

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 411

Short Title: Funds for Clean Syringe Program. (Public)

Sponsors: Representatives Wright; Adams, Alexander, B. Allen, Bell, Coleman, Cunningham, Jeffus, Jones, Lucas, Luebke, McAllister, McLawhorn, Parmon, Pierce, Wainwright, Weiss, and Womble.

Referred to: Appropriations.

March 1, 2005

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE AND APPROPRIATE FUNDS FOR THREE
2 COMMUNITY-BASED CLEAN-SYRINGE-SAFE-SYRINGE EXCHANGE
3 PROGRAMS IN COUNTIES THAT APPLY AND ARE SELECTED TO
4 PARTICIPATE BY THE STATE HEALTH DIRECTOR.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** The State Health Director and local health department
8 applicants selected by the State Health Director may develop and implement three
9 community-based programs ("exchange program") for clean-syringe-safe-syringe
10 exchange services as part of a comprehensive Hepatitis C and HIV disease prevention
11 program. The State Health Director shall designate a local or district health department
12 for participation in the exchange program if the local or district board of health submits
13 to the State Health Director letters of support for an exchange program from all of the
14 following:

- 15 (1) The county board of commissioners.
- 16 (2) The local or district board of health.
- 17 (3) The local health director.
- 18 (4) The local director of mental health or substance abuse services.

19 Selected exchange programs shall include, at a minimum, case management,
20 outreach, and transportation services, and referrals for housing and medical care. A
21 local or district board of health may adopt rules establishing additional criteria that shall
22 be included in the exchange program in that county or district. The State Health
23 Director shall adopt a mechanism for evaluating the implementation and effectiveness
24 of selected exchange programs.

25 **SECTION 1.(b)** G.S. 90-113.22 and G.S. 90-113.23 do not apply to persons
26 who are employees, volunteers, or participants in a community-based clean-syringe-
27 safe-syringe exchange program approved by the local or district board of health as

1 authorized under this section. This immunity from prosecution under G.S. 90-113.22
2 and G.S. 90-113.23 applies only to acts committed while carrying out duties as an
3 employee or volunteer of a clean-syringe-safe-syringe exchange program or during the
4 course of an injecting drug user's participation in the clean-syringe-safe-syringe
5 exchange program.

6 **SECTION 2.** There is appropriated from the General Fund to the
7 Department of Health and Human Services the sum of five hundred fifty thousand
8 dollars (\$550,000) for the 2005-2006 fiscal year and the sum of five hundred fifty
9 thousand dollars (\$550,000) for the 2006-2007 fiscal year to implement and evaluate the
10 clean-syringe-safe-syringe exchange programs authorized by Section 1 of this act.

11 **SECTION 3.** This act becomes effective July 1, 2005.