



FACT SHEET

ABOUT THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, OFFICE OF AIDS SYRINGE EXCHANGE CERTIFICATION PROGRAM

December 2014

Syringe exchange programs (SEPs) have been operating in California since the late 1980s, providing sterile syringes, collecting used ones, and acting as a point of access to health care and help for people who inject drugs.

As part of California's efforts to prevent the spread of HIV and other blood-borne diseases, California [Health and Safety \(H&S\) Code Section 121349](#) outlines **two specific mechanisms** by which a syringe exchange program may be authorized to operate.

1. Programs may be authorized by county or city government.
2. Programs may also be authorized by the California Department of Public Health, Office of AIDS (CDPH/OA) **in any location where the department determines that the conditions exist for rapid spread of HIV, viral hepatitis, or other blood-borne diseases.**

Under California H&S Code Section 12139:

- Applicants may apply directly to CDPH/OA for authorization, rather than to their local county or city government.
- Applications must meet minimal requirements outlined by H&S Code Section 121349 to be considered. The requirements include a list of basic services that must be provided (including, but not limited to referrals to drug treatment and mental health programs), sufficient funding to provide the services and capacity to collect required data. (See <http://www.cdph.ca.gov/programs/aids/Pages/FAQs.aspx> for details.)
- Once the Department determines that an application meets these requirements and deems the applicant provisionally appropriate CDPH/OA must post information about the

application on its website and a 90-day public comment period begins.

- During this period CDPH/OA must consult with local law enforcement, the local health officer, and, if one exists, the neighborhood association of the proposed location.
- After the 90-day public comment period CDPH/OA has 30 business days in which to make the decision. In making the determination, the Department is required to **balance the concerns of law enforcement with the public health benefits.**
- SEP certification is granted for two years. Before the end of the two-year period, the Department may reauthorize the program in consultation with the local health officer and local law enforcement leadership.

Additional information about the CDPH/OA Syringe Exchange Certification Program is available at:

<http://www.cdph.ca.gov/programs/aids/Pages/SyringeExchangeCertificationProgram.aspx>.

The webpage includes information for applicants and stakeholders and addresses key questions on the [Frequently Asked Questions](#) page.

Information on other aspects of syringe access, including California law allowing adults to possess syringes for personal use, is available at www.cdph.ca.gov/syringeaccess.