

Obstacles in harm reduction implementation

LESSONS FROM FOUNDING THE ORANGE COUNTY NEEDLE
EXCHANGE PROGRAM

KYLE BARBOUR, MEDICAL STUDENT, OCNEP FOUNDER



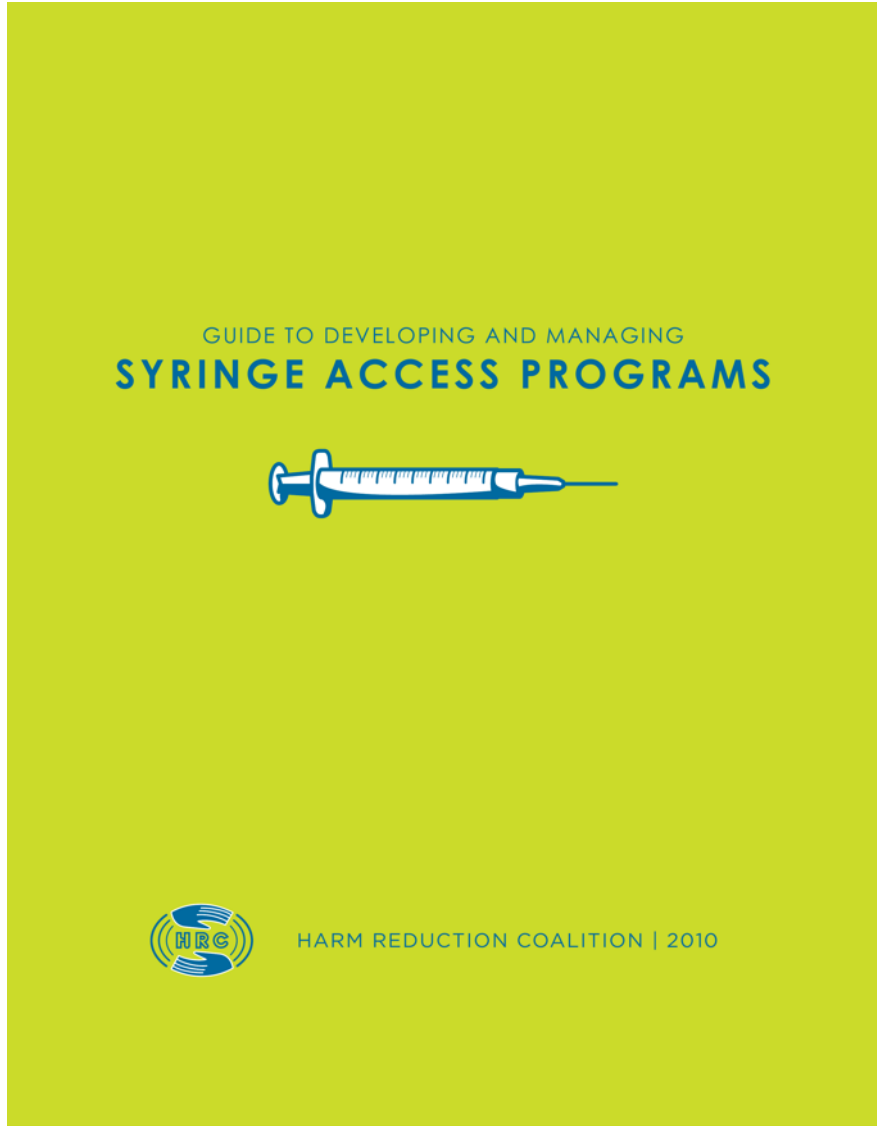
Presenter disclosures

- I have no financial or commercial relationships to disclose

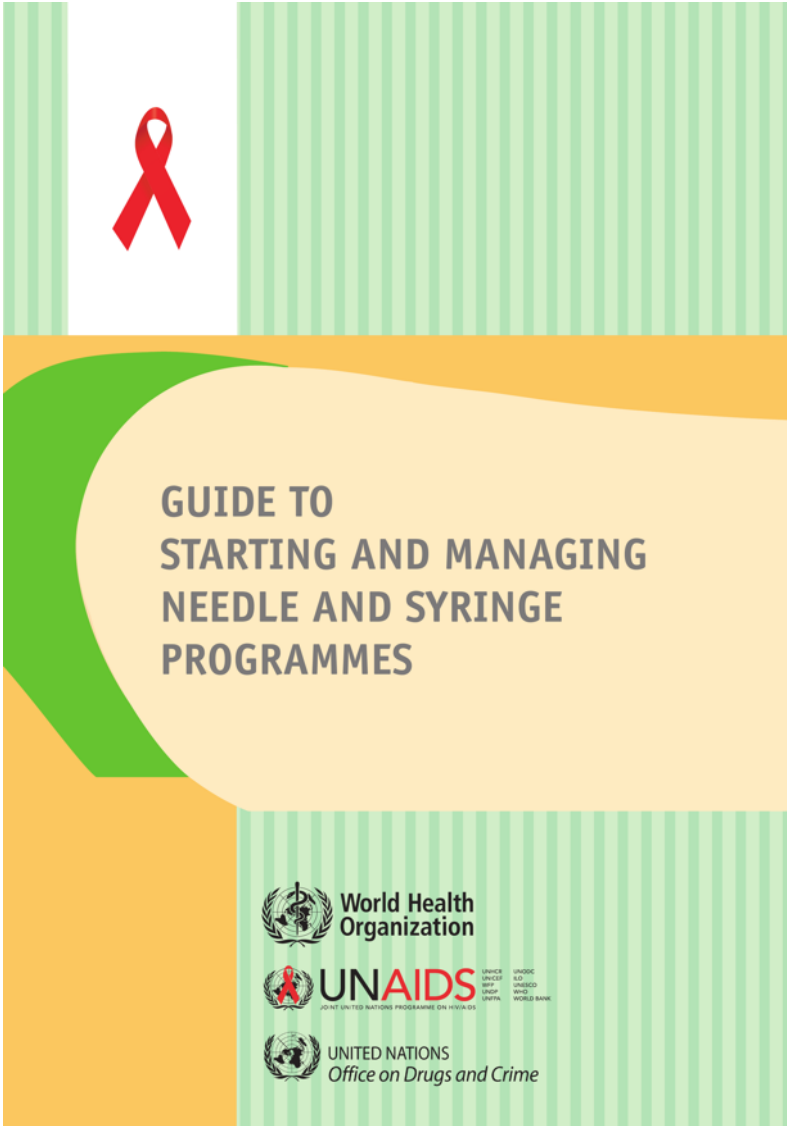
Orange County Needle Exchange Program (OCNEP)

- 6th largest county in the United States
- No syringe access programs
- We have been organizing to fill this gap

