AB 362 – Overdose Prevention Programs

SUMMARY
This bill allows the Board of Supervisors of San Francisco the discretion to authorize overdose prevention programs where adults may use controlled substances under supervision of staff trained to prevent and treat overdose, prevent HIV and hepatitis infection, and facilitate entry into drug treatment and other services. This law would be repealed January 1, 2026.

BACKGROUND
According to the California Department of Public Health, drug overdose is a leading cause of accidental death in California. In 2013, California hospitals treated roughly one overdose every 45 minutes, while heroin and opiate use continues to rise.

According to the federal Centers for Disease Control and Prevention, in 2010 nearly 4,000 new cases of HIV were attributed to unsafe injections, and heroin overdose mortality in the United States nearly tripled between 2010 and 2014. Many of the most marginalized and high-risk drug users, who lack housing and other supports, inject in public spaces without clean equipment or a readily accessible method of syringe disposal.

Overdose Prevention Programs, or Supervised Consumption Services, have been utilized in Vancouver, Sydney, and approximately 100 other cities around the world to reduce overdose death and injury, decrease public health concerns like discarded syringes and public injection, reduce the transmission of infectious diseases, and provide entry to treatment for this most marginalized group.

In addition to these benefits, research has shown that these programs do not encourage additional drug use or increase crime in the surrounding area, and potentially save millions of dollars in healthcare and incarceration costs. For these reasons, the American Medical Association endorsed piloting these sites in June 2017.

THIS BILL
AB 362 would allow, pursuant to a vote of the Board of Supervisors of San Francisco, exemptions from state controlled substance offenses for employees, staff, volunteers, and clients of health facilities intended to reduce drug overdose death and to facilitate entry into drug treatment.

AB 362 requires any such program to provide access to drug treatment and other services, maintain specified safety and security protocols, and to be accountable to local governments for data collection and reporting.

This bill only allows for authorization of programs for adults, aged 18 years and older, in San Francisco, and requires the local government to hold a public hearing with input from law enforcement, public health, and the general public.

It has a sunset date of January 1, 2026.

CO-SPONSORS
CA Association of Alcohol and Drug Program Executives
California Society of Addiction Medicine
Drug Policy Alliance
Harm Reduction Coalition
Healthright 360
Project Inform
San Francisco AIDS Foundation
Tarzana Treatment Center

SUPPORT
San Francisco Public Defender
AIDS Legal Referral Panel
Any Positive Change
APLA Health
Coalition on Homelessness, SF
Community Aid and Resources
Community Housing Partnership
Consumer Attorneys of California
CORE Medical Clinic
Desert AIDS Project
Ella Baker Center for Human Rights

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**SUPPORT (continued)**
Face to Face – Sonoma County AIDS Network
Glide Foundation
Harvey Milk LGBTQ Democratic Club
HIVE
Homeless Health Care Los Angeles
Larkin Street Youth Services
San Francisco Drug Users’ Union
Shanti Project
St. Anthony’s Foundation
Tenderloin Neighborhood Development Corporation
Tenderloin People’s Congress
Transitions Clinic Network

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