



# Harm Reduction & Policy Landscape in TN

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# Agenda

## TN SSP Legislation

## SSP Landscape in TN

- Model of Coordination
- Current Coverage & Gaps

## Legislative Barriers

- Zoning Requirements
- Additional Policy Impacting Harm Reduction Services

## TN Harm Reduction Hub



# TN SSP Legislation Overview

**When:** Signed into law in 2017 – amendments made in 2018 & 2023

**Who:** Non-governmental organizations & local health departments, following TDH approval

**Where:** 1,000+ feet from school/park

- 2,000+ feet from school/park in municipalities that have a population between **55,440–55,450** according to the 2020 census (i.e., Kingsport, TN)

**What:** free sterile needles/syringes and other injection equipment; disposal of needles/syringes; linkage to care for HIV, HCV, mental health, and substance use disorder (including MAT/MOUD); naloxone; and HIV, HCV, substance use disorder, and overdose prevention education.

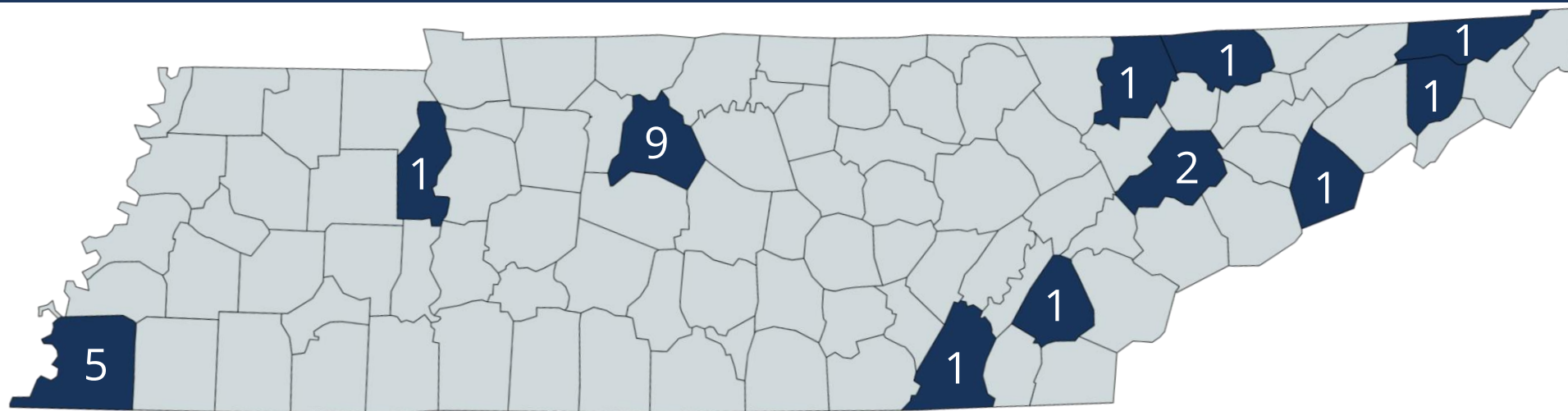




# A Model of Coordination

Program	Resources	Personnel Support	Data Support
<b>TDH HIV/STI/Viral Hepatitis</b>	<ul style="list-style-type: none"> <li>• HIV Funding*</li> <li>• HIV &amp; HCV Trainings</li> <li>• HCV test kits</li> </ul>	<ul style="list-style-type: none"> <li>• Viral Hepatitis Prevention Navigators</li> <li>• Viral Hepatitis Case Navigators</li> <li>• Perinatal Hepatitis C Navigators</li> <li>• HIV Capacity Building Assistance Team</li> </ul>	<ul style="list-style-type: none"> <li>• Annual SSP report</li> <li>• Monthly SSP reporting</li> <li>• HIV testing reporting</li> <li>• HIV/HCV outbreak vulnerability assessment</li> </ul>
<b>TDH Overdose Response Coordination Office (ORCO)</b>	<ul style="list-style-type: none"> <li>• Medical supplies</li> <li>• Marketing</li> <li>• Funding</li> </ul>	<ul style="list-style-type: none"> <li>• High Impact Area Navigators</li> </ul>	<ul style="list-style-type: none"> <li>• HIA quarterly report</li> </ul>
<b>TDH Office of Informatics &amp; Analytics (OIA)</b>	—	<ul style="list-style-type: none"> <li>• Data Analysts</li> <li>• Hal Rogers meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Overdose report</li> <li>• MAT report</li> </ul>
<b>TN Dept of Mental Health and Substance Abuse Services (TDMHSAS)</b>	<ul style="list-style-type: none"> <li>• Naloxone</li> <li>• Fentanyl test strips</li> <li>• Xylazine test strips (<i>coming soon</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Regional Overdose Recovery Specialists</li> <li>• Project Rural Recovery</li> <li>• Lifeliners</li> </ul>	<ul style="list-style-type: none"> <li>• Overdose prevention data (Naloxone and fentanyl test strip)</li> </ul>

