

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 917

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

Sponsors: Senator Nesbitt.

Referred to: Appropriations/Base Budget.

March 20, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE UP TO THREE COMMUNITY-BASED
3 CLEAN-SYRINGE-SAFE-SYRINGE EXCHANGE PROGRAMS IN COUNTIES
4 OR DISTRICTS THAT APPLY AND ARE SELECTED TO PARTICIPATE BY
5 THE STATE HEALTH DIRECTOR; AND TO APPROPRIATE FUNDS FOR THE
6 PROGRAMS.

7 The General Assembly of North Carolina enacts:

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

10 **"§ 130A-150. Community-based clean-syringe-safe-syringe exchange program.**

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

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

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

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

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

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