

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

**H**

**D**

**HOUSE DRH70078-LN-66 (2/9)**

Short Title: Funds for Clean Syringe Program.

(Public)

---

Sponsors: Representative Wright.

---

Referred to:

---

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** The State Health Director and local health department applicants selected by the State Health Director may develop and implement three community-based programs ("exchange program") 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 or district health department for participation in the exchange program if the local or district 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 or district board of health.
- (3) The local health director.
- (4) The local director of mental health or substance abuse services.

Selected exchange programs shall include, at a minimum, case management, outreach, and transportation services, and referrals for housing and medical care. A local or district 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 adopt a mechanism for evaluating the implementation and effectiveness of selected exchange programs.

**SECTION 1.(b)** G.S. 90-113.22 and G.S. 90-113.23 do not apply to persons who are employees, volunteers, or participants in a community-based clean-syringe-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.