

REFERENCE TITLE: overdose and disease prevention programs

State of Arizona
Senate
Fifty-sixth Legislature
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2024

SB 1424

Introduced by
Senators Hernandez: Alston, Epstein, Gabaldón, Hatathlie, Mendez, Miranda,
Sundareshan; Representatives Hernandez M, Ortiz, Sandoval, Villegas

AN ACT

AMENDING SECTIONS 36-798.51 AND 36-798.52, ARIZONA REVISED STATUTES;
RELATING TO OVERDOSE AND DISEASE PREVENTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-798.51, Arizona Revised Statutes, is amended
3 to read:

4 36-798.51. Overdose and disease prevention programs;
5 requirements; standards

6 A. A city, town, county or nongovernmental organization, including
7 a local health department or an organization that promotes scientifically
8 proven ways of mitigating health risks associated with drug use and other
9 high-risk behaviors, or any combination of these entities, may establish
10 and operate an overdose and disease prevention program. **TO ADDRESS THE**
11 **INCREASE IN INDIVIDUALS, ESPECIALLY YOUTH, DEVELOPING AND DYING FROM**
12 **SUBSTANCE USE DISORDERS DUE TO INCREASINGLY POTENT SUBSTANCES THAT ARE**
13 **INJECTED OR THAT ARE INHALED THROUGH THE MOUTH OR NOSE,** a program
14 established pursuant to this section shall have all of the following
15 objectives:

16 1. To reduce the spread of viral hepatitis, HIV and other
17 bloodborne diseases in this state.

18 2. To reduce needle-stick injuries to law enforcement officers and
19 other emergency personnel.

20 3. To encourage individuals who ~~inject~~ **USE** drugs to enroll in
21 evidence-based treatment.

22 4. To increase proper disposal of used syringes **AND OTHER INJECTION**
23 **OR INHALATION SUPPLY ITEMS.**

24 5. To reduce the occurrence of skin and soft tissue wounds and
25 infections related to injection drug use.

26 B. A program established pursuant to this section shall offer all
27 of the following:

28 1. Disposal of used needles and hypodermic syringes **AND OTHER**
29 **INJECTION OR INHALATION SUPPLY ITEMS.**

30 2. Needles, hypodermic syringes and other injection **OR INHALATION**
31 supply items at no cost and in quantities sufficient to ensure that
32 needles, hypodermic syringes and other injection **OR INHALATION** supply
33 items are not shared or reused.

34 3. Educational materials on all of the following:

35 (a) Overdose prevention.

36 (b) Peer support services.

37 (c) The prevention of HIV, viral hepatitis transmission and the
38 incidence of skin and soft tissue wounds and infections.

39 (d) Treatment for mental illness, including treatment referrals.

40 (e) Treatment for substance use disorder, including referrals for
41 substance use disorder treatment.

42 4. Access to kits that contain naloxone hydrochloride or any other
43 opioid antagonist that is approved by the United States food and drug
44 administration to treat a drug overdose, or referrals to programs that
45 provide access to naloxone hydrochloride or any other opioid antagonist

1 that is approved by the United States food and drug administration to
2 treat a drug overdose.

3 5. For each individual who requests services, personal
4 consultations from a program employee or volunteer concerning mental
5 health or substance use disorder treatment or referrals for evidence-based
6 substance use disorder treatment, as appropriate.

7 C. A program established pursuant to this section shall develop
8 standards for distributing and disposing of needles and hypodermic
9 syringes based on scientific evidence and best practices. The number of
10 needles and hypodermic syringes disposed of through a program shall be at
11 least equivalent to the number of needles and hypodermic syringes
12 distributed through the program.

13 Sec. 2. Section 36-798.52, Arizona Revised Statutes, is amended to
14 read:

15 36-798.52. Immunity

16 A. Notwithstanding title 13, chapter 34, an employee, volunteer or
17 participant of a program established pursuant to section 36-798.51 may not
18 be charged with or prosecuted for possession of any of the following:

19 1. A needle, hypodermic syringe or other injection OR INHALATION
20 supply item obtained from or returned to a program established pursuant to
21 section 36-798.51.

22 2. A residual amount of a controlled substance contained in a used
23 needle, used hypodermic syringe or used injection OR INHALATION supply
24 item obtained from or returned to a program established pursuant to
25 section 36-798.51.

26 B. Subsection A of this section applies only if the person claiming
27 immunity provides verification that a needle, hypodermic syringe or other
28 injection OR INHALATION supply item was obtained from an overdose and
29 disease prevention program established pursuant to section 36-798.51.