
DIGEST

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HB 661 Reengrossed

2018 Regular Session

James

Abstract: Creates a drug paraphernalia needle exchange program.

Present law prohibits any person or corporation from knowingly, or under circumstances where one reasonably should know, selling, lending, renting, leasing, giving, exchanging, or otherwise distributing to any person any drug paraphernalia as that term is defined by present law.

Proposed law excludes fentanyl testing equipment as "drug paraphernalia".

Proposed law authorizes any governmental or nongovernmental entity to establish and implement a needle exchange program for the purpose of reducing the spread of HIV, AIDS, viral hepatitis, and other bloodborne diseases in the state and reducing needle stick injuries to law enforcement officers and other emergency personnel.

Programs established pursuant to proposed law may offer all of the following:

- (1) Disposal of used needles and hypodermic syringes.
- (2) Needles, hypodermic syringes, and other drug use supplies in quantities sufficient to ensure that needles, hypodermic syringes, and other drug use supplies are not shared or reused.
- (3) Educational materials on overdose prevention; the prevention of HIV, AIDS, and viral hepatitis transmission; drug abuse prevention; treatment for mental illness, including treatment referrals; and treatment for substance abuse, including referrals for medication assisted treatment.
- (4) Access to naloxone kits that contain naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose. Supplies and materials distributed by a program pursuant to this Section shall be distributed at no cost.

(Amends R.S. 40:1021(A)(5) and 1024(C); Adds R.S. 40:1024(D))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove the provision of proposed law which provided that no employee, volunteer, or participant of the program shall be arrested, charged with, or prosecuted for possession of needles, hypodermic syringes, or other drug use supplies obtained from or returned to the program or for the possession of residual amounts of a controlled substance contained in used drug use supplies obtained from or returned to a program.
2. Make a technical change.