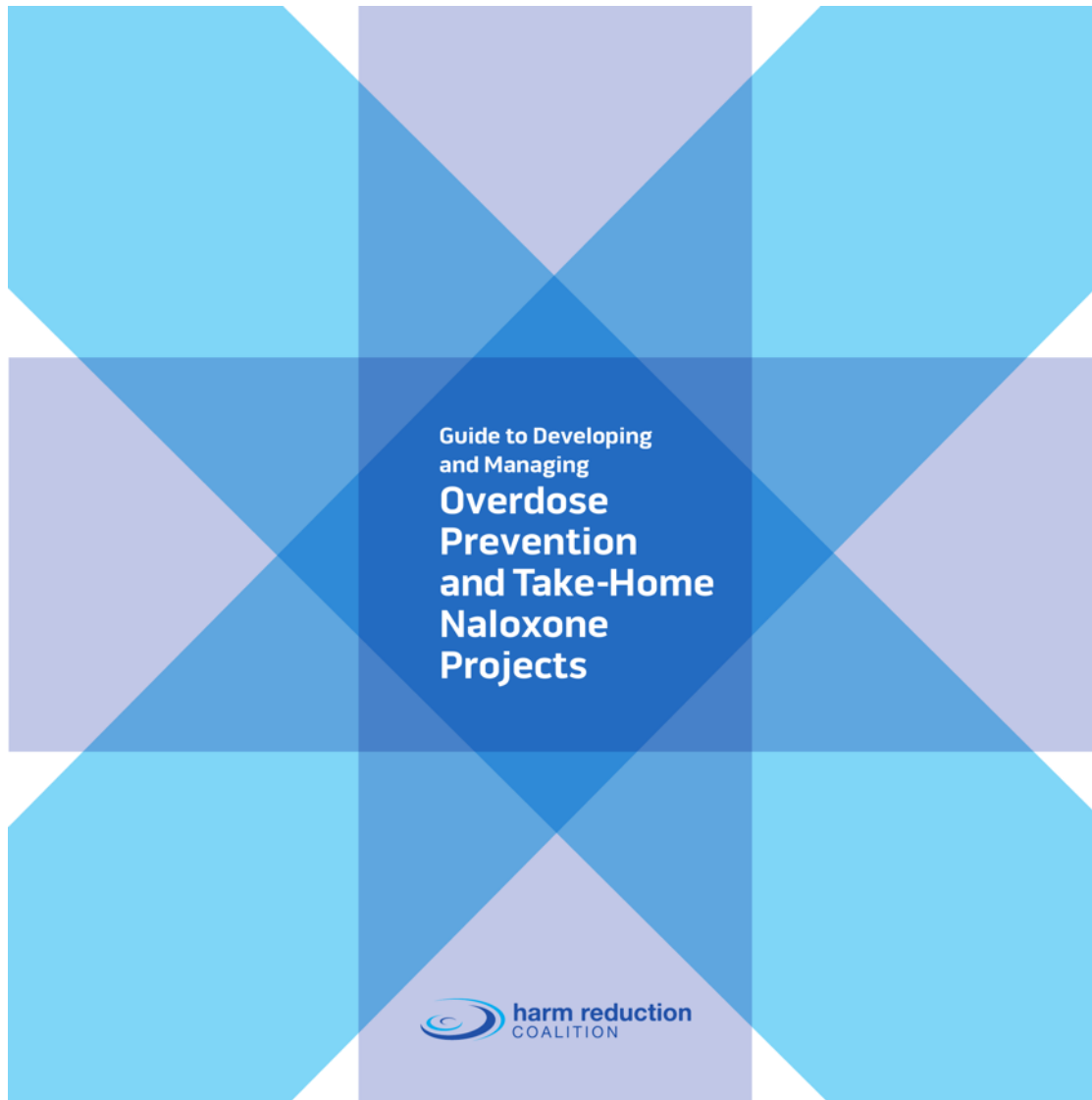
- This talk is about tactics we've learned in the process
- Several stellar free resources are available...



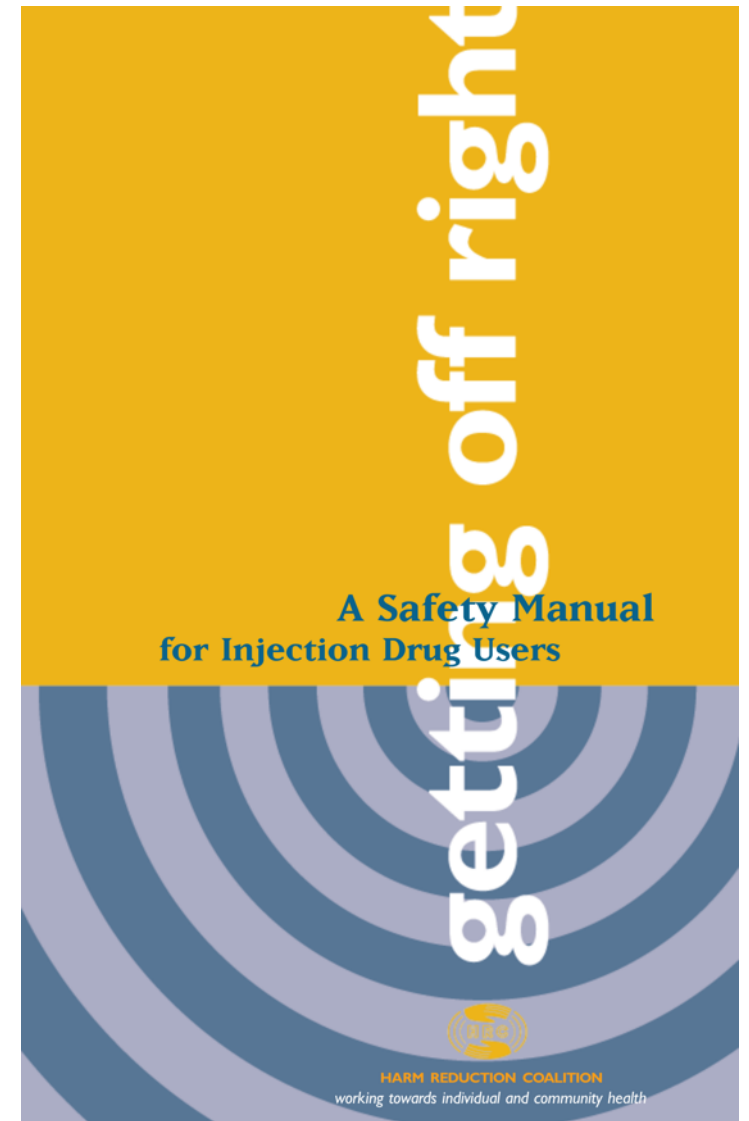
<http://harmreduction.org/shop/guide-to-developing-managing-syringe-access-programs/>



<http://www.who.int/hiv/pub/idu/needleprogram/en/>



[http://harmreduction.org/issues/overdose-prevention/
tools-best-practices/manuals-best-practice/od-manual/](http://harmreduction.org/issues/overdose-prevention/tools-best-practices/manuals-best-practice/od-manual/)



[http://harmreduction.org/drugs-and-
drug-users/drug-tools/getting-off-right/](http://harmreduction.org/drugs-and-drug-users/drug-tools/getting-off-right/)

1: Failure is good

2: Finding legal advice

- Bureaucracy has been our primary obstacle
 - Assurances to trust the system - “we’ll get back to you”, “these things take time”
 - Legal or administrative hurdles
- Can consume years of time that people dying of preventable diseases don’t have

2: Finding legal advice - examples

- Zoning
- Business licenses
- Navigating nonprofit licensure and other red tape
- Being held to medical clinic or hospital standards
- Illegal arrests (both of clients and staff)
- Confiscation of harm reduction supplies

2: Finding legal advice - solutions

- Pro bono representation through the UC Irvine School of Law clinic
- Other options:
 - Your local law school's Students for Sensible Drug Policy chapter
 - National organizations, such as the Drug Policy Alliance or the ACLU, who might have local connections which can help you
 - Local free legal clinics that help your target population



3: Obtaining approval

- In many places, needle exchanges work under local public health authorities
 - “State of emergency” authorization
 - Often ideal if a good relationship is possible
 - However, can require unacceptable concessions
 - Can be politically impossible
- What alternatives exist when this does not?
 - Option A: working with higher public health authorities
 - Option B: working with physicians or pharmacists

3A: Working with state public health

- If you can't get local approval, you might be able to get state approval
 - In California, requires consultation with local public health, police, and neighborhood associations and a 90 day public comment period

Upsides:

- Less local politics
- Formal processes might exist
- In theory, evidence-based
- Even if denied, may grant legitimacy and provide opening for intervention

Downsides:

- More state politics
- In reality, state authorities have same political barriers as local authorities
- Unlikely to take risks for you - still requires substantial political work

3B: Working under physician oversight

In many places, physicians and pharmacists are allowed to distribute and collect syringes without oversight

Upsides:

- No need for governmental approval of any kind
- In California, no need for prescription
- Immediate implementation possible
- Requires very little from volunteer doctors
- In hostile areas, a possible Plan A

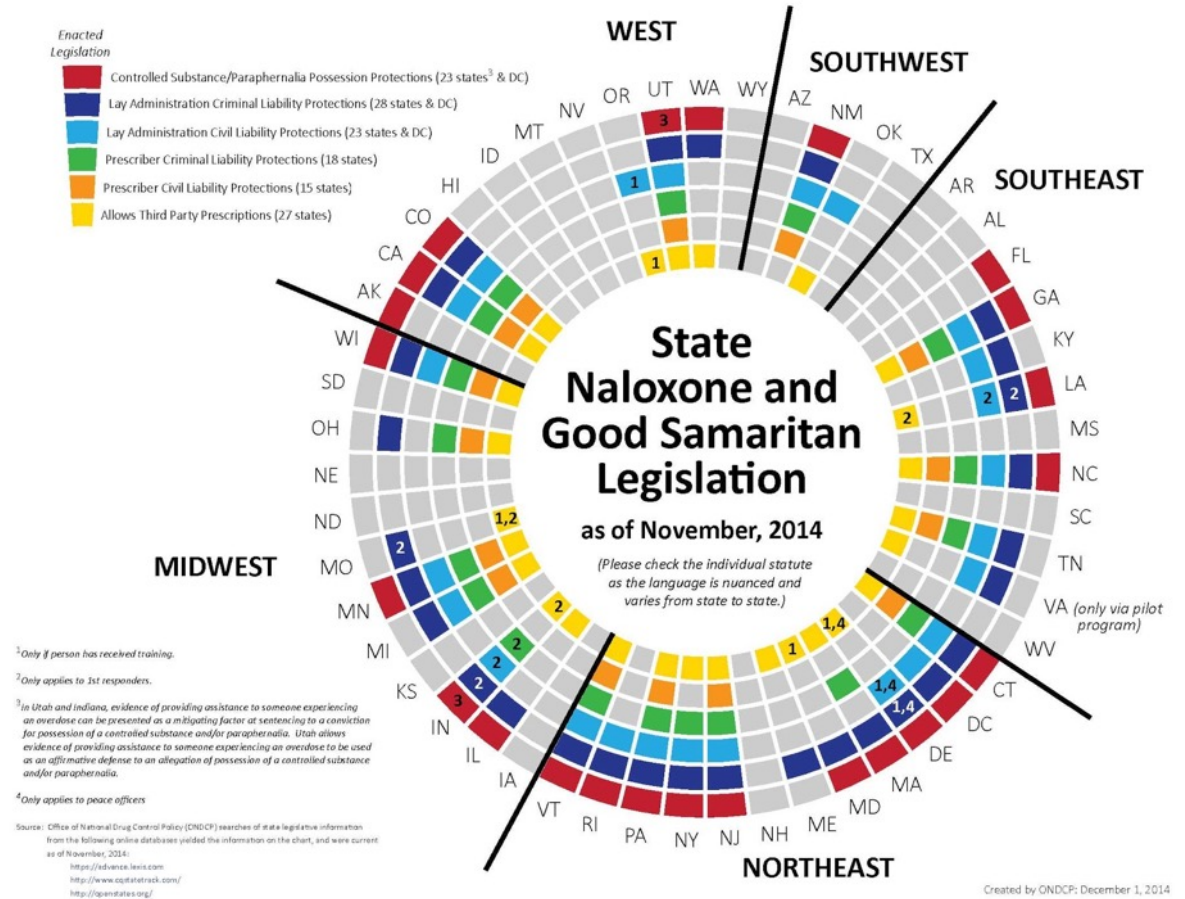
Downsides:

- May be considered a medical clinic and required to be zoned as such
- May need to cover malpractice
- Program depends wholly on busy clinicians
- May generate more hostility as program does not have 'official' approval

4: Things you can do in the meantime

Your clients need to trust you - building relationships with them can start now

Overdose prevention training and naloxone distribution have surprisingly few legal obstacles



4: Things you can do in the meantime

- Offer HIV and hepatitis C testing
 - Both are far easier than setting up a needle exchange in most states
- Distribute everything other than needles
 - Start with condoms, cookers, bleach kits, referrals, educational materials, and kindness
 - Know the paraphernalia laws in your area and what you can distribute
- Learn everything you can about the data
 - You will get grilled regularly on these facts
 - Know local HIV and hepatitis C data, efficacy studies, and safety studies

Questions?

Contact information:
kyle.barbour@uci.edu

Acknowledgements

- Dr. Brandon Brown, UC Irvine Program in Public Health
- Dr. Bharath Chakravarthy, UC Irvine Emergency Medicine
- UC Irvine School of Medicine
- Co-authors: Miriam McQuade, Jemma Alarcon, Ivy Ewald, Brandon Brown, PhD

