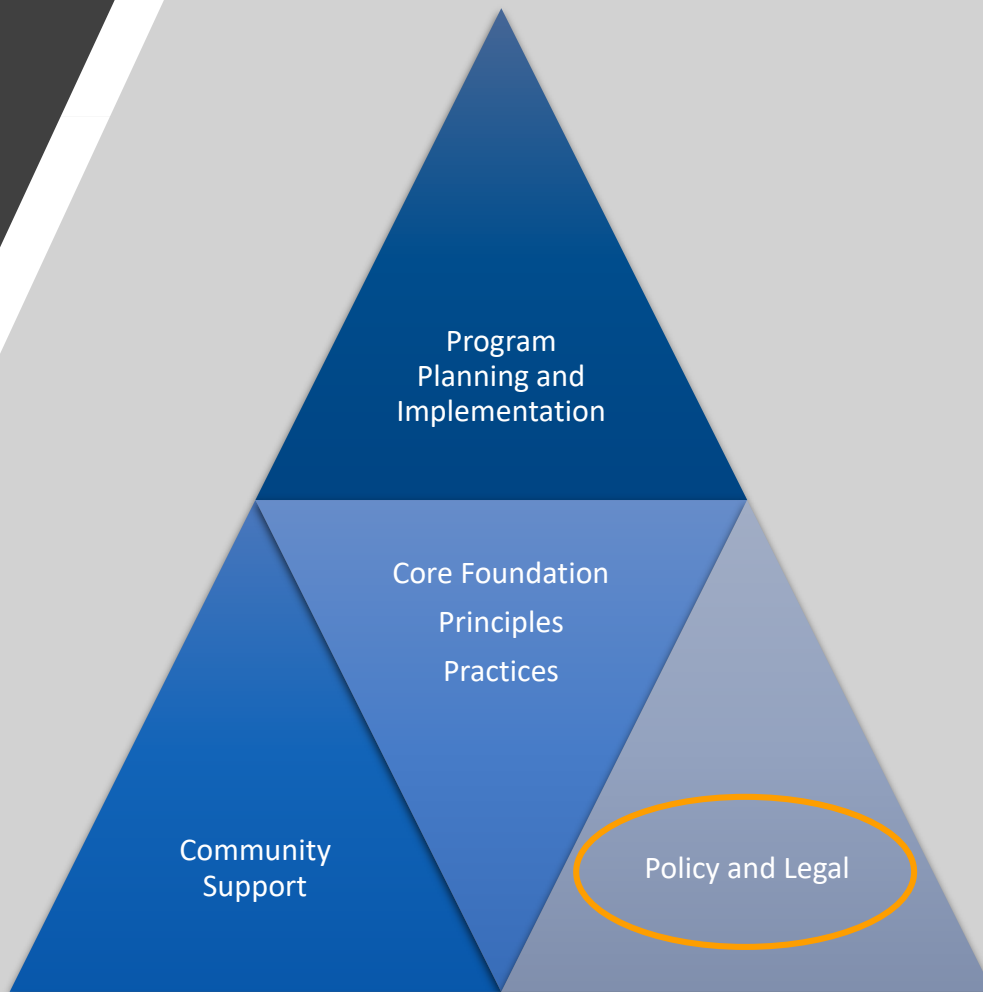


Today's Agenda: Policies and Laws Relevant to Harm Reduction and Syringe Service Programs



