



KAREN L. SMITH, MD, MPH
Director and State Health Officer

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



EDMUND G. BROWN JR.
Governor

June 26, 2015

TO: ALL INTERESTED PARTIES

SUBJECT: NOTICE OF DENIAL OF THE ORANGE COUNTY NEEDLE EXCHANGE PROGRAM

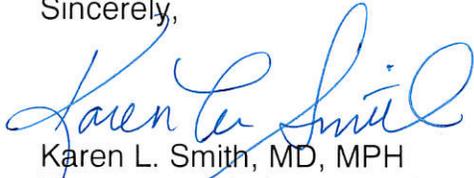
After careful review, the California Department of Public Health (CDPH) has decided to deny the application of the Orange County Needle Exchange Program (OCNEP) to provide syringe exchange services at the LGBT Center OC located in the French Court neighborhood in Santa Ana, California. Although the application was strong in many respects, the budget submitted with the original application was deemed insufficient because it lacks adequate funding to provide for the required services, as identified in California Health & Safety Code section 121349, subdivision (d)(1)(F)(3), at reasonably projected program participation levels.

Additionally, CDPH was charged by Governor Brown to administer the syringe exchange program (SEP) certification in “a constrained way,” by working closely with health officers, police chiefs and neighborhood associations. In his signing letter enacting Assembly Bill (AB) 604 (Skinner, Chapter 744, Statutes of 2011), Governor Brown stated that when the program was implemented it would both reduce the spread of communicable diseases and would “respect...local preferences.” Opposition from City of Santa Ana staff, the representative of the local neighborhood association, and from the Santa Ana chief of police centers around the proposed location of the SEP, rather than the SEP itself. This opposition is sufficient evidence that local preferences for SEP location would be violated by authorizing OCNEP to operate at this location.

OCNEP has 60 days from this notice date to address the deficiencies and re-apply to CDPH/OA. Additionally, OCNEP has 30 days from this notice date to appeal this decision and request a hearing.

CDPH's goal is to ensure that both SEP clients and the SEP's hosting community benefit from the program. CDPH appreciates the time, energy and dedication of the individuals involved in developing the proposal, and those who provided input on this application.

Sincerely,

A handwritten signature in blue ink that reads "Karen L. Smith". The signature is written in a cursive, flowing style.

Karen L. Smith, MD, MPH
Director and State Health Officer