

ASSEMBLY, No. 4638

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED OCTOBER 22, 2018

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)

SYNOPSIS

Authorizes Overdose Prevention Centers.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning Overdose Prevention Centers and
2 supplementing Title 26 of the Revised Statutes.

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

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

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

21 (2) As used in this subsection:

22 "Central New Jersey" means Hunterdon, Mercer, Middlesex,
23 Monmouth, Somerset, and Union counties.

24 "Northern New Jersey" means Bergen, Essex, Hudson, Morris,
25 Passaic, Sussex, and Warren counties.

26 "Southern New Jersey" means Atlantic, Burlington, Camden,
27 Cape May, Cumberland, Gloucester, Ocean, and Salem counties.

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

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

33 e. An Overdose Prevention Center shall comply with the
34 following requirements:

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

45 (2) Overdose Prevention Centers shall offer information about
46 HIV, hepatitis C and other bloodborne pathogens and prevention
47 materials at no cost to consumers, and shall seek to educate all
48 individuals about safe and proper disposal of needles and syringes;

1 (3) Overdose Prevention Centers shall provide information and
2 referrals to consumers, including HIV testing options, access to
3 medication-assisted substance use disorder treatment programs and
4 other substance use disorder treatment programs, and available
5 health and social service options relevant to the consumer's needs.
6 The program shall encourage consumers to receive an HIV test, and
7 shall, when appropriate, develop an individualized substance use
8 disorder treatment plan for each participating consumer;

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

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

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

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

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

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

43 h. No person shall be subject to civil or criminal liability or
44 professional disciplinary action for any acts authorized under this
45 section, including, but not limited to, possessing and self-
46 administering drugs while on the premises of an Overdose
47 Prevention Center.

1 2. This act shall take effect immediately.

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STATEMENT

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

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

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