

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1398

Short Title: Needle Exchange Program.

(Public)

Sponsors: Representative Wright.

Referred to: Public Health, if favorable, Appropriations.

April 29, 1999

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE COMMUNITY-BASED NEEDLE AND SYRINGE EXCHANGE PROGRAMS.

The General Assembly of North Carolina enacts:

Section 1. Part 1 of Article 6 of Chapter 130A of the General Statutes is amended by adding a new section to read:

"§ 130A-149. Community-based needle and syringe exchange programs.

(a) Notwithstanding Article 5B of Chapter 90 of the General Statutes, a program for a county designated under subsection (b) of this section to participate in a community-based needle and syringe exchange program may be approved by a local board of health if it satisfies all of the following conditions:

(1) A plan is submitted to the local board of health for review and approval that includes each of the following components:

a. A description of program activities that includes, at a minimum, all of the following:

1. The safe handling, exchange, and disposal of needles and syringes.

2. The provision of HIV/STD risk reduction information to participants, as well as information about tuberculosis and blood borne diseases such as hepatitis.

- 1 3. Referral of participants to drug and alcohol treatment
- 2 services.
- 3 4. Referral of participants to local health departments, local
- 4 community-based prevention and care agencies, and other
- 5 health care providers for HIV/STD counseling, diagnostic,
- 6 and treatment services.
- 7 5. Referral of participants to other health and human services
- 8 agencies as appropriate.
- 9 6. The process by which data on program activities, services,
- 10 and participants will be collected and maintained.
- 11 7. The mechanism by which individuals may be identified as
- 12 program participants.
- 13 b. A description of a mechanism by which the program may be
- 14 evaluated that addresses, at a minimum, all of the following:
- 15 1. Number of needles exchanged.
- 16 2. Number of risk reduction kits distributed.
- 17 3. Changes in needle-sharing and other HIV/STD related risk
- 18 behavior.
- 19 4. Number of referrals to drug and alcohol programs.
- 20 5. Number of referrals to local health departments, local
- 21 community-based prevention and care agencies, and other
- 22 health care providers for HIV/STD counseling, diagnostic,
- 23 and treatment services.
- 24 6. Number of referrals to other health and human services
- 25 agencies.
- 26 (2) A local board of health may adopt rules establishing additional criteria
- 27 that shall be included in a needle and syringe exchange plan in that
- 28 county.
- 29 (b) The State Health Director may designate a county for participation in a
- 30 community-based needle and syringe exchange program if the local board of health
- 31 submits to the State Health Director letters of support for a needle and syringe exchange
- 32 program from all of the following:
- 33 (1) The county board of commissioners.
- 34 (2) The local board of health.
- 35 (3) The local health director.
- 36 (4) The local director of mental health or substance abuse services.
- 37 (c) G.S. 90-113.22 and G.S. 90-113.23 do not apply to persons who are
- 38 employees, volunteers, or participants in a community-based needle and syringe
- 39 exchange program approved by the local board of health as authorized under this section.
- 40 This immunity from prosecution under G.S. 90-113.22 and G.S. 90-113.23 applies only
- 41 to acts committed while carrying out duties as an employee or volunteer of a needle and
- 42 syringe exchange program or during the course of an injecting drug user's participation
- 43 in the needle and syringe exchange program."

1 Section 2. There is appropriated from the General Fund to the Department of
2 Health and Human Services the sum of fifty thousand dollars (\$50,000) for the 1999-
3 2000 fiscal year and the sum of fifty thousand dollars (\$50,000) for the 2000-2001 fiscal
4 year to implement and evaluate the needle and syringe exchange programs authorized by
5 Section 1 of this act.

6 Section 3. This act becomes effective July 1, 1999.