

## Office of the City Manager

### Testimony in Support of LD 219 An Act to Limit Hypodermic Apparatus Exchange Programs to a One-for-One Exchange

March 17, 2024

Senator Henry Ingwersen, Chair  
Representative Michele Myer – Chair  
Members of the Health and Human Services Committee

The City of Sanford by Resolution passed on October 15<sup>th</sup>, 2024 by the Sanford City Council, hereby offers Testimony in Support of LD 219 to limit licensed Syringe Service Programs to a one-for-one exchange of syringes.

The City of Sanford worked with the Maine CDC and DHHS over the span of not less than 5 years upon the certification of a Syringe Services Programs d/b/a Maine Access Points became licensed by the State to operate in Sanford. There was an immediate increase in the number of inappropriately discarded syringes found everywhere on private and public properties. The Maine CDC indicated repeatedly that it was subject to Harm Reduction for the clients of the service and failed to recognize the Public Health Hazard created by the inordinate number of syringes discarded across the City.

For nearly 25 years the Syringe Services Programs operated at a 1:1 exchange. On September 1, 2022, the Maine CDC by Emergency Rule Making eliminated the requirement for a 1:1 exchange program and replaced it with the allowance of a 1:1+ Program providing for 100 syringes per Consumer per visit. In November of 2022, the Maine CDC adopted the 1:1+ Program allowance as Routine Technical Rule, remaining in effect today.

The City of Sanford saw a direct correlation of increased numbers of inappropriately discarded needles and made the Maine CDC aware of the public health crisis imposed upon all people within Sanford of the contaminated syringes. The Maine CDC and DHHS failed to recognize the dangers and took no Action. The City further documented the removal of 14,716 inappropriately discarded syringes of the documented 19,722 syringes NOT returned to the Program (syringes were not exchanged) in 2023. Maine CDC refused to amend their Program allowances.

Therefore, on October 15, 2024 the City of Sanford passed the attached Resolution. The City further enacted an Emergency Ordinance to limit any State Licensed Syringe Service Program operated within Sanford to provide ONLY a 1:1 Exchange and NOT the 1:1+ Program allowed by the CDC. The City further enacted the Ordinance limiting operations to 1:1 as permanent on March 4, 2025.

City Manager: Steven R. Buck

City Council: Becky A. Brink, Mayor | Maura A. Herlihy, Deputy Mayor |

Robert G. Stackpole | Ayn M. Hanselmann | Peter E. Tranchemontagne | Jonathan Martell | Nathan H. Hitchcock



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The City of Sanford can now document the extreme reduction of inappropriately discarded syringes across our City. The State licensed Syringe Service Program continues to operate in Sanford under the pretense of Harm Reduction for its Clients due to blood-borne pathogens. The City's Ordinance actions continues to provide Harm Reduction to our Residents by limiting exposure to discarded contaminated syringes.

Pursuant to the City's Actions, and for all the statements of fact within the Attached Resolution, the City of Sanford supports the passage of LD 219 to address the Public Health Crisis stems from exposures to the inappropriate discard of contaminated syringes. Harm Reduction should be for ALL People of Maine and NOT just those using injectable medications of drugs.

The City of Sanford supports LD 219.

Submitted on Behalf of the City of Sanford

Steven R. Buck  
City Manager

## Sanford City Council

### **Resolution to Amend the Rules Governing the State of Maine Hypodermic Apparatus Exchange Programs (Syringe Services Programs) to Protect the Public from Exposure from Inappropriately Discarded Syringes**

October 15<sup>th</sup>, 2024

**Whereas**, the City of Sanford acknowledges there is a Public Health Crisis that is the result of inappropriately discarded hypodermic syringes on public and private property as exacerbated by the operation of State-licensed Syringe Services programs; and

**Whereas**, the presence of contaminated hypodermic syringes scattered across public parks, playgrounds, sidewalks, storm drains, trails, and private properties has and continues to expose All Maine adults and children to viral and bacterial infections caused by needle sticks and exposures; and

**Whereas**, the City of Sanford correlates the operation of a State-licensed Harm Reduction Program to address blood born pathogens exposures to Consumers who inject drugs, the volume of syringes distributed, and the presence of discarded contaminated syringes pursuant to this Program as creating a Public Health Hazard for All People caused by this exposure; and

**Whereas**, State Law, pursuant to Title 22 MRS §1341, provides for the Maine Center for Disease Control and Prevention (Maine CDC) to establish hypodermic apparatus exchange programs (herein known as Syringe Services Programs SSPs) to ensure greater protection of health and safety of Consumers who inject drugs, by governing programs that will offer new syringes, education on disposal of used syringes, resources for treatment, and help prevent human immunodeficiency virus (HIV) and other blood borne pathogens caused by syringe re-use; and

**Whereas**, in early 2020 the Maine CDC licensed a Syringe Service Program (SSP) to operate in the City of Sanford, licensed to Maine Access Points, without prior consultation or notice to the City; and

**Whereas**, the SSP that was licensed in 2020 provided for a 1:1 exchange of hypodermic apparatus, syringes, to Consumers who inject drugs; and

**Whereas**, the City observed an immediate and correlated increase in the number of inappropriately discarded syringes throughout the City upon the start of operation of the Syringe Service Program; and

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**Whereas**, the City met with and consulted the Maine CDC upon the first observation of the increased presence of discarded syringes throughout the City and resulting efforts of collection did not reduce discarded syringes; and

