

Senate Health and Human Services Committee

Sophie Walsh 271-3469

HB 73, relative to harm reduction, substance misuse, and the governor's commission on alcohol and drug abuse prevention, treatment, and recovery.

Hearing Date: March 26, 2025

Time Opened: 10:15 a.m.

Time Closed: 10:43 a.m.

Members of the Committee Present: Senators Rochefort, Avard, Birdsell, Prentiss and Long

Members of the Committee Absent: None

Bill Analysis: This bill defines harm reduction and drug misuse for purposes of alcohol and drug misuse treatment and prevention and establishes a substance use disorder access point program.

Sponsors:

Rep. Nagel
Sen. Watters

Rep. Mandelbaum

Rep. Edwards

Who supports the bill: 58 people signed in support of the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (Sophie.Walsh@gc.nh.gov).

Who opposes the bill: No people signed in opposition of the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (Sophie.Walsh@gc.nh.gov).

Who is neutral on the bill: 1 person signed in neutral to the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (Sophie.Walsh@gc.nh.gov).

Summary of testimony presented:

Representative David Nagel, Belknap – District 6

- Representative Nagel stated that he has been involved in pain care and addiction policy for the past 35 years.
- This bill was originally brought forth by Senator Watters two years ago. This effort brought together a diverse group of stakeholders with the goal of improving addiction treatment and harm prevention strategies.

- The Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery has identified harm reduction as one of their core pillars. This aligns with the Substance Abuse and Mental Health Services Administration (SAMHSA), which has recognized harm reduction as an essential approach in addressing addiction.
- The goal of this legislation is to formally incorporate harm reduction into state statute. Establishing legislative oversight of harm reduction practices is essential.
- A key consideration to be taken in seeking grant funding is the need for standardized terminology aligning with national practices. Without such alignment, many grants are inaccessible.
- Representative Nagel explained that stakeholders have gained a comprehensive understanding of harm reduction's meaning and significance through the legislative process.
- Representative Nagel emphasized that prevention remains a critical gap in treating healthcare problems such as substance use disorders.
- Prevention is classified into three phases. Primary prevention focuses on preventing addiction before it begins. Secondary prevention redirects individuals who have begun substance use to alternative paths. Harm reduction is designed to minimize risks for those who are deeply entrenched in addiction.
- While this bill passed the Senate last year, some concerns were raised once it got to the House.
- One concern was the absence of a statutory definition of harm reduction. This bill now includes a clear definition with regulatory guardrails.
- Another concern was the need to define drug misuse. While current statistics indicate that 12 million instances of drug misuse occur annually, this bill focuses on intentional, non-medical misuse.
- Financial considerations were another factor considered. This bill does not include the educational component included last year, as existing programs are already fulfilling this role.
- Representative Nagel emphasized the importance of ensuring that individuals with legitimate medical need for controlled substances retain access without unnecessary restrictions.
- Representative Nagel explained that addiction affects not only individuals, but their families and society as well. Thus, harm reduction efforts must extend beyond individuals struggling with addiction to include support for families and the broader community.
- A key change incorporated in this bill is the shift in terminology from harm reduction to reduction of societal and individual harm.

- Representative Nagel said this bill is expected to facilitate a coordinated, interdisciplinary model of care that is essential in addressing complex medical issues. Furthermore, this legislation is expected to increase access to additional funding sources.
- Senator Long inquired about the timeline of addiction and when certain programs become appropriate for individuals.
- Representative Nagel explained that initiatives such as diversion programs are designed to intervene before an individual progresses too far into substance use and redirect them toward treatment and support services.
- He noted that diversion falls under the secondary prevention approach and is not the primary focus of this bill.
- Senator Long asked if there is data on the effectiveness and utilization of test strip programs, and Representative Nagel deferred to the following speakers.

Representative Jess Edwards, Rockingham – District 31

- Representative Edwards stated that he first became involved with this effort when it came to the House last year.
- His primary contribution is the introduction of the phrase “balancing societal and individual harm.” He believes that New Hampshire is the first state to adopt such an approach.
- This balanced approach was deemed necessary in preventing the unintended consequences seen in other states where the focus on individual harm reduction has led to extreme policy positions.
- Representative Edwards cited an example from Portland in which the mayor’s attempt to address homelessness affecting local businesses and tax revenue was legally challenged under harm reduction laws.

Senator David Watters, Senate District 4

- Senator Watters stated that he is speaking in support of this bill.
- This implements necessary reform to the Governor’s Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery, of which he is a member.
- This legislation formally establishes harm reduction in statute.
- This also ensures the inclusion of law enforcement by adding a representative of the Association of Chiefs of Police to the Commission. Furthermore, the bill requires consultation with local law enforcement in municipalities where applicable programs operate.
- The bill recognizes the effectiveness of the Doorway Program and codifies it in statute.
- The bill defines the balance between saving lives through harm reduction and mitigating broader societal impacts of drug misuse.

- The bill also clarifies existing language in statute on syringe service programs.
- Senator Birdsell referenced page 8 line 6 of the bill and asked if substance use disorder access points are already established and if there is funding that needs to be allocated.
- Senator Watters stated that these programs are already established through the Department of Health and Human Services (DHHS) and funding is sourced through various sources. Once funding is authorized, DHHS establishes contractual obligations to ensure the proper implementation and oversight of these programs.
- While these programs are highly regulated, one key element missing from their implementation is consultation with local officials. This bill addresses that.
- Senator Long asked about the availability of data on how these initiatives are effectively reducing harm.
- Senator Watters explained that there is a lot of successful data gathering. The Governor's Commission provides regular reports, DHHS has a dedicated data division tracking these efforts, and The Doorway Program contributes valuable data as well. While some aspects of harm reduction are difficult to measure, there has been a reduction in overdose deaths.
- Senator Watters explained that he visited one of these service programs providing fentanyl test strips along with other testing equipment and syringe exchange services. There is data available on the effectiveness of these initiatives as well.
- Senator Long asked if harm reduction programs are reaching individuals beyond the homeless population, and Senator Watters confirmed that these services are assisting a wide range of individuals.

Chief David Suckling, New Hampshire Association of Chiefs of Police

- Chief Suckling stated he is speaking in support of this bill and shared a personal story about responding to an overdose death in 2018 that reshaped his perspective on addiction and harm reduction.
- In response to this experience, he initiated a harm reduction program in Alexandria that has ultimately distributed over 3,000 doses of Narcan.
- In the Alexandria Police Department's effort to prevent further overdose deaths, Alexandria became the state's first recovery-friendly community.
- The Alexandria Police Department now integrates harm reduction into daily operations and they are actively involved in facilitating recovery efforts.
- Chief Suckling addressed concerns about the syringe exchange program and clarified that they function strictly as an exchange, so no new needles are being introduced.