

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H

1

HOUSE BILL 35

Short Title: Expand Definition of Opioid Antagonist. (Public)

Sponsors: Representatives Sasser, Potts, Lambeth, and Paré (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Health, if favorable, Rules, Calendar, and Operations of the House

January 31, 2023

A BILL TO BE ENTITLED

AN ACT EXPANDING THE STATE'S DEFINITION OF OPIOID ANTAGONIST TO INCLUDE ALL OPIOID ANTAGONISTS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF A DRUG OVERDOSE; AND TO ALLOW THE USE OF ALL SUCH FEDERAL FOOD AND DRUG-APPROVED OPIOID ANTAGONISTS IN NEEDLE AND HYPODERMIC SYRINGE EXCHANGE PROGRAMS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-12.7(a) reads as rewritten:

"(a) As used in this section, "opioid antagonist" means ~~naloxone hydrochloride~~ an opioid antagonist that is approved by the federal Food and Drug Administration for the treatment of a drug overdose."

SECTION 2. G.S. 90-113.27 reads as rewritten:

"§ 90-113.27. Needle and hypodermic syringe exchange programs authorized; limited immunity.

...

(b) Programs established pursuant to this section shall offer all of the following:

- (1) Disposal of used needles and hypodermic syringes.
- (2) Needles, hypodermic syringes, and other injection supplies at no cost and in quantities sufficient to ensure that needles, hypodermic syringes, and other injection supplies are not shared or reused.
- (3) Reasonable and adequate security of program sites, equipment, and personnel. Written plans for security shall be provided to the police and sheriff's offices with jurisdiction in the program location and shall be updated annually.
- (4) Educational materials on all of the following:
 - a. Overdose prevention.
 - b. The prevention of HIV, AIDS, and viral hepatitis transmission.
 - c. Drug abuse prevention.
 - d. Treatment for mental illness, including treatment referrals.
 - e. Treatment for substance abuse, including referrals for medication assisted treatment.
- (5) Access to ~~naloxone opioid antagonist~~ kits that contain ~~naloxone hydrochloride~~ an opioid antagonist that is approved by the federal Food and Drug Administration for the treatment of a drug overdose, or referrals to programs that provide access to ~~naloxone hydrochloride~~ an opioid antagonist that is



- 1 approved by the federal Food and Drug Administration for the treatment of a
- 2 drug overdose.
- 3 (6) For each individual requesting services, personal consultations from a
- 4 program employee or volunteer concerning mental health or addiction
- 5 treatment as appropriate.
- 6 ...
- 7 (e) Not later than one year after commencing operations of a program established
- 8 pursuant to this section, and every 12 months thereafter, each organization operating such a
- 9 program shall report the following information to the North Carolina Department of Health and
- 10 Human Services, Division of Public Health:
- 11 (1) The number of individuals served by the program.
- 12 (2) The number of needles, hypodermic syringes, and needle injection supplies
- 13 dispensed by the program and returned to the program.
- 14 (3) The number of ~~naloxone~~ opioid antagonist kits distributed by the program.
- 15 (4) The number and type of treatment referrals provided to individuals served by
- 16 the program, including a separate report of the number of individuals referred
- 17 to programs that provide access to ~~naloxone hydrochloride~~ an opioid
- 18 antagonist that is approved by the federal Food and Drug Administration for
- 19 the treatment of a drug overdose."
- 20 **SECTION 3.** This act is effective when it becomes law.