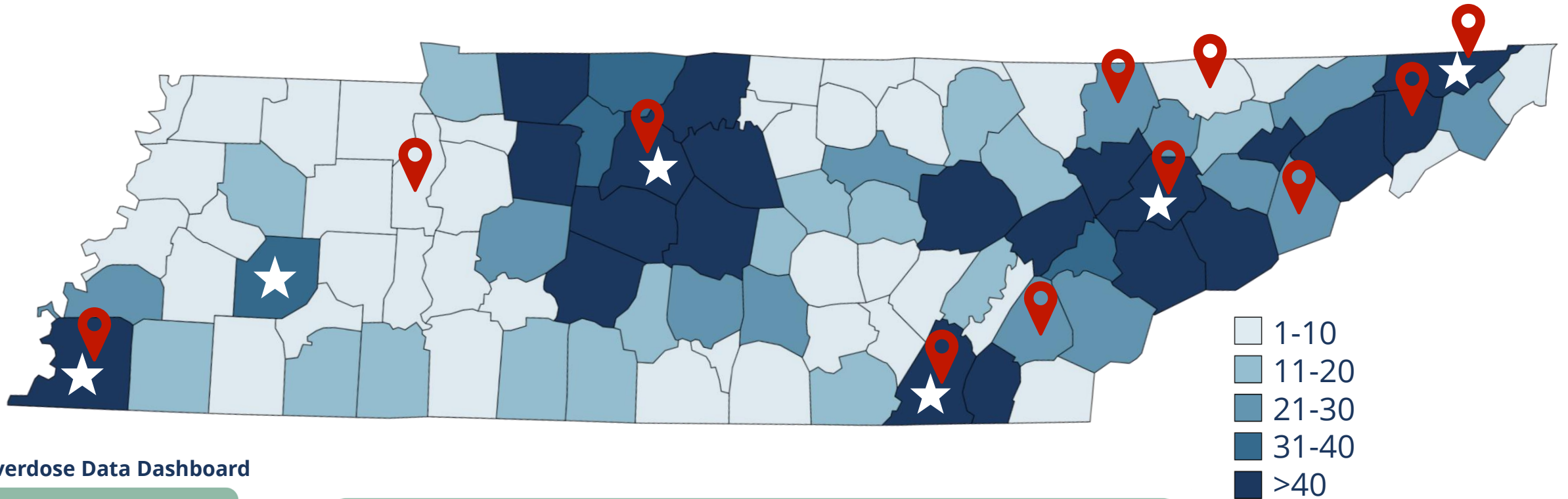
# Current TN SSPs



Agency	Location(s)	Agency	Location(s)
A Betor Way	Memphis	Partnership to End AIDS Status (PEAS)	Memphis
Cempa Community Care	Chattanooga, Athens, Bristol, Johnson City	SisterReach	Memphis
Choice Health Network	Knoxville, Clairfield, Newport	Street Works	Nashville
Hellbender Harm Reduction	Knoxville	Tennessee Harm Reduction	Camden
Live Free Claiborne	Tazewell	TN Recovery Alliance	Knoxville
Meharry Medical College	Nashville	Vanderbilt Comprehensive Care Clinic	Nashville
Memphis Area Prevention Coalition (MAPC)	Memphis	WeCareTN	Memphis
Nashville CARES	Nashville	<b>For an updated list of locations, visit <a href="https://tinyurl.com/TNSSPs">https://tinyurl.com/TNSSPs</a></b>	



