



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [H.B. 182 of the 129th G.A.](#)

Date: July 26, 2011

Status: As Introduced

Sponsor: Reps. Foley and Antonio

Local Impact Statement Procedure Required: No

Contents: To authorize the establishment of syringe exchange programs

State Fiscal Highlights

- **Department of Health.** The bill requires the Ohio Department of Health (ODH) to summarize and submit to health committees under the General Assembly reports from local boards of health that have established syringe exchange programs. If ODH receives any reports, administrative costs would be incurred. It is expected that these costs would be minimal.

Local Fiscal Highlights

- **Local boards of health.** The bill allows a local board of health to establish a syringe exchange program or to contract with a private, nonprofit organization to establish a program. If a local board chooses to implement such a program, its costs would increase. As a result of the report requirement, any local board of health that chooses to establish a syringe exchange program would experience an increase in administrative costs.

Detailed Fiscal Analysis

Establishment of Syringe Exchange Program

The bill permits a local board of health to establish a syringe exchange program. Prior to establishing a program, the board must meet with interested parties to consider a variety of issues. If a program is established, then the bill outlines the minimum requirements. In addition, the bill allows the board to contract with a private, nonprofit organization to operate the program on the board's behalf.

Background Information

According to a Cleveland Plain Dealer¹ article published in September 2010, the only syringe exchange program is operated by the Free Medical Clinic of Greater Cleveland. As of July 2010, the program had over 1,150 participants. According to the article the George Gund Foundation and the AIDS Funding Collaborative provide the majority of funding for the syringe exchange program. The George Gund Foundation is a private, nonprofit institution. The AIDS Funding Collaborative is one of 30 community partnerships of AIDS United, which combines private funding and advocacy with a network of state and local partners.

Fiscal Impact

Under the bill, a local board of health that chooses to establish and implement a syringe exchange program would experience an increase in costs. In 2010 the U.S. Department of Health and Human Services issued guidelines to state and local entities concerning the use of federal funds for syringe exchange programs.

In addition, it is possible that there could be indirect savings for the state associated with reduced cases of blood-borne diseases. Examples of programs that provide health care services to treat blood-borne diseases are the Medicaid Program, which is operated by the Ohio Department of Job and Family Services and the Ryan White/Ohio HIV Drug Assistance Program, which is operated by the Ohio Department of Health. It is also possible that there could be indirect costs to the state since any syringe exchange program is required under the bill to encourage participants to seek appropriate medical, mental health, and other social services.

Criminal Liability

The bill provides that employees and volunteers carrying out program duties are not subject to criminal liability under drug paraphernalia laws. Additionally, injection drug users within 1,000 feet of a program facility who are in possession of a wallet certificate stating that the user is in a syringe exchange program are also not subject to these laws.

¹ http://www.cleveland.com/healthfit/index.ssf/2010/09/cleveland_has_ohios_only_legal.html.

Reports

Under the bill, a local board of health that establishes a syringe exchange program would be required to submit annual reports concerning the effectiveness of the program to the Ohio Department of Health (ODH). Additionally, ODH would be required to summarize the reports received and submit them to the standing committees of the General Assembly that are responsible for health legislation.

Fiscal Impact

As a result of the report requirement, any local board of health that chooses to establish a syringe exchange program would experience an increase in administrative costs. ODH would also experience an increase in administrative costs for summarizing and submitting the reports to the applicable committees of the General Assembly. It is likely that any increase would be minimal.