

MAINE STATE LEGISLATURE

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Date: 3/11/16

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1057, L.D. 1552, Bill, "An Act To Reduce Morbidity and Mortality Related to Injected Drugs"

Amend the bill by striking out all of section 1 and inserting the following:

Sec. 1. 22 MRSA §1341, sub-§§1 and 2, as amended by PL 2007, c. 346, Pt. A, §1, are further amended to read:

1. Certification of programs. The Maine Center for Disease Control and Prevention may certify hypodermic apparatus exchange programs that meet the requirements established by rule under subsection 2, paragraphs A to D.

A. The Maine Center for Disease Control and Prevention may not limit the number of hypodermic apparatuses provided by the programs to participants.

B. The Maine Center for Disease Control and Prevention may not limit the number of hypodermic apparatuses that participants served by the programs may legally possess, transport or exchange.

2. Rules. The Maine Center for Disease Control and Prevention shall adopt rules pursuant to the Maine Administrative Procedure Act establishing requirements for hypodermic apparatus exchange programs and for program certification requirements. The rules must include but are not limited to:

- A. Procedures for the safe disposal of hypodermic apparatuses;
- B. Tracking the number of hypodermic apparatuses distributed and collected;
- C. Drug abuse prevention and treatment education; ~~and~~
- D. ~~Measures to discourage the utilization of~~ Distribution of educational material regarding the dangers associated with the use of used hypodermic apparatuses;
- E. Application procedures for a certified hypodermic apparatus exchange program to apply for funds to operate the program including the purchase and disposal of hypodermic needles;

COMMITTEE AMENDMENT

1 F. Criteria for the award of funds to certified hypodermic apparatus exchange
2 programs;

3 G. Oversight of certified hypodermic apparatus exchange programs;

4 H. Renewal every 5 years of department certification of hypodermic apparatus
5 exchange programs;

6 I. Complaint investigation procedures; and

7 J. Criteria for decertification of hypodermic apparatus exchange programs.

8 Rules adopted or amended pursuant to this section are routine technical rules as defined
9 in Title 5, chapter 375, subchapter 2-A.

10 **Sec. 2. 22 MRSA §1341, sub-§4** is enacted to read:

11 **4. Funding.** This subsection governs the use of state funds for hypodermic
12 apparatus exchange programs certified pursuant to this section. This subsection is not
13 intended to limit the ability of certified programs to secure other sources of funding or to
14 discourage fund-raising for the purpose of operating such programs. The Maine Center
15 for Disease Control and Prevention shall allocate any funds appropriated for hypodermic
16 apparatus exchange programs among new and existing certified programs based on rates
17 of intravenous drug use and negative health outcomes related to drug use in the
18 geographic area surrounding a program; if applicable, the amount of services historically
19 provided by the certified program; and other relevant factors. The award of funds must
20 occur not later than 60 days after the effective date of this subsection and annually
21 thereafter based on the availability of funding.'

22 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
23 section number to read consecutively.

24 SUMMARY

25 The amendment makes the following changes to the bill.

26 1. It adds language to indicate that the funds provided by the bill are not intended to
27 be the sole source of funding for hypodermic apparatus exchange programs. It adds
28 language to clarify that the intent of the bill is not to limit securing other sources of
29 funding.

30 2. It establishes the same methodology for distributing funds for both existing and
31 new programs.

32 3. It requires funds appropriated in the bill to be awarded no later than 60 days after
33 the effective date of the legislation.

34 4. It removes the bill provisions related to restrictions on use of funds.

35 5. It amends the rule-making authority of the Maine Center for Disease Control and
36 Prevention to ensure that the center may amend the rules regulating the hypodermic

COMMITTEE AMENDMENT "A" to H.P. 1057, L.D. 1552

1 apparatus exchange programs with respect to the distribution of funds, renewal of
2 certification, complaint investigation procedures and decertification criteria.

3

FISCAL NOTE REQUIRED

4

(See attached)

COMMITTEE AMENDMENT



127th MAINE LEGISLATURE

LD 1552

LR 2590(02)

An Act To Reduce Morbidity and Mortality Related to Injected Drugs

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-559)
Committee: Health and Human Services
Fiscal Note Required: Yes

Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$0	\$75,000	\$75,000	\$75,000
Appropriations/Allocations				
General Fund	\$0	\$75,000	\$75,000	\$75,000

Fiscal Detail and Notes

The bill includes a General Fund appropriation to the Department of Health and Human Services of \$75,000 in fiscal year 2016-17 to fund the existing and new hypodermic apparatus exchange programs certified by the Maine Center for Disease Control.