# TN Fatal Overdose & SSP locations



Overdose Data Dashboard

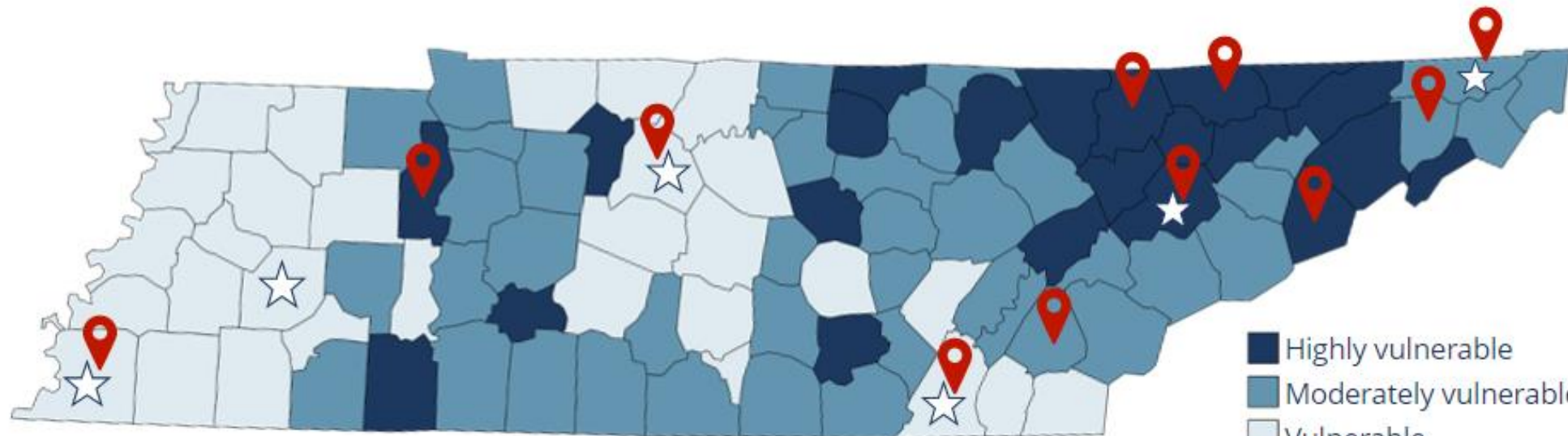


SSPs prevent overdose deaths by distributing naloxone and providing education on how to prevent overdose as well as recognize, respond to, and reverse a drug overdose using naloxone

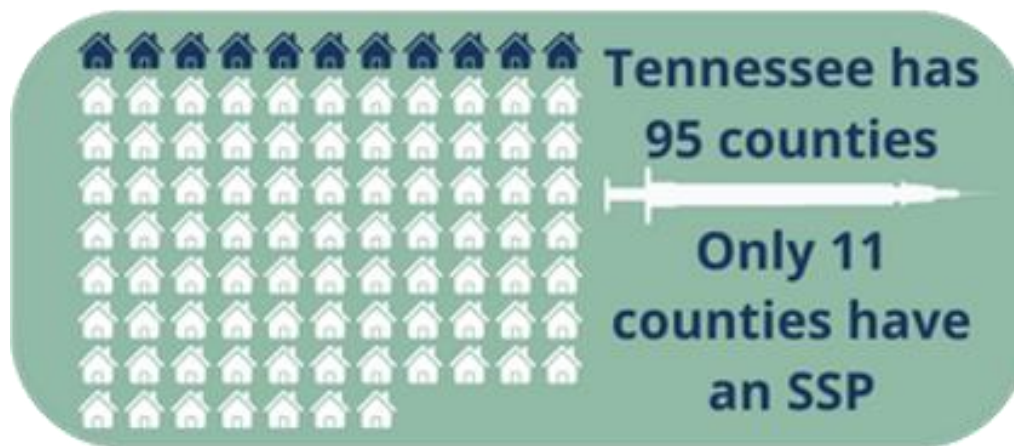


# TN HIV/HCV Vulnerability & SSP Locations

As of 2023, only 5 of TN's 22 highly vulnerable counties have an SSP



Access the HIV/HCV  
Vulnerability Assessment here:



