

# ASSEMBLY, No. 677

## STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

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**District 37 (Bergen)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

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**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblyman Giblin**

**SYNOPSIS**

Authorizes Overdose Prevention Centers.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning Overdose Prevention Centers and  
2 supplementing Title 26 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. a. Consistent with federal law, the Commissioner of Health  
8 shall establish a one year pilot program and application process to  
9 permit a municipality or county to operate an Overdose Prevention  
10 Center where individuals may safely consume drugs that were  
11 obtained outside of the Overdose Prevention Center for a one year  
12 period.

13 b. (1) The Commissioner of Health shall establish four  
14 Overdose Prevention Centers located in Northern, Central, and  
15 Southern New Jersey following a six to 12 month community  
16 outreach effort in the areas surrounding the future Overdose  
17 Prevention Centers, as determined by the Commissioner. The  
18 Commissioner of Health shall collect the input of community  
19 members and select an Overdose Prevention Center location that  
20 best serves the needs of local residents and businesses.

21 (2) As used in this subsection:

22 “Central New Jersey” means Hunterdon, Mercer, Middlesex,  
23 Monmouth, Somerset, and Union counties.

24 “Northern New Jersey” means Bergen, Essex, Hudson, Morris,  
25 Passaic, Sussex, and Warren counties.

26 “Southern New Jersey” means Atlantic, Burlington, Camden,  
27 Cape May, Cumberland, Gloucester, Ocean, and Salem counties.

28 c. Each Overdose Prevention Center shall be staffed by a  
29 health care professional, manager, employee, or volunteer as  
30 necessary.

31 d. Each Overdose Prevention Center shall be equipped with  
32 sterile syringes and medication to treat a drug overdose.

33 e. An Overdose Prevention Center shall comply with the  
34 following requirements:

35 (1) Overdose Prevention Center staff shall be trained and  
36 regularly supervised in: harm reduction; substance abuse disorders;  
37 and infection control procedures, including universal precautions  
38 and needle stick injury protocol; administration of opioid antidotes;  
39 training in safe handling and safe disposal of used syringes and  
40 needles; training in safe handling of controlled dangerous  
41 substances to prevent risk of accidental exposure or injections; and  
42 training in first aid. Overdose Prevention Centers shall maintain  
43 records of staff and volunteer training and of hepatitis C and  
44 tuberculosis screening provided to volunteers and staff;

45 (2) Overdose Prevention Centers shall offer information about  
46 HIV, hepatitis C and other bloodborne pathogens and prevention  
47 materials at no cost to consumers, and shall seek to educate all  
48 individuals about safe and proper disposal of needles and syringes;

1 (3) Overdose Prevention Centers shall provide information and  
2 referrals to consumers, including HIV testing options, access to  
3 medication-assisted substance use disorder treatment programs and  
4 other substance use disorder treatment programs, and available  
5 health and social service options relevant to the consumer's needs.  
6 The program shall encourage consumers to receive an HIV test, and  
7 shall, when appropriate, develop an individualized substance use  
8 disorder treatment plan for each participating consumer;

9 (4) Overdose Prevention Centers shall develop a plan for the  
10 handling and disposal of used syringes and needles in accordance  
11 with requirements set forth at N.J.A.C.7:26-3A.1 et seq. for  
12 regulated medical waste disposal pursuant to the "Comprehensive  
13 Regulated Medical Waste Management Act," P.L.1989, c.34  
14 (C.13:1E-48.1 et al.), and shall also develop and maintain protocols  
15 for post-exposure treatment;

16 (5) (a) An Overdose Prevention Center shall obtain a standing  
17 order, pursuant to the "Overdose Prevention Act," P.L.2013, c.46  
18 (C.24:6J-1 et al.), authorizing its staff to carry, dispense, and  
19 administer naloxone hydrochloride or another opioid antidote;

20 (b) Overdose Prevention Centers shall provide overdose  
21 prevention information to consumers, the family members and  
22 friends of consumers, and other persons associated with the  
23 consumers, as appropriate, in accordance with the provisions of  
24 section 5 of the "Overdose Prevention Act," P.L.2013, c.46  
25 (C.24:6J-5); and

26 (6) Overdose Prevention Centers shall maintain the  
27 confidentiality of individuals who make use of the facility.

28 f. A municipality or county that establishes an Overdose  
29 Prevention Center at a fixed location or through a mobile access  
30 component, may operate the program directly or contract with one  
31 or more of the following entities to operate the program: a hospital  
32 or other health care facility licensed pursuant to P.L.1971, c.136  
33 (C.26:2H-1 et seq.), a federally qualified health center, a public  
34 health agency, a substance abuse treatment program, an AIDS  
35 service organization, or another nonprofit entity designated by the  
36 municipality.

37 g. A municipality or county may terminate authorization to  
38 operate an Overdose Prevention Center established or authorized  
39 pursuant to this section, which is operating within that municipality  
40 or county, if its governing body approves the action by ordinance,  
41 in which case the municipality shall notify the commissioner of its  
42 action in a manner prescribed by regulation of the commissioner.

43 h. No person shall be subject to civil or criminal liability or  
44 professional disciplinary action for any acts authorized under this  
45 section, including, but not limited to, possessing and self-  
46 administering drugs while on the premises of an Overdose  
47 Prevention Center.

1       2. This act shall take effect immediately.

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STATEMENT

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6       This bill authorizes Overdose Prevention Centers. Under the  
7 bill, the Commissioner of Health is to establish a one year pilot  
8 program and application process to permit a municipality or county  
9 to operate a supervised drug injection facility where individuals  
10 may safely consume drugs that were obtained outside of the  
11 Overdose Prevention Center for a one year period.

12       Under the bill, the Commissioner of Health is to establish four  
13 Overdose Prevention Centers located in Northern, Central, and  
14 Southern New Jersey following a six to 12 month community  
15 outreach effort in the areas surrounding the future Overdose  
16 Prevention Centers, as determined by the Commissioner. The  
17 Commissioner of Health is to collect the input of community  
18 members and select an Overdose Prevention Center location that  
19 best serves the needs of local residents and businesses.

20       Each Overdose Prevention Center is to be staffed by a health  
21 care professional, manager, employee, or volunteer as necessary.  
22 Further, each Overdose Prevention Center is to be equipped with  
23 sterile syringes and medication to treat a drug overdose. Under the  
24 bill, there is an immunity provision to protect individuals who  
25 commit an act authorized under the bill.