

FREQUENTLY ASKED QUESTIONS

FOR PROSPECTIVE COMPREHENSIVE HARM REDUCTION SITES IN VIRGINIA

WHAT IS COMPREHENSIVE HARM REDUCTION?

Harm reduction is a public health strategy to reduce negative health outcomes for persons who engage in behaviors that put them and others at risk for disease or injury. Comprehensive harm reduction (CHR) for persons who inject drugs includes, but is not limited to, provision of sterile and collection of used hypodermic needles and syringes. This intervention is sometimes called needle exchange, syringe services or syringe access. Distribution of sterile hypodermic needles and syringes and disposal of used hypodermic needles and syringes can decrease the spread of HIV and Hepatitis and help reduce other negative health outcomes. CHR programs facilitate entry into drug treatment, testing and medical services, especially when they are part of a comprehensive prevention strategy.

WHO CAN START A CHR PROGRAM IN VIRGINIA?

Agencies that provide services in cities and counties determined to be at increased risk for an HIV or Hepatitis outbreak may apply to operate a CHR program. Programs may be run by local health departments or affiliated agencies with which VDH contracts. Agencies must complete a two-step process that includes submission of an application package and participation in a pre-operational site visit. VDH will issue memoranda of agreement for approved sites that include program, data collection and reporting

requirements. A list of eligible localities, the CHR application, laws, standards and protocols may be found at: <http://www.vdh.virginia.gov/disease-prevention/chr/>.

WHAT SERVICES MUST BE PROVIDED UNDER A CHR PROGRAM IN VIRGINIA?

All approved CHR program must provide: sterile needles and syringes and disposal services; educational materials, condoms and harm reduction supplies. Additional services are required to be provided either directly or by referral. A list of required services may be found in the CHR application: <http://www.vdh.virginia.gov/content/uploads/sites/10/2017/06/Application-to-Create-a-CHR-Program-in-VA.pdf>

WHAT LEGAL PROTECTIONS ARE IN PLACE FOR EMPLOYEES AND VOLUNTEERS OF CHR PROGRAMS?

Persons authorized by the Commissioner to dispense or distribute hypodermic needles and syringes will not be prosecuted for doing so as part of a comprehensive harm reduction program. The Code states the provisions of §§ 18.2-250 (possession of a controlled substance if a residual amount exists on a needle that is turned in), 18.2-265.3 (distribution of drug paraphernalia), and 54.1-3466 (possession and distribution of controlled paraphernalia) do not apply to persons authorized by the Commissioner to dispense or

distribute hypodermic needles and syringes as part of a comprehensive harm reduction program during a declared public health emergency and pursuant to established standards and protocols. Va. Code § 32.1-45.4(D). Moreover, the restriction on distribution of hypodermic needles and syringes to licensed pharmacists and others with a license or permit does not apply to those authorized by the State Health Commissioner pursuant to a comprehensive harm reduction program. Va. Code § 54.1-3467. Agencies approved to provide CHR services must maintain a list of personnel authorized to distribute and collect syringes.

WHAT LEGAL PROTECTIONS ARE IN PLACE FOR CHR PROGRAM PARTICIPANTS?

CHR participants do not have legal protection from controlled paraphernalia possession laws, which is why letters of support from law enforcement and government are required for all CHR sites. CHR programs must issue cards to all CHR clients that identifies them as participants in a CHR program and verifies that needles and syringes in their possession were obtained from that program. These cards do not eliminate the risk that a participant could be arrested for possessing hypodermic needles and syringes; therefore, establishing a strong working relationship with local government and local law enforcement is key to a successful CHR program.

HOW WILL COMPREHENSIVE HARM REDUCATION BE FUNDED?

No new state funding was allocated to support CHR. The Virginia Department of Health will use federal funds to support the program, to the extent allowable. These funds may be used for personnel, supplies, mobile units, HIV and hepatitis C testing, linkage to services, data collection etc. Federal

funds may not be used to purchase needles, syringes or other equipment used to inject or prepare illegal drugs, naloxone or other medications. Organizations providing CHR services will need to identify other funding sources for syringes and injection supplies such as foundations, individual donors, corporate giving, fundraisers, donations from medical supply companies, etc. A request for proposal may be issued for competitive award of funds to support CHR sites; however, approved sites may operate CHR programs with other funding sources.

WHERE CAN I GET MORE INFORMATION ABOUT CHR PROGRAMS AND RESOURCES?

- North American Syringe Exchange Network (NASEN): <https://nasen.org/>
- Harm Reduction Coalition (HRC): <http://harmreduction.org/>
- HRC Syringe Access Manual: <http://bit.ly/2uZzZWD>
- HRC Peer Based Distribution Manual: <http://bit.ly/2wm171x>
- North Carolina Harm Reduction Coalition: <http://www.nchrc.org/>
- Washington Heights Corner Project: <http://bit.ly/2wIXxEw>



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