disorder Treatment Services and  
Increasing Reimbursement Rates for Those Services**

Joint Standing Committee on Health and Human Services

April 6, 2021

Senator Claxton, Representative Meyer and distinguished members of the Joint Standing Committee on Health and Human Services, greetings. My name is Meagan Sway, and I am Policy Director of the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, I submit this testimony in favor of LD 1135. This bill would strengthen our response to Mainers struggling with substance use disorder and lessen our reliance on the criminal legal system.

Maine continues in the throes of a drug overdose crisis. More people died last year from drug overdoses than died from COVID-19, and the numbers in 2021 are on pace to be even worse. We cannot continue business as usual; we must stop pouring money into our jails and prisons and underfunding treatment and supports that allow people to gain the stability needed for long-term recovery.

First, this bill would update Maine's law to require that substance use disorder recovery services funded by the Department of Health and Human Services include trauma-informed principles of care. This will bring Maine in line with the national research, that shows a strong link between childhood trauma and substance use disorder.<sup>1</sup>

Second, this bill would increase reimbursement rates for substance use disorder treatment. This is crucial. Without updating rates significantly, Maine will see a continued attrition in its health care work force. As a state, for decades we

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<sup>1</sup> See, e.g., Lamya Khoury, et al., *Substance use, childhood traumatic experience, and Posttraumatic Stress Disorder in an urban civilian population*, *Depress Anxiety*. 2010 Dec; 27(12): 1077-1086; EY Deykin & SL Buka, *Prevalence and risk factors for posttraumatic stress disorder among chemically dependent adolescents*, *Am J Psychiatry*. 1997 Jun; 154(6):752-7.

have underfunded mental and behavioral health services to the point where jails and prison are frequently cited as the best chance of a person to get “help.” But jails and prisons are not treatment facilities and any “treatment” found within their walls is less effective than treatment provided in the community. This committee has the power to correct some of the state’s overreliance on jails and prisons for substance use treatment. That starts with providing providers in the community a sufficient reimbursement rate to recruit and retain good talent that is well-versed in trauma-informed care.

The more we are able to provide treatment in the community, the less we will have to put into jails and prisons, and the healthier our citizens will be. We urge you to vote Ought to Pass.