



**Testimony of Maine Public Health Association In Support of:
LD 1344: An Act To Clarify the Authority of the Department of Health and Human Services during a
Public Health Emergency**

Joint Standing Committee on Health and Human Services
Room 220, Cross State Office Building
Wednesday, April 14, 2021

Good afternoon Senator Claxton, Representative Meyer, and distinguished members of the Joint Standing Committee on Health and Human Services. My name is Rebecca Boulos. I am a resident of South Portland and executive director of Maine Public Health Association. I am here today providing testimony in support of LD 1344: “An Act To Clarify the Authority of the Department of Health and Human Services during a Public Health Emergency.”

MPHA is the state’s oldest, largest, and most diverse association for public health professionals. We represent more than 500 individual members and 30 organizations across the state. The mission of MPHA is to improve and sustain the health and well-being of all people in Maine through health promotion, disease prevention, and the advancement of health equity. As a statewide nonprofit association, we advocate, act, and advise on critical public health challenges, aiming to improve the policies, systems, and environments that underlie health inequities – but which also have potential to improve health outcomes for all people in Maine. We are not tied to a national agenda, which means we are responsive to the needs of Maine’s communities and we take that responsibility seriously.

This bill allows the Department of Health and Human Services to impose administrative fines and license suspensions for violations of department rules regarding disease control and public health emergencies. The department is also authorized to close a business or entity when that business or entity directly and repeatedly violates public health control measures during an extreme public health emergency.

We believe the provisions in this bill are protective of public health. Typically, in public health, we support “carrots” instead of “sticks” to encourage behavior change. However, in a situation where a business owner repeatedly violates public health protective guidance during a state of emergency, we believe it is appropriate to impose fines or closure to protect the health and safety of staff, customers, and the broader community – particularly when that state of emergency is due to an infectious disease. Indeed, the terms in the bill note the violations must pose “serious and imminent risk to public health or safety” and apply when a business “directly and repeatedly violates public health control measures during an extreme public health emergency.”

In responding to a state of emergency, it is an unreasonable demand on the state’s limited public health resources for health inspection staff, law enforcement officials, and other public health entities to have to repeatedly issue citations to businesses that intentionally choose to not follow guidance, putting the health and safety of the public at risk, and at the expense of the wellbeing of others in the state. We believe the provisions in this bill are reasonable, fair, and protective of public health. We respectfully request you vote LD 1344 “Ought to Pass.” Thank you for your consideration.