# SSP Legislation: Zoning Restrictions

2017

All SSPs must operate 2,000 ft. from any school or public park

2018

Restriction reduced to 1,000 feet from any school or public park in some metro counties (Shelby, Davidson, Knox, and Hamilton)

2023

Restriction reduced to 1,000 feet from any school or public park statewide

- *exception: municipalities that have a population between 55,440-55,450 according to the 2020 census (i.e., Kingsport, TN)*



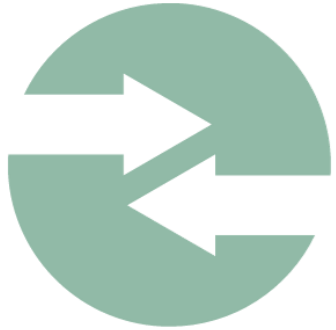
## Zoning Restriction Impact

- Difficult to establish SSPs, especially in high-need areas
- Difficult to meet community "where they are"
- Inability to implement responsive SSP models
  - truly mobile SSPs, pop-up SSPs, and peer distribution



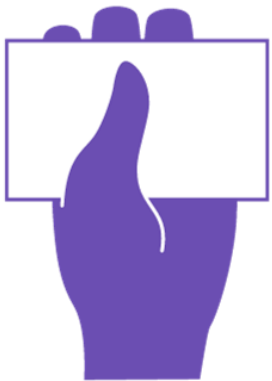


# SSP Legislation: “Limited Immunity”



Tennessee law provides limited immunity that protects employees, volunteers, or participants from being charged with possession of needles, syringes, or other injection supplies, **if obtained or returned to an SSP**

- Only applies to a participant's possession when they are **engaged in or in transit to or from the exchange**
- Includes supplies with residual amounts of a controlled substances



Participants must provide **written verification of their affiliation with an SSP** (such as a participant ID card) to the arresting officer or law enforcement agency to be granted limited immunity



# TN Laws That Impact Harm Reduction Efforts

“Drug paraphernalia” means all equipment, products and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body, a controlled substance as defined in subdivision (4).

“Drug paraphernalia” includes, but is not limited to:

1. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant that is a controlled substance;
2. Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances; and
3. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, marijuana concentrates, marijuana oil, cocaine, hashish, or hashish oil into the human body



# TN Laws That Impact Harm Reduction Efforts

## Fentanyl Test Strips – Amends Drug Paraphernalia Definition

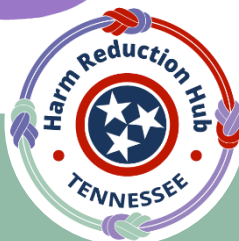
SECTION 1. Tennessee Code Annotated, Section 39-17-402(12)(B), is amended by deleting the subdivision and substituting:

(B) Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness, or purity of controlled substances, other than narcotic testing equipment used to determine whether a controlled substance contains a synthetic opioid

Imbedded Sunset Clause: This subdivision (12)(B)(ii) is repealed on July 1, 2025

## Fentanyl as a Felony – "One Pill Will Kill Act"

Adds fentanyl, carfentanil, remifentanil, alfentanil, and thiafentanil to what constitutes a qualifying controlled substance for purposes of certain felony offenses



# TN Laws That Impact Harm Reduction Efforts

## Xylazine Legislation

ON APRIL 21, 2023, THE SENATE SUBSTITUTED HOUSE BILL 1242 FOR SENATE BILL 1398, ADOPTED AMENDMENT #2, AND PASSED HOUSE BILL 1242, AS AMENDED.