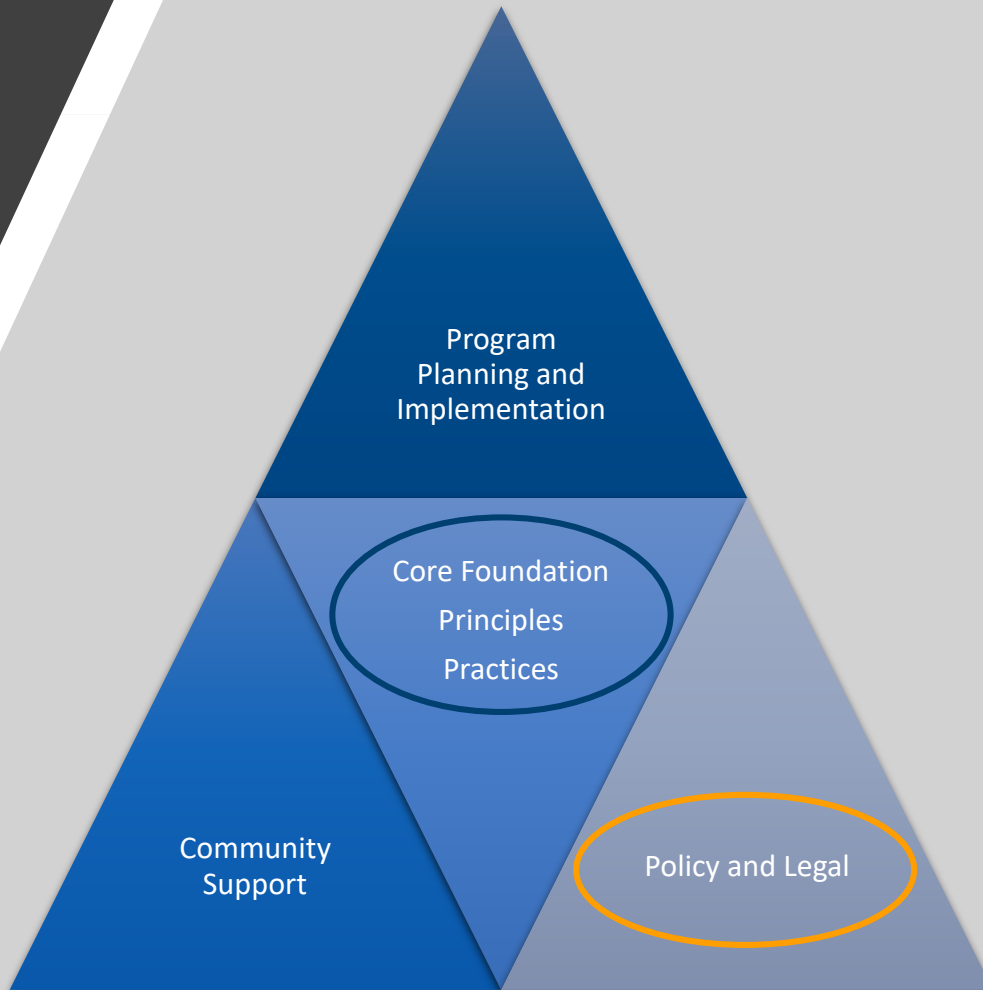
Background

- Harm Reduction and Syringe Service Planning Resources
- Oregon's ORS, OARs and Home Rule

Syringe Access and Syringe Service Program Policy and Law Timeline

Oregon's Harm Reduction and SSP Relevant Rules

Policies and Laws Relevant to Harm Reduction and Syringe Service Programs



Only a licensed attorney in your state can provide legal advice.

The information in this presentation is for educational purposes and is not legal advice.

Always seek the advice of an attorney or other qualified professional with any questions you may have regarding the application of a legal issue to your specific circumstance.

Background: Harm Reduction and Syringe Services Planning and Resources



- Brings together many resources from expert sources on harm reduction and syringe service programs.
- Developed with urban and rural Oregon SSP programs' input and review.
- The manual can be viewed online in an interactive format or downloaded for printing.
- Planning tools and implementation templates are available to download separately.
- [Oregon Harm Reduction and SSP Planning and Resources](#)

Background: Harm Reduction and Syringe Services Planning and Resources



Models, locations and services of syringe service programs may vary depending on community needs and readiness

Understanding the laws and rules that affect a syringe service program are important for you and participants.

Federal, state and local laws and rules can affect allowable

- Supplies
- Activities
- Staffing
- Locations, and more.

Background: ORS, OARs and Home Rule



[Oregon Revised Statute](#) – The codified laws of the state of Oregon.

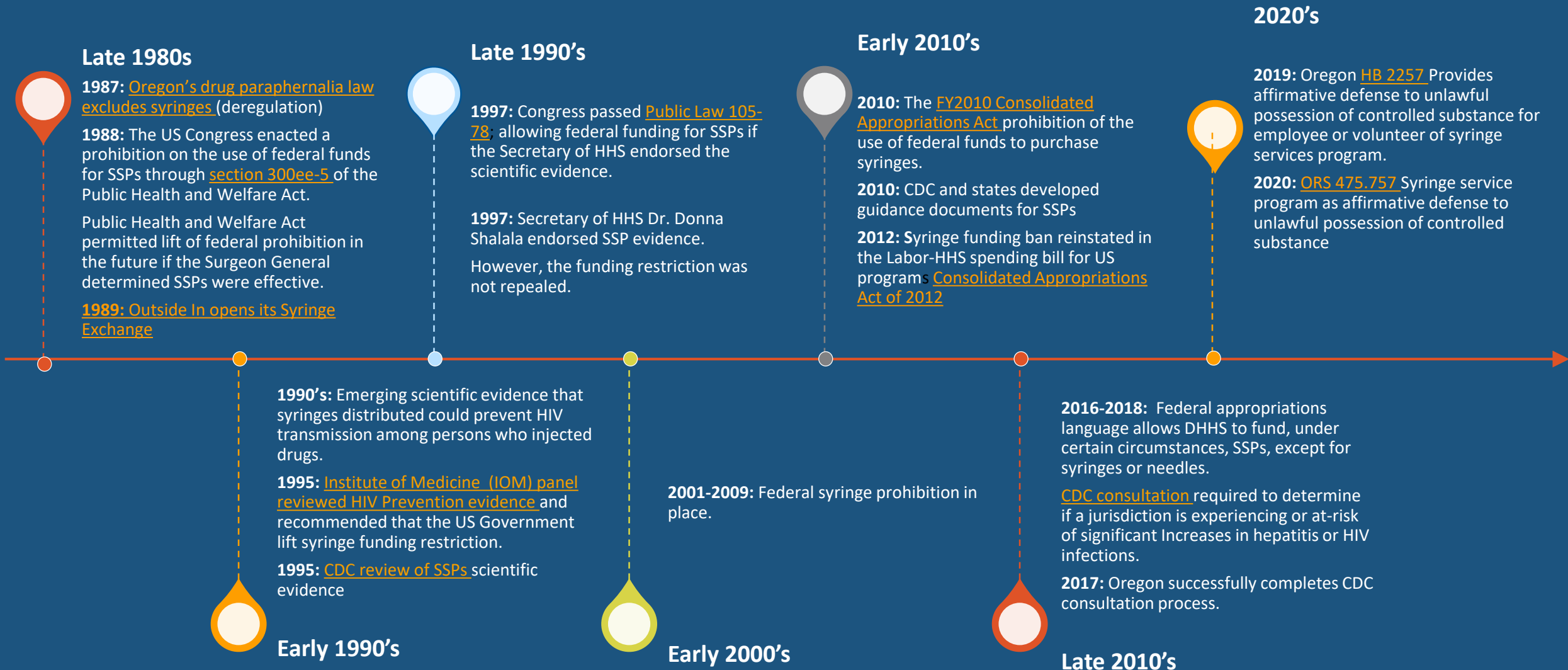
[Oregon Administrative Rules](#) – In general, the administrative rules explain the requirements of a law or policy.

State agencies and some boards and commissions are authorized by the legislature to create administrative rules. Administrative rules are adopted after public hearing. Agencies may adopt, amend, repeal or renumber rules permanently or temporarily for up to 180 days.

[Oregon County Home Rule](#)

Policy and Law Timeline

Syringe Access and Syringe Service Programs



Harm Reduction and Syringe Service Programs provide a variety of services including free sterile needles and syringes, safe disposal areas, access to prevention services such as HIV and Hepatitis C testing, and linkage to substance use treatment and medical care.

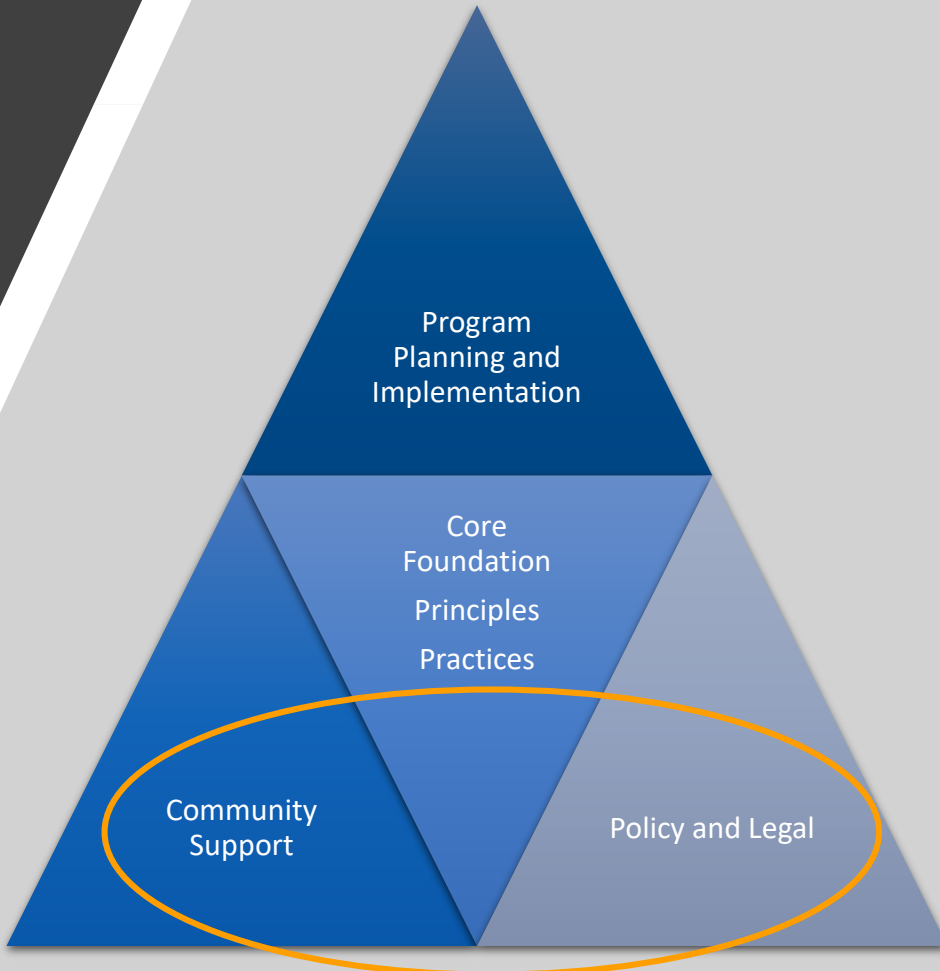
Region	Harm Reduction or Syringe Service Programs in Oregon
Benton	Benton County Public Health
Clackamas	Outside In
Clatsop	Clatsop County Public Health
Curry	HIV Alliance
Deschutes	Deschutes County Needle Exchange Program
Douglas	HIV Alliance
Harney	Harney County Syringe Exchange Program
Jackson	Jackson County Syringe Exchange Program
Josephine	HIV Alliance
Lane	HIV Alliance
Lincoln	Lincoln County Harm Reduction Program
Malheur	Malheur County Health Department
Marion	HIV Alliance
Multnomah	Outside In
Multnomah	Multnomah County Syringe Exchange
Multnomah	Portland People's Outreach Project
Confederated Tribe of Siletz Indians	Tribal Healthcare Services
Washington	HIV Alliance
Yamhill	Provoking Hope
Umatilla	Agency to be announced

