SUPPORTS

A.4916/S.7617 (Rosenthal/Rivera)

AN ACT to amend the public health law, in relation to enacting the safer consumption services act

The New York State Association of County Health Officials (NYSACHO) supports the above-referenced legislation, otherwise known as the Safer Consumption Services Act, which amends public health law to provide for the establishment of overdose prevention center (OPC) programs at authorized syringe exchange programs. OPCs have proven to be a successful tool for preventing overdose deaths and reducing other risks associated with drug use, and those organizations working in the harm reduction space should have the ability to offer OPC services if they identify it as a viable option in their community. Local health officials feel strongly that ongoing data collection efforts will be important to demonstrate the risk benefit of OPCs in communities, and that data should be collected and reported by the state. In addition, ongoing evaluation of the appropriate oversight agency for OPCs should be monitored to assure that the responsibility falls under the the state agency with the necessary expertise to monitor ongoing health and safety.

While we support this legislation, we do so under the justification that local health departments are never required to provide oversight or approval of these establishments, and further, with recognition that launching an OPC may not be operational or successful in all jurisdictions. A thorough analysis of feasibility and health benefit should be evaluated by the State Department of Health, Office of Injury Prevention, with feedback invited from local health departments prior to the state approving the local establishment of these sites. Specifically, local input should be given on the community placement of OPCs, and local consensus and support should be obtained by the state prior to approval for plans to move forward. This can be accomplished within the scope of the legislation and early adopters will support and grow the evidence-base around successful models in a variety of jurisdictions.

Overdose deaths have reached record levels in recent years, driven in part by the disruptions of the COVID-19 pandemic and the increase of the presence of adulterants in street drugs. In New York, opioid overdose deaths increased 68% between 2019 and 2021, with nearly 6,000 lives lost in 2021 alone.[1] According to the Substance Abuse and Mental Health Services Administration (SAMHSA), harm reduction is an approach that focuses on meeting people on

[1] https://www.osc.state.ny.us/reports/continuing-crisis-drug-overdose-deaths-new-york

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their own terms to reduce overdoses, infectious disease transmission and connecting them to other health centered services during meeting opportunities.

OPCs are harm-reduction centered venues where people can bring and use their drugs in the presences of trained staff, volunteers, or peers, and may provide sterile equipment and offer education and counseling on safer consumption practices and may also offer other healthcare services or referrals. While OPCs have been operating in different countries since 1986, the first two publicly recognized OPCs in the United States, OnPoint, were established in New York City in 2021.[2] Since starting operation, the OPC sites have been utilized over 65,000 times, and have reversed over 800 overdoses that would have otherwise been fatal.[3] Most importantly, no fatal overdoses have occurred in the OPC sites or among individuals transported to hospitals. Data from OnPoint demonstrate that the sites provide benefits not only for people who use drugs (PWUD), but for the larger community as well. Most participants (75.9%) in the first two months of operation reported that they would have used their drugs in a public or semipublic location if OPC services had not been available.[4] OPCs have also been associated with reduced numbers of littered syringes, which in turn creates safer conditions by preventing accidental needle stick injuries.[5]

Over the past 12 months, members of NYSACHO's emerging issues committee and membership have taken a thoughtful approach to educating themselves on the benefit of establishing OPCs as a harm reduction strategy. Members have met with OnPoint staff and leadership, met with key stakeholders to understand how OPCs work, reviewed preliminary data, and some local health officials participated in site visits to a medical model OPC. This research has culminated in a statement of support endorsing OPCs as a harm reduction strategy. However, NYSACHO also recognizes that other harm reduction strategies may better bring benefits to some communities. For the jurisdictions where OPCs would be viable and sustainable, this legislation will create a pathway for community-based organizations that are responding to overdoses to offer these services, which have been proven to improve the health of PWUD and save lives.

For the reasons stated above, NYSACHO supports this legislation and recommends passage of the bill to help save lives and improve the health of New Yorkers who use drugs.

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[2] https://www.emcdda.europa.eu/system/files/publications/2734/POD_Drug%20consumption%20rooms.pdf
[3] https://onpointnyc.org/
[4] https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2794323
[5] https://doi.org/10.1016/j.drugalcdep.2014.10.012