



MARK B HORTON, MD, MSPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



ARNOLD SCHWARZENEGGER
Governor

November 8, 2010

TO: ALL INTERESTED PARTIES

SUBJECT: NON-PRESCRIPTION SYRINGE SALE IN PHARMACIES, ASSEMBLY
BILL 1701 (CHESBRO, STATUTES OF 2010, CHAPTER 667)

On September 30, 2010, Governor Arnold Schwarzenegger signed into law [Assembly Bill \(AB\) 1701](#). The bill extends until 2018 the current program which allows pharmacy sale of syringes without a prescription in any city or county that authorizes a Disease Prevention Demonstration Project (DPDP). DPDP is a powerful intervention for prevention of blood-borne infections among injection drug users (IDUs), their partners, and children that has been authorized in 16 counties and an additional four cities in California.

DPDP was established in 2005 when Senate Bill (SB) 1159 (Vasconcellos, Statutes of 2004, Chapter 608) established a pilot program to allow California pharmacies, when authorized by a local government, to sell up to ten syringes without a prescription to an adult. The requirements of DPDP are minimal. Participating local health departments must register interested pharmacies and provide them with appropriate educational materials; participating pharmacies are required to provide specified information to their customers, store syringes securely, and provide for syringe disposal through any one of a number of methods, including sale of personal sharps containers. A fact sheet that describes the components of DPDP in more detail is available on the California Department of Public Health, Center for Infectious Diseases, Office of AIDS (OA) [Web site](#).

AB 1701 leaves authorization and implementation of DPDP to individual local health jurisdictions (LHJs) that decide to opt-in, and neither requires nor provides funding for state oversight of its execution. However, OA provides extensive technical assistance to LHJs interested in DPDP authorization and implementation. Technical assistance and information is available from OA's Injection Drug Use Specialist, Alessandra Ross, at (916) 449-5796 or e-mail at: alessandra.ross@cdph.ca.gov. Additionally, a brief

educational DVD for pharmacists about the program, "A Fundamental Service," is available [online](#) for pharmacy recruitment and for education of current and new pharmacy staff. The DVD, which can be ordered free-of-charge from the [California AIDS Clearinghouse](#), also includes Frequently Asked Questions and other helpful materials and handouts for local pharmacies, stakeholders, and health departments. A wide range of materials, from pharmacy registration forms to sample county ordinances, are also available on OA's [Web site](#) to assist health departments in implementing this low-cost and effective prevention intervention.

The 2005 legislation required OA to conduct an extensive evaluation of DPDP. OA evaluators collaborated with independent researchers to produce the report, which provides a comprehensive description of the implementation and outcomes of the five-year pilot and was [posted online](#) on July 16, 2010. The report concluded that DPDP is having the desired effect of augmenting access to sterile syringes. At the same time, negative outcomes tied to the program have not been observed. In addition:

- The evaluation found no effect on rates of drug use, unsafe discard of syringes, crime rates, or rates of accidental needle-stick injury to law enforcement personnel or other negative effects.
- Evaluators found that self reports of syringe sharing among IDUs were fewer in LHJs which had authorized a DPDP. Between 30 percent and 47 percent of IDUs in DPDP authorizing counties reported never sharing syringes. In counties that did not authorize non-prescription syringe sales, never sharing rates were lower, ranging from 22 percent to 32 percent.
- Early adopting counties (which authorized DPDPs in 2005) experienced significant increases in IDUs' use of pharmacies as a source of sterile syringes.
- Amphetamine injectors, Latino and White IDUs were more likely to report relying on pharmacies as a source of syringes than other groups, indicating that pharmacies may be reaching a different subpopulation of IDUs.
- While some parts of the state with high HIV prevalence now allow non-prescription syringe sales, there are regions that lack legal access to sterile syringes that have not engaged in the process necessary to authorize a DPDP.
- The DPDP approval process is similar to California's legalization of syringe exchange programs and provides a contrast to the majority of other states that offer nonprescription syringe sales on a statewide basis.

All Interested Parties
Page 3
November 8, 2010

Please feel free to contact me at (916) 449-5812 or e-mail at: Brian.Lew@cdph.ca.gov
or contact Alessandra Ross with any questions you may have.



Brian D. Lew, M.A., Chief
HIV Prevention Branch
Office of AIDS

cc: Ms. Alessandra Ross
IDU Specialist
HIV Prevention Branch
Office of AIDS
California Department of Public Health
MS 7700
P.O. Box 997426
Sacramento, CA 95899-7426

Ms. Barbara Weiss, Chief
HIV Prevention Program Section
Office of AIDS
California Department of Public Health
MS 7700
P.O. Box 997426
Sacramento, CA 95899-7426

Ms. Sandy Simms, Chief
HIV Prevention Operations Section
Office of AIDS
California Department of Public Health
MS 7700
P.O. Box 997426
Sacramento, CA 95899-7426

Michelle Roland, MD, Chief
Office of AIDS
California Department of Public Health
MS 7700
P.O. Box 997426
Sacramento, CA 95899-7426