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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2003

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A N A C T

RELATING TO HEALTH -- NEEDLE EXCHANGE PROGRAM

Introduced By: Representatives T Brien, Laroche, Picard, Menard, and McNamara

Date Introduced: January 28, 2003

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-11-19 of the General Laws in Chapter 23-11 entitled "Sexually
2 Transmitted Diseases" is hereby amended to read as follows:

3 **23-11-19. Exchange of hypodermic needles and syringes.** -- (a) The director of the
4 department of health shall maintain a program offering the free exchange of new hypodermic
5 needles and syringes for used hypodermic needles and syringes as a means to prevent the
6 transmission of human immunodeficiency virus (HIV) among intravenous drug users eighteen
7 (18) years of age or older. Any site used in the program shall make available educational
8 materials, HIV counseling and testing, and referral services targeted to the education of AIDS
9 transmission and drug abuse prevention and treatment. Any individual(s) who either administers
10 or participates in the program shall be immune from criminal prosecution for violating the
11 provisions of section 21-28.5-1(a)(11) [deleted] unless the individual(s) is found to have in his or
12 her possession hypodermic needles and syringes that are not a part of the exchange program.

13 (b) Any program of needle and syringe exchange must be implemented pursuant to the
14 provisions of this section and shall incorporate an on-going evaluation plan to determine the
15 impact of the needle exchange program on the participants and the community in the efforts to
16 lower the HIV rate among injecting users including successful referrals to substance abuse
17 treatment.

18 (c) Provided, that no site shall be used in the program, and no distribution and/or
19 exchange of hypodermic needles and/or syringes shall take place in the building and/or on the

1 grounds of, or within three hundred (300) yards of the grounds of a public or private elementary,
2 vocational or secondary school, or public, state or municipal park or playground and/or any
3 recognized or established church. This prohibition shall apply both to fixed sites and/or any
4 mobile unit utilized by the department in the exchange program.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would proscribe certain areas within which the distribution and/or exchange of
2 needles and syringes pursuant to the department of health's exchange program would be
3 prohibited.

4 This act would take effect upon passage.

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