

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------------|-------|
| ADOPTED | <u> </u> | (Y/N) |
| ADOPTED AS AMENDED | <u> </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u> </u> | (Y/N) |
| FAILED TO ADOPT | <u> </u> | (Y/N) |
| WITHDRAWN | <u> </u> | (Y/N) |
| OTHER | <u> </u> | |

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee

3 Representative Jones offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (4) of section 381.0038, Florida
 8 Statutes, is amended to read:

9 381.0038 Education; sterile needle and syringe exchange
 10 pilot program.—The Department of Health shall establish a
 11 program to educate the public about the threat of acquired
 12 immune deficiency syndrome.

13 (4) The University of Miami and its affiliates may
 14 establish a ~~single~~ sterile needle and syringe exchange pilot
 15 program in Miami-Dade County, Broward County, and Palm Beach
 16 County. The pilot program may operate at a fixed location or

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17 through a mobile health unit. The pilot program shall offer the
18 free exchange of clean, unused needles and hypodermic syringes
19 for used needles and hypodermic syringes as a means to prevent
20 the transmission of HIV, AIDS, viral hepatitis, or other blood-
21 borne diseases among intravenous drug users and their sexual
22 partners and offspring.

23 (a) The pilot program must:

24 1. Provide for maximum security of exchange sites and
25 equipment, including an accounting of the number of needles and
26 syringes in use, the number of needles and syringes in storage,
27 safe disposal of returned needles, and any other measure that
28 may be required to control the use and dispersal of sterile
29 needles and syringes.

30 2. Operate a one-to-one exchange, whereby the participant
31 shall receive one sterile needle and syringe unit in exchange
32 for each used one.

33 3. Make available educational materials and referrals to
34 education regarding the transmission of HIV, viral hepatitis,
35 and other blood-borne diseases; provide referrals for drug abuse
36 prevention and treatment; and provide or refer for HIV and viral
37 hepatitis screening.

38 (b) The possession, distribution, or exchange of needles
39 or syringes as part of the pilot program established under this
40 subsection is not a violation of any part of chapter 893 or any
41 other law.

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42 (c) A pilot program staff member, volunteer, or
43 participant is not immune from criminal prosecution for:

44 1. The possession of needles or syringes that are not a
45 part of the pilot program; or

46 2. The redistribution of needles or syringes in any form,
47 if acting outside the pilot program.

48 (d) The pilot program must collect data for quarterly,
49 annual, and final reporting purposes. The annual report must
50 include information on the number of participants served, the
51 number of needles and syringes exchanged and distributed, the
52 demographic profiles of the participants served, the number of
53 participants entering drug counseling and treatment; the number
54 of participants receiving testing for HIV, AIDS, viral
55 hepatitis, or other blood-borne diseases; and other data
56 necessary for the pilot program. However, personal identifying
57 information may not be collected from a participant for any
58 purpose. Quarterly reports must be submitted to the Department
59 of Health ~~in Miami-Dade County~~ by October 15, January 15, April
60 15, and July 15 of each year. An annual report must be submitted
61 to the Department of Health by August 1 every year until the
62 program expires. A final report is due on August 1, 2021, to the
63 Department of Health and must describe the performance and
64 outcomes of the pilot program and include a summary of the
65 information in the annual reports for all pilot program years.

66 (e) State, county, or municipal funds may not be used to

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67 operate the pilot program. The pilot program shall be funded
68 through grants and donations from private resources and funds.

69 (f) The pilot program shall expire July 1, 2023 ~~2021~~.

70 Section 2. This act shall take effect July 1, 2018.

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T I T L E A M E N D M E N T

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Remove everything before the enacting clause and insert:

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An act relating to an infectious disease elimination pilot

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program; amending s. 381.0038, F.S.; authorizing the University

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of Miami and its affiliates to establish a sterile needle and

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syringe exchange pilot program in Broward County and Palm Beach

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County; establishing the pilot program criteria; providing that

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the possession, distribution, or exchange of needles and

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syringes under the pilot program is not a violation of the

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Florida Comprehensive Drug Abuse Prevention and Control Act or

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any other law; providing conditions under which a pilot program

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staff member, volunteer, or participant may be prosecuted;

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requiring the pilot program to collect certain data for

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reporting purposes; prohibiting the collection of personal

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identifying information from program participants; requiring the

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university and its affiliates to submit quarterly and annual

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reports to the Department of Health; requiring the university

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and its affiliates to submit a final report containing certain

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information and summaries to the department; prohibiting state,

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 579 (2018)

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92 | county, or municipal funds from being used to operate the pilot
93 | program; requiring the pilot program to be funded through
94 | private grants and donations; providing for expiration of the
95 | pilot program; providing an effective date.