AMENDMENT #2 removes the short title and removes designation in this bill of xylazine and related equivalents as controlled substances in Schedule III and, instead, creates a Class A misdemeanor to knowingly possess xylazine and related equivalents, a Class C felony to knowingly manufacture, deliver, or sell xylazine and related equivalents, a Class C felony to knowingly possess xylazine with intent to manufacture, deliver, or sell xylazine and related equivalents. This amendment provides that it is not an offense:

**Fate of Xylazine Test Strips:** currently not considered drug paraphernalia because the attempt to schedule xylazine as a Schedule III drug failed to pass



# TN Laws That Impact Harm Reduction Efforts

2014

## "Good Samaritan" Law

*Public Chapter 623*

An individual may administer naloxone to someone they reasonably believe is overdosing on an opioid

2018

## Pharmacy Practice

*Public Chapter 596*

Collaborative pharmacy practice agreement to dispense naloxone without a prescription



# TN Laws That Impact Harm Reduction Efforts

2022-  
2023

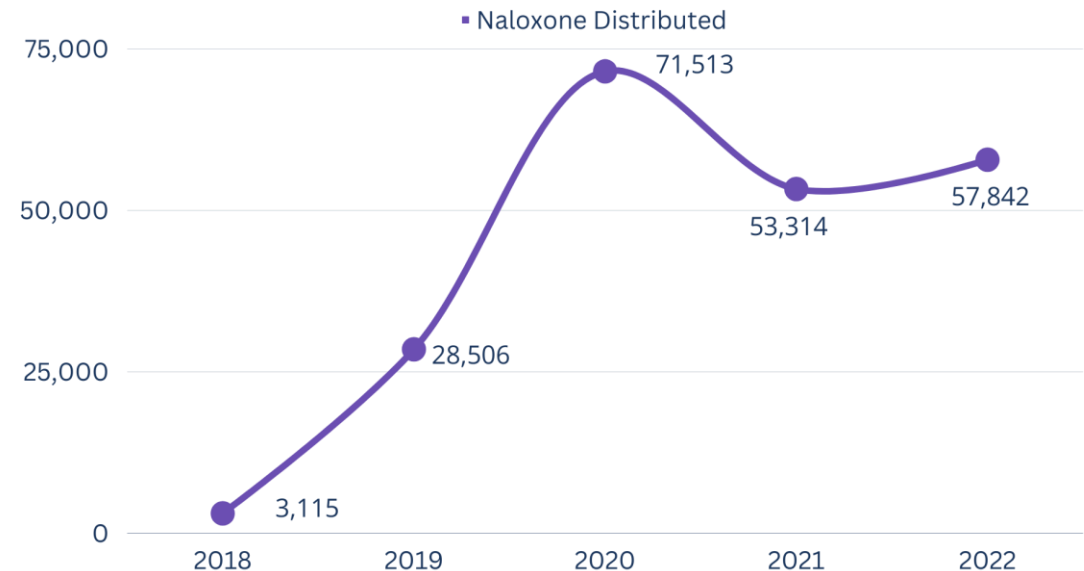
## Recent Naloxone Revisions

### *Public Chapter 749*

- Requires providers to offer naloxone alongside most opioid prescriptions
- Removes Naloxone Training Requirements

### *Public Chapter 41*

- Extends criminal immunity to a person experiencing a second or subsequent drug overdose
- At the discretion of the responding law enforcement officer or the DAG



# Funding Landscape

## Historically HIV prevention federal funding supported SSPs

- PS18-1802 - HIV prevention base grant
- PS20-2010 - Ending the HIV Epidemic Grant Specific to Shelby County

## Current HIV Funding Landscape and impact on SSPs

- Former HIV/STI/VH Medical Director advocated for SSP funding and for previously funded SSPs to be written into state law
- Funding the expansion of SSP services to new locations or with new agencies remains uncertain and limited under current funding model



# TN Harm Reduction Hub



**Vision:** Provide support and resources to emerging and existing harm reduction efforts in Tennessee

## TN Harm Reduction Hub Goals

1. Assist in the establishment of emerging SSP and harm reduction programs in TN
2. Aid in the expansion of existing SSPs and harm reduction programs across TN
3. Increase harm reduction knowledge and acceptance across TN
4. Coordinate a community of practice among SSP and harm reductionists across TN