**Whereas**, during COVID in 2022 the Maine CDC through Emergency Rule Making, pursuant to 5 MRS § 8054, enacted an amendment to Syringe Services Programs to eliminate the requirement of a 1:1 exchange and provide for a 1:1+ Plus Program allowing for a limit of 100 syringes when the Consumer does not have a used syringe or equivalent number of syringes to exchange to become effective as of September 1, 2022; and

**Whereas**, the Maine CDC further adopted by Routine Technical Rule the provisions of the Emergency Rule providing for the continuation of the 1:1+ Program or 100 needles per encounter per Consumer effective November 2022; and

**Whereas**, the City continued to see significant increases in inappropriately discarded syringes in its parks, trails, parking lots, encampment areas, sidewalks, and waterways upon the amendment of the Syringe Service Programs to the 1:1 Plus Program as excessive numbers were distributed, not collected by exchange, and subsequently inappropriately discarded; and

**Whereas**, The City addressed the Maine CDC and Syringe Exchange Service Programs two additional times to identify a commonly accepted solution to lessen the discarded syringes without resolve; and

**Whereas**, the State Legislative Report, *Syringe Service Programs in Maine Annual Report Federal Fiscal Year 2023*, issued May 2024, served to confirm that;

Maine CDC has licensed 13 Certified SSPs to operate in Maine

In 2023 3,676,315 syringes were distributed by the SSPs

In 2023 3,158,782 used syringes were collected by the SSPs

Uncollected syringes were 517,533 Statewide

Further in Sanford, the Maine CDC Licensed Maine Access Points distributed 460,720 syringes and that 440,998 were collected – 19,722 were NOT collected; and

**Whereas**, the City of Sanford performed a closure of an Encampment adjacent to the location of the Syringe Service Program's first location off Heritage Crossing and documented the collection of 14,716 (by volume) further documenting the inappropriately discarded volume of syringes and Public Health Hazard; and

**Whereas**, the Maine CDC strictly adheres to their mission of the SSPs providing syringes for the purpose of addressing the Public Health Hazard of Consumers who inject drugs exposure to immunodeficiency virus (HIV) and other blood borne pathogens caused by syringe re-use; and

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**Whereas**, the City of Sanford has been unable to obtain recognition by the Maine CDC to address through Program amendment the Public Health Hazard that has been created by the vast number of inappropriately discarded contaminated hypodermic syringes stemming from the Syringe Services Programs, heightened by the Rule Making amending the SSPs to 1:1 Plus being 1:100; and

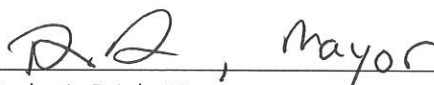
**Whereas**, the Maine CDC has indicated that the City could petition the CDC to re-examine the programs through Rule Making to address the observed Public Health Hazard of inappropriately discarded needles; and

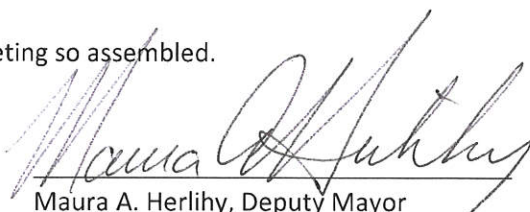
**Whereas**, the City has recognized the need to communicate to State Legislators the need to Amend the State Law Title 22 MRS §1341 Hypodermic Apparatus Exchange Program to address the unrecognized Public Health Hazard that is the wide spread discarding of contaminated syringes on public and private properties exposing ALL people, especially those who are NOT Consumers who inject drugs, to blood borne pathogens.

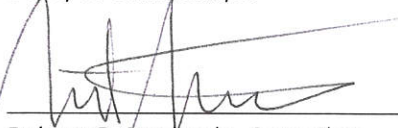
**Now, Therefore, Be It Resolved**, that the Sanford City Council hereby declares that the Maine CDC needs to amend the Syringe Services Program 10-144 Code of Maine Rules Chapter 252 to discontinue the 1:1 Plus or 1:100 syringe distribution program allowance and return to a strict 1:1 exchange program to facilitate the complete collection of syringes and prevent discarded needle exposures to the Public; and


**Be it further Resolved**, that the Sanford City Council shall seek State Legislative support to Amend Title 22 MRS §1341 Hypodermic Apparatus Exchange Programs to, at a minimum, restore a strict 1:1 Syringe Exchange Program to lessen the Public Health Crisis that has been aggravated by the Syringe Service Programs liberal distribution versus collection program that currently accounts for over 517,533 unaccounted syringes across our State as evidenced and observed.

Adopted on this 15<sup>th</sup> day of October, 2024 in City Council Meeting so assembled.

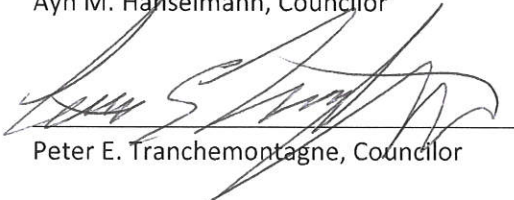
  
Becky A. Brink, Mayor

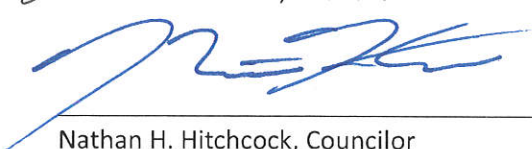
  
Maura A. Herlihy, Deputy Mayor

  
Robert G. Stackpole, Councilor

  
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