ASSEMBLY, No. 4638

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED OCTOBER 22, 2018

Sponsored by:
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District 37 (Bergen)
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SYNOPSIS
Authorizes Overdose Prevention Centers.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning Overdose Prevention Centers and supplementing Title 26 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Consistent with federal law, the Commissioner of Health shall establish a one year pilot program and application process to permit a municipality or county to operate an Overdose Prevention Center where individuals may safely consume drugs that were obtained outside of the Overdose Prevention Center for a one year period.

b. (1) The Commissioner of Health shall establish four Overdose Prevention Centers located in Northern, Central, and Southern New Jersey following a six to 12 month community outreach effort in the areas surrounding the future Overdose Prevention Centers, as determined by the Commissioner. The Commissioner of Health shall collect the input of community members and select an Overdose Prevention Center location that best serves the needs of local residents and businesses.

(2) As used in this subsection:

“Central New Jersey” means Hunterdon, Mercer, Middlesex, Monmouth, Somerset, and Union counties.


“Southern New Jersey” means Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem counties.

c. Each Overdose Prevention Center shall be staffed by a health care professional, manager, employee, or volunteer as necessary.

d. Each Overdose Prevention Center shall be equipped with sterile syringes and medication to treat a drug overdose.

ee. An Overdose Prevention Center shall comply with the following requirements:

(1) Overdose Prevention Center staff shall be trained and regularly supervised in: harm reduction; substance abuse disorders; and infection control procedures, including universal precautions and needle stick injury protocol; administration of opioid antidotes; training in safe handling and safe disposal of used syringes and needles; training in safe handling of controlled dangerous substances to prevent risk of accidental exposure or injections; and training in first aid. Overdose Prevention Centers shall maintain records of staff and volunteer training and of hepatitis C and tuberculosis screening provided to volunteers and staff;

(2) Overdose Prevention Centers shall offer information about HIV, hepatitis C and other bloodborne pathogens and prevention materials at no cost to consumers, and shall seek to educate all individuals about safe and proper disposal of needles and syringes;
(3) Overdose Prevention Centers shall provide information and referrals to consumers, including HIV testing options, access to medication-assisted substance use disorder treatment programs and other substance use disorder treatment programs, and available health and social service options relevant to the consumer's needs. The program shall encourage consumers to receive an HIV test, and shall, when appropriate, develop an individualized substance use disorder treatment plan for each participating consumer;

(4) Overdose Prevention Centers shall develop a plan for the handling and disposal of used syringes and needles in accordance with requirements set forth at N.J.A.C.7:26-3A.1 et seq. for regulated medical waste disposal pursuant to the "Comprehensive Regulated Medical Waste Management Act," P.L.1989, c.34 (C.13:1E-48.1 et al.), and shall also develop and maintain protocols for post-exposure treatment;

(5) (a) An Overdose Prevention Center shall obtain a standing order, pursuant to the "Overdose Prevention Act," P.L.2013, c.46 (C.24:6J-1 et al.), authorizing its staff to carry, dispense, and administer naloxone hydrochloride or another opioid antidote;

(b) Overdose Prevention Centers shall provide overdose prevention information to consumers, the family members and friends of consumers, and other persons associated with the consumers, as appropriate, in accordance with the provisions of section 5 of the "Overdose Prevention Act," P.L.2013, c.46 (C.24:6J-5); and

(6) Overdose Prevention Centers shall maintain the confidentiality of individuals who make use of the facility.

f. A municipality or county that establishes an Overdose Prevention Center at a fixed location or through a mobile access component, may operate the program directly or contract with one or more of the following entities to operate the program: a hospital or other health care facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), a federally qualified health center, a public health agency, a substance abuse treatment program, an AIDS service organization, or another nonprofit entity designated by the municipality.

g. A municipality or county may terminate a authorization to operate an Overdose Prevention Center established or authorized pursuant to this section, which is operating within that municipality or county, if its governing body approves the action by ordinance, in which case the municipality shall notify the commissioner of its action in a manner prescribed by regulation of the commissioner.

h. No person shall be subject to civil or criminal liability or professional disciplinary action for any acts authorized under this section, including, but not limited to, possessing and self-administering drugs while on the premises of an Overdose Prevention Center.
2. This act shall take effect immediately.

STATEMENT

This bill authorizes Overdose Prevention Centers. Under the bill, the Commissioner of Health is to establish a one year pilot program and application process to permit a municipality or county to operate a supervised drug injection facility where individuals may safely consume drugs that were obtained outside of the Overdose Prevention Center for a one year period.

Under the bill, the Commissioner of Health is to establish four Overdose Prevention Centers located in Northern, Central, and Southern New Jersey following a six to 12 month community outreach effort in the areas surrounding the future Overdose Prevention Centers, as determined by the Commissioner. The Commissioner of Health is to collect the input of community members and select an Overdose Prevention Center location that best serves the needs of local residents and businesses.

Each Overdose Prevention Center is to be staffed by a health care professional, manager, employee, or volunteer as necessary. Further, each Overdose Prevention Center is to be equipped with sterile syringes and medication to treat a drug overdose. Under the bill, there is an immunity provision to protect individuals who commit an act authorized under the bill.