



HOUSE JUDICIARY COMMITTEE  
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Testimony of  
JENNIFER SMITH, SECRETARY

Thank you Chairman Kauffman, Chairman Briggs, and members of the House Judiciary Committee for the opportunity to speak on House Bill 1393 and the Wolf Administration's efforts to enact harm reduction policies.

The opioid crisis has had devastating impacts on individuals and families across Pennsylvania and our nation over the last several years.

As a state, we responded deliberately and intentionally. In January 2018, Governor Wolf took an unprecedented step to establish an Opioid Disaster Declaration and combined 17 state agencies to combat the crisis. As a result, my department, the Pennsylvania Department of Drug and Alcohol Programs (DDAP) has partnered with sister agencies to implement critical drug and alcohol prevention, rescue, treatment, and recovery programs.

The Wolf Administration is committed to continuing the fight to ensure all Pennsylvanians have access to necessary, life-saving resources. As part of that recommitment, DDAP recently announced the establishment of the Interagency Substance Use Response Team. It is a new tool for collaboration across state government to combat the disease of addiction. Evolving from the work of the Opioid Command Center (OCC), this response team is shifting the focus from solely opioids to all substance use disorders (SUDs) – recognizing that we must tackle SUD as a whole, improve upon what we know, and adjust our strategy based on current trends and data.

This group serves as a platform to make informed decisions with the goal of resolving policy, media, procedural, and/or funding matters in relation to SUD and the addiction crisis across the commonwealth. The overarching goals of this group will remain fairly consistent with the OCC Strategic Plans goals of prevention, rescue, treatment, recovery, and sustainability; however, specific focus on these goals will be looked at through the lens of [DDAP's existing strategic plan](#) goals of reducing stigma, intensifying primary prevention, strengthening the drug and alcohol treatment system, and empowering sustained recovery.

Before the COVID-19 pandemic hit, under Governor Wolf's leadership and utilizing the disaster declaration, we made tremendous progress by lowering the overdose death rate 18% from the height of the opioid crisis in 2017.

### **The Addiction Crisis and Fentanyl**

Tragically, the co-occurring opioid epidemic and COVID-19 pandemic resulted in Pennsylvania experiencing an overwhelming number of overdose deaths. Much of the progress that we made in 2018 and 2019 was significantly set back, and we lost more than 5,000 Pennsylvanians to an overdose in 2020 alone.

Furthermore, according to the Pennsylvania Department of Health, 75 percent (or nearly 3,800) of drug overdose deaths in Pennsylvania involved fentanyl or fentanyl analogues. That number is alarming, and by comparison, consistently rising since 2017.

Fentanyl is undetectable through sight, taste, or smell. Unless a drug is tested with a fentanyl test strip, it is nearly impossible for an individual to know if it has been laced with fentanyl.

Illicitly manufactured fentanyl is extremely potent in any form – liquid or powder – and is a major contributor to both fatal and nonfatal overdoses across the country. According to the Centers for Disease Control (CDC):

- Fentanyl is up to 50 times stronger than heroin and 100 times stronger than morphine.
- Synthetic opioids, like fentanyl, are the most common drugs involved in overdose deaths.
- More than 150 people die every day from overdoses related to synthetic opioids like fentanyl.

As outlined earlier in my testimony, Pennsylvania is not immune to this alarming trend. To reiterate, 75 percent of drug overdose deaths in Pennsylvania during 2020 involved fentanyl or fentanyl analogues.

### **Harm Reduction**

As part of DDAP's harm reduction efforts, we will continue to advocate for specific harm reduction strategies, including the legalization of fentanyl test strips and syringe services programs.

Harm reduction is a proven public health approