

# Los Angeles County Disease Prevention Demonstration Project

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# Overview

- SB 1159 – Background
- Underlying Project Goal
- Program Components
  - Pharmacy Responsibilities
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  - State and Local Health Department Responsibilities
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# SB 1159 - Hypodermic Needles and Syringes

- Allows licensed pharmacists in California to sell ten or fewer hypodermic needles and syringes to a person 18 years old or older without a prescription. The pharmacy must be located in a county or city that has authorized the DPDP.
- Allows persons 18 years old or older to purchase ten or fewer hypodermic needles or syringes without a prescription from pharmacies that are registered with the DPDP.
- **Purpose:** To prevent the spread of HIV, hepatitis, and other blood-borne diseases among injection drug users, their sexual partners, and their children.



# Senate Bill 1159

## Hypodermic Needles and Syringes

- On September 29, 2004 Governor Arnold Schwarzenegger signed Senate Bill (SB) 1159 which created the Disease Prevention Demonstration Project (DPDP).
  - SB 1159 went into effect in 2005.
  - Nineteen jurisdictions in California have implemented the project.
  - LA County's DPDP began enrolling pharmacies in 2007.



# Underlying Project Goal

- **Disease Prevention:**

- 52,948 persons have contracted AIDS in Los Angeles County since 1982; of these approximately 14% or 7,253 cases were related to injection drug use.
- An estimated 160,000 persons in Los Angeles County have Hepatitis C. There are an estimated 4,000 new cases every year.
  - There is no cure for hepatitis C and no vaccine is likely to be developed in the near future. Medical complications, often occurring decades after initial infection, include cirrhosis, liver failure and liver cancer.



# Increasing Syringe Access

- **Increasing access to sterile syringes is cost-effective.**
  - Researchers computed the cost to implement a national program to increase syringe access. When compared to the cost of treating injection associated HIV and AIDS the savings were significant.
- **Increasing access to sterile injection equipment has strong support.**
  - National medical, scientific and legal bodies support the need for improved access to syringes as an essential step in reducing the transmission of blood borne pathogens.
    - National Academy of Science, American Medical Association, American Public Health Association, Centers for Disease Control and Prevention, American Pharmaceutical Association, Association of State and Territorial Health Officials (ASTHO), National Association of Boards of Pharmacy (NABP) and the National Alliance of State and Territorial AIDS Directors (NASTAD)
- Until the passage of SB 1159, California was one of only eleven states that prohibited the sale of syringes without a prescription.



# Non-Prescription Pharmacy Sales

- **Non-prescription pharmacy-based syringe sales reduce needle sharing.**
  - Research indicates that pharmacy syringe sales without a prescriptions, in conjunction with the provision of information regarding safe syringe disposal, HIV testing and drug treatment services, is an effective method of reducing needle sharing and transmission of blood-borne pathogens among injection drug users (IDUs).
- **Non-prescription syringe sales are associated with reduced HIV transmission.**
  - Research supports that non-prescription sale of syringes when combined with changes in paraphernalia laws, is an effective intervention to reduce needle sharing among injection drug users. In one study rates of needle sharing were examined in 96 cities across the nation. Prevalence of HIV among IDUs was significantly higher among IDUs in cities that prohibited the sale of syringes without a prescription.
- **Non-prescription syringe sales programs are cost-effective.**
  - Non-prescription syringe sales are cost-effective when compared to the cost of treating HIV and AIDS. In a study examining the cost-effectiveness of pharmacy based syringe sales and other methods of increasing access to sterile syringes, syringe sales were the most cost effective.



# Non-Prescription Pharmacy Sales

- **Pharmacy based syringe sales increase access to sterile syringes and reduce needle sharing among IDUs.**
  - In Connecticut, pharmacy based syringe sales implemented in 1992 resulted in increased access to sterile syringes and decreased needle sharing among IDUs. Non-prescription pharmacy syringe sales were found to be effective in reducing risky injection practices among injection drug users in Connecticut and Minnesota.
  - In Minnesota, where pharmacy-based syringe sales were allowed beginning in 1998, needle sharing among injection drug users decreased.
- **Pharmacy based syringe sales do not increase problems often associated with syringes and syringe disposal.**
  - Needle stick injuries to police officers dropped 66 percent in the six months following implementation of Connecticut syringe sales law. Pharmacy sales of syringes facilitate safe disposal of used syringes.



# Senate Bill 1159

## Hypodermic Needles and Syringes

- Allows licensed pharmacists in California to sell ten or fewer hypodermic needles and syringes to a person 18 years old or older without a prescription.
  - The pharmacy must be located in a county or city that has authorized the DPDP.
  - The pharmacy must be registered with the local DPDP.
- Allows persons 18 years old or older to purchase ten or fewer hypodermic needles or syringes without a prescription from pharmacies that are registered with the DPDP.
- SB 1159 deletes the requirement that a pharmacist keep detailed records of nonprescription sale of hypodermic needles and syringes and deletes the requirement that a signature and address be obtained from the person to whom the needle and syringe are furnished.



# Senate Bill 1159

## Hypodermic Needles and Syringes

- Paraphernalia Laws:
  - Authorizes, from January 1, 2005 to December 31, 2010, a person to possess ten or fewer hypodermic needles or syringes if acquired through an authorized source.
  - Syringes that have been appropriately containerized for safe disposal are exempt from paraphernalia statutes. This is a permanent change in the law and does not expire on December 31, 2010.
- Disposal:
  - Creates a new crime for the improper discard or disposal of a hypodermic needle or syringe upon the grounds of a playground, beach, park, or any public or private elementary, vocation, junior high or high school. A knowing violation of this prohibition is punishable by a fine (\$200-\$2000), imprisonment (up to 6 months), or both.



# Pharmacy Requirements

- **Register with a local health department** that has authorized DPDP
- **Certify that they will provide the consumer with verbal counseling or written information** on all of the following:
  - How to access drug treatment;
  - How to access testing and treatment for HIV and HCV; and
  - How to safely dispose of sharps waste.
- SB 1159 deletes the requirement that a pharmacist keep detailed records of non-prescription sale of hypodermic needles and syringes and deletes the requirement that a signature and address be obtained from the person to whom the need or syringe is furnished.



# Pharmacy Requirements

- **Store hypodermic needles and syringes safely** so that they are available only to authorized personnel
- **Provide one or more of the following syringe disposal options:**
  - Provide an on-site hypodermic needle and syringe collection and disposal program;
  - Furnish, or make available for purchase, mail-back sharps disposal containers that meet state and federal standards;
  - Furnish, or make available for purchase, personal sharps disposal containers.



# Consumer Components and Requirements

- **Age:** Allows persons 18 years or older to purchase ten or fewer hypodermic needles or syringes without a prescription and pharmacies that are registered with a local DPDP.
- **Possession:** Authorizes, from January 1 2005 to December 31 2010, a person to possess ten or fewer hypodermic needles or syringes if acquired through an authorized source.
- **Disposal:** Makes it unlawful to discard or dispose a hypodermic needle or syringe upon the grounds of a playground, beach, park, or any public or private elementary, vocation, junior high or high school. A knowing violation of this prohibition would be punishable by a fine (\$200 – \$2000), imprisonment (up to 6 months) or both.
- **Possession of containerized syringes:** Exempts syringes that have been appropriately containerized for safe disposal from paraphernalia statutes, i.e., those syringes cannot be used as evidence of possession of drug paraphernalia (a permanent change in law and does not sunset in 2010).



# California Department of Public Health Requirements

- **Advisory Panel:** SB 1159 requires CA-DPH to convene and uncompensated advisory panel comprised of specialists, representatives, and stakeholders from the State, health, pharmacy, law enforcement and waste management communities.
- **Evaluation:** Requires CA-DPH, in conjunction with the advisory panel, to evaluate the effect of allowing licensed pharmacists to furnish or sell a limited number of hypodermic needles or syringes without prescription, and provide a report to the Governor and Legislature on or before January 15, 2010.
- **Evaluation Components:** The report must examine the effect of nonprescription hypodermic needle or syringe sale on all of the following:
  - hypodermic needle or syringe sharing practices among those who inject illegal drugs;
  - rates of disease infection caused by hypodermic needle or syringe sharing;
  - needle stick injuries to law enforcement officers and waste management employees;
  - drug crime or other crime in the vicinity of pharmacies;
  - safe or unsafe discard of used hypodermic needles or syringes; and
  - rates of injection of illegal drugs.



# LA County Department of Public Health Components

- Receive and review enrollment forms.
- Enroll eligible pharmacies in the project.
- Maintain a list of pharmacies enrolled in the DPDP.
- Make available to pharmacies written information that may be provided or reproduced to be provided in writing or orally by the pharmacy to the customer at the time of furnishing or sale of nonprescription hypodermic needles or syringes.
  - how to access drug treatment
  - how to access testing and treatment for HIV and HCV
  - how to safely dispose of sharps waste



# Participating Pharmacies in Los Angeles County

- Los Angeles County has enrolled 275 pharmacies:
  - 37 Independent pharmacies
  - 142 Rite Aid pharmacies
  - 69 Walgreens pharmacies
  - 27 Longs Drug stores
- The City of Long Beach Department of Health and Human Services has enrolled 19 pharmacies:
  - 4 Independent pharmacies
  - 10 Rite Aid pharmacies
  - 5 Walgreen pharmacies



# Unresolved Issues

- Syringe Disposal
  - DPDP pharmacies
    - All participating pharmacies sell sharps containers
    - Less than five accept used sharps from customers
  - Other sources of syringe disposal
    - Needle exchange programs –
      - City of Los Angeles
      - Los Angeles County
    - Department of Public Works Program
    - Public Health Centers
- Future of the DPDP
  - Sunsets in 2010
  - Evaluation Findings



# LA County DPDP Contact Information

LA County SB 1159 Disease Prevention Demonstration Project

Department of Public Health

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