

10 AN ACT CONCERNING

20 **Needle and Syringe Exchange Pilot Program**

30 FOR the purpose of eliminating the needle and syringe pilot program in Baltimore City.

40 BY repealing and adding to  
50 Article – Health – General  
60 Section 24-803  
70 Annotated Code of Maryland  
80 (1997 Replacement Volume)

90 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE:  
100 that the laws of Maryland read as follows

110 Article – Health – General

120 §24-803 Design and operate

130 The program shall:

140 (1) Be designed and maintained to provide maximum security of exchange locations and equipment,  
150 including security measures that may be required to control the use and dispersal of hypodermic needles and  
160 syringes and security measures that allow for a full accounting of the number of hypodermic needles and syringes  
170 in circulation and the number of hypodermic needles and syringes in storage;

180 (2) Be operated to allow participants to exchange used hypodermic needles and syringes FOR FOOD  
190 VOUCHERS OR FOR STERILE NEEDLES OR SYRINGES AT THE COST OF THE GOING RATE PER  
200 NEEDLE OR SYRINGE at any exchange location, if more than one location is available;

210 (3) Include appropriate levels of staff expertise in working with injecting drug users and adequate staff  
220 training in providing community referrals, counseling, and preventive education;

230 (4) Provide for the dissemination of other preventive means for curtailing the spread of the HIV  
240 infection;

250 (5) Provide a linkage for referrals to drug counseling and treatment services, and follow-up to those  
260 referrals to assure that participants receive the treatment they desire;

270 (6) Educate injecting drug users on the dangers of contracting the HIV infection or Hepatitis B virus  
280 through needle-sharing practices and unsafe sexual behaviors;

290 ~~(7) Include policies and procedures for the screening of applicants to the program in order to preclude  
300 noninjecting drug users from participating in the program;~~

310 (8) Establish procedures for identifying program participants that are consistent with the confidentiality  
320 provisions of this subtitle; ~~and~~

330 (9) Establish a method of identification and authorization AND TRAINING for program staff members  
340 who have access to hypodermic needles, syringes, or program records; AND

350 (10) FIVE YEARS AFTER THIS PROGRAM SHALL TAKE EFFECT, THE PROGRAM WILL BE  
360 EVALUATED BY A TASK FORCE, WHICH SHALL BE APPOINTED BY THE BALTIMORE CITY  
370 COMMISSIONER OF HEALTH, BASED ON EFFECTIVENESS OF THE PROGRAM.

370 SECTION 2. AND BE IT FURTHER ENACTED, that this act shall take effect  
380 January 1, 2002

390 MANDATES: Governor Parris Glendening  
400 Lt. Governor Kathleen Kennedy Townsend  
410 Mayor of Baltimore  
420 Baltimore City Commissioner of Health  
430 Senator John Hafer  
440 Senator Christopher J. McCabe  
450 Delegate Tod D. Sher

Sponsor:

Brad Widner  
2 College Hill  
Westminster, MD 21157  
(410) 751-8363  
bmwwmc@hotmail.com