

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 463

Short Title: Clean Syringe -- Safe Syringe Exchange Program. (Public)

Sponsors: Representatives Wright; Wainwright and Hackney.

Referred to: Public Health.

March 5, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE COMMUNITY-BASED CLEAN SYRINGE -- SAFE 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 clean syringe – safe syringe exchange program.

(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 clean syringe – safe 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.

3. Referral of participants to drug and alcohol treatment services.

4. Referral of participants to local health departments, local community-based prevention and care agencies, and other health care providers for HIV/STD counseling, diagnostic, and treatment services.

5. Referral of participants to other health and human services agencies as appropriate.

1 6. The process by which data on program activities,
2 services, and participants will be collected and
3 maintained.

4 7. The mechanism by which individuals may be identified
5 as program participants.

6 b. A description of a mechanism by which the program may be
7 evaluated that addresses, at a minimum, all of the following:

8 1. Number of needles and syringes exchanged.

9 2. Number of risk reduction kits distributed.

10 3. Changes in needle-sharing and other HIV/STD related
11 risk behavior.

12 4. Number of referrals to drug and alcohol programs.

13 5. Number of referrals to local health departments, local
14 community-based prevention and care agencies, and
15 other health care providers for HIV/STD counseling,
16 diagnostic, and treatment services.

17 6. Number of referrals to other health and human services
18 agencies.

19 (2) A local board of health may adopt rules establishing additional criteria
20 that shall be included in a clean syringe – safe syringe exchange plan
21 in that county.

22 (b) The State Health Director may designate a county for participation in a
23 community-based clean syringe – safe syringe exchange program if the local board of
24 health submits to the State Health Director letters of support for a clean syringe – safe
25 syringe exchange program from all of the following:

26 (1) The county board of commissioners.

27 (2) The local board of health.

28 (3) The local health director.

29 (4) The local director of mental health or substance abuse services.

30 (c) G.S. 90-113.22 and G.S. 90-113.23 do not apply to persons who are
31 employees, volunteers, or participants in a community-based clean syringe – safe
32 syringe exchange program approved by the local board of health as authorized under
33 this section. This immunity from prosecution under G.S. 90-113.22 and G.S. 90-113.23
34 applies only to acts committed while carrying out duties as an employee or volunteer of
35 a clean syringe – safe syringe exchange program or during the course of an injecting
36 drug user's participation in the clean syringe – safe syringe exchange program."

37 **SECTION 2.** There is appropriated from the General Fund to the
38 Department of Health and Human Services the sum of fifty thousand dollars (\$50,000)
39 for the 2001-2002 fiscal year and the sum of fifty thousand dollars (\$50,000) for the
40 2002-2003 fiscal year to implement and evaluate the clean syringe – safe syringe
41 exchange programs authorized by Section 1 of this act.

42 **SECTION 3.** This act becomes effective July 1, 2001.