Examples of Relevant Laws for Harm Reduction and Syringe Service Programs



Syringe Access Drug Paraphernalia	<u>ORS 475.525¹</u> <u>ORS 475.757¹</u>	<ul style="list-style-type: none"> • Syringes exempt from drug paraphernalia prohibition (includes definition of drug paraphernalia) • Syringe service program as affirmative defense to unlawful possession of controlled substance
Drug Possession	<u>ORS 161.570¹</u>	<ul style="list-style-type: none"> • Felony treated as misdemeanor • <u>HB 2355</u> De-felonizes small-scale drug possession
Emergency medical Assistance	<u>ORS 475.898¹</u>	Immunity from drug-related offenses for emergency medical assistance
Naloxone	<u>ORS 689.681¹</u> <u>ORS 689.682¹</u> <u>ORS 689.684¹</u>	<ul style="list-style-type: none"> • Opiate overdose treatments, administration of naloxone and rules • Prescription of naloxone • Administration of naloxone by certain persons
Local laws and ordinances		For example local zoning laws

Relevant laws for Harm Reduction and Syringe Service Programs



Learning and understanding what current laws allow and do not allow is important. This includes federal, state, and local laws.

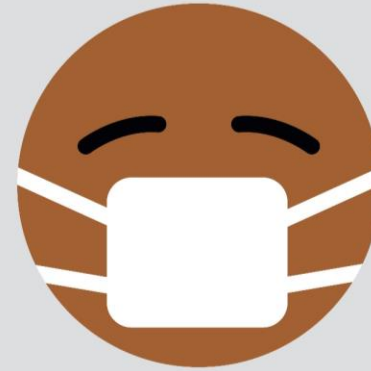
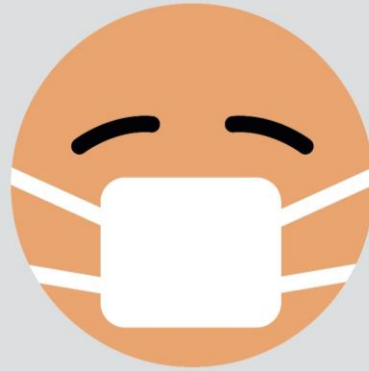
Only a licensed attorney in your state can provide legal advice.

What is allowed by federal, state and local law can change over time.

It is important to understand how federal, state and local laws might encourage or discourage participants from accessing harm reduction and Syringe Service Programs.

Sharing up-to-date and accurate information about current laws with participants can save lives for example emergency medical assistance law information.

You can get involved with policy and work with community stakeholders to find common ground for your program and activities.



Questions or thoughts?

Successes
Challenges
Learnings
Advice



Background

Seattle, WA

(January to December 2018)

31 cases (PWID)*

21 cases (MSM who inject drugs)

Northern Kentucky and Hamilton County, OH

(January 2017 to December 2018)

157 cases

Lawrence and Lowell, MA

(January 2015 to December 2018)

159 cases

Portland, OR

(January 2018 to June 2019)

42 cases

Philadelphia, PA

(January to December 2018)

71 cases

Cabell County, WV

(January 2018 to October 2019)

82 cases

Human immunodeficiency virus outbreaks among persons who inject drugs (United States, 2016–2019)

J Infect Dis, Volume 222, Issue Supplement_5, 1 October 2020, Pages S239–S249, <https://doi.org/10.1093/infdis/jiaa112>

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* Does not include MSM who inject drugs