

# PROPOSED AMENDMENT

## SB 91 # 8

### DIGEST

Program requirements. Requires a qualified entity that operates a syringe exchange program (program) to: (1) provide only one sterile syringe and needle in exchange for each used sterile syringe and needle; and (2) maintain data concerning drug treatment referrals. Establishes requirements for program participation. Changes the expiration of the chapter in the bill from 2036 to 2028.

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- 1           Page 1, delete lines 1 through 17, begin a new paragraph and insert:  
2           "SECTION 1. IC 16-41-7.5-6, AS AMENDED BY P.L.112-2020,  
3           SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           UPON PASSAGE]: Sec. 6. A qualified entity that operates a program  
5           under this chapter must do the following:  
6           (1) Annually register the program in a manner prescribed by the  
7           state department with the:  
8           (A) state department; and  
9           (B) local health department in the county or municipality  
10           where services will be provided by the qualified entity if the  
11           qualified entity is not the local health department.  
12           (2) Have one (1) of the following licensed in Indiana provide  
13           oversight to the qualified entity's programs:  
14           (A) A physician.  
15           (B) A registered nurse.  
16           (C) A physician assistant.  
17           (3) Store and dispose of all syringes and needles collected in a  
18           safe and legal manner.  
19           (4) Provide education and training on drug overdose response and  
20           treatment, including the administration of an overdose  
21           intervention drug.  
22           (5) Provide drug addiction treatment information and referrals to  
23           drug treatment programs, including programs in the local area and  
24           programs that offer medication assisted treatment that includes a  
25           federal Food and Drug Administration approved long acting,  
26           nonaddictive medication for the treatment of opioid or alcohol

- 1 dependence.
- 2 ~~(6) Provide syringe and needle distribution and collection without~~
- 3 ~~collecting or recording personally identifiable information.~~
- 4 **Provide only one (1) sterile syringe and needle in exchange for**
- 5 **each used sterile syringe and needle.**
- 6 (7) Operate in a manner consistent with public health and safety.
- 7 (8) Ensure the program is medically appropriate and part of a
- 8 comprehensive public health response.
- 9 (9) Keep sufficient quantities of an overdose intervention drug (as
- 10 defined in IC 16-18-2-263.9) in stock and to administer in
- 11 accordance with IC 16-42-27.
- 12 (10) Provide testing for communicable diseases, and if an
- 13 individual tests positive for a communicable disease, provide
- 14 health care services or a referral to a health care provider for the
- 15 services.
- 16 (11) Establish a referral process for program participants in need
- 17 of:
- 18 (A) information or education concerning communicable
- 19 diseases; or
- 20 (B) health care.
- 21 **(12) Maintain data concerning drug treatment referrals made**
- 22 **under subdivision (5), including treatment efficacy.**

23 SECTION 2. IC 16-41-7.5-6.4 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE UPON PASSAGE]: **Sec. 6.4. To be eligible to**  
 26 **participate in a program operated under this chapter, an**  
 27 **individual must:**

- 28 **(1) be a resident of a county within the Indiana housing and**
- 29 **community development authority's balance of state**
- 30 **continuum of care region in which the qualified entity is**
- 31 **located; and**
- 32 **(2) present valid identification."**

33 Delete page 2.

34 Page 3, delete lines 1 through 4.

35 Page 3, line 12, delete "2036." and insert "2028."

36 Renumber all SECTIONS consecutively.

(Reference is to SB 91 as reprinted January 27, 2026.)