

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS55225-LN-188 (3/9)

Short Title: Funds for Needle Exchange Programs. (Public)

Sponsors: Senator Nesbitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE UP TO THREE COMMUNITY-BASED
CLEAN-SYRINGE-SAFE-SYRINGE EXCHANGE PROGRAMS IN COUNTIES
OR DISTRICTS THAT APPLY AND ARE SELECTED TO PARTICIPATE BY
THE STATE HEALTH DIRECTOR; AND TO APPROPRIATE FUNDS FOR THE
PROGRAMS.

The General Assembly of North Carolina enacts:

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

"§ 130A-150. Community-based clean-syringe-safe-syringe exchange program.

(a) The State Health Director may designate up to three local health department applicants to develop and implement community-based programs ("exchange programs") for clean-syringe-safe-syringe exchange services as part of a comprehensive Hepatitis C and HIV disease prevention program. The State Health Director shall designate a local health department as one of the three exchange programs only if the local board of health submits to the State Health Director letters of support for an exchange program from all of the following:

- (1) The county board of commissioners.
- (2) The local board of health.
- (3) The local health director.
- (4) The local director of the Mental Health, Developmental Disabilities, and Substance Abuse Services area or county program.

Selected exchange programs shall include case management, outreach, and transportation services, and referrals for housing and medical care. A local board of health may adopt rules establishing additional criteria that shall be included in the exchange program in that county or district. The State Health Director shall establish a

1 mechanism for evaluating the implementation and effectiveness of selected exchange
2 programs.

3 (b) G.S. 90-113.22 and G.S. 90-113.23 do not apply to persons who are
4 employees, volunteers, or participants in a community-based clean-syringe-safe-syringe
5 exchange program approved by the local board of health as authorized under this
6 section. This immunity from prosecution under G.S. 90-113.22 and G.S. 90-113.23
7 applies only to acts committed while carrying out the person's duties as an employee or
8 volunteer of a clean-syringe-safe-syringe exchange program or during the course of an
9 injecting drug user's participation in the clean-syringe-safe-syringe exchange program."

10 **SECTION 2.** There is appropriated from the General Fund to the
11 Department of Health and Human Services the sum of five hundred fifty thousand
12 dollars (\$550,000) for the 2007-2008 fiscal year and the sum of five hundred fifty
13 thousand dollars (\$550,000) for the 2008-2009 fiscal year. These funds shall be
14 allocated to impellent and evaluate the clean-syringe-safe-syringe exchange programs
15 authorized by Section 1 of this act.

16 **SECTION 3.** This act is effective when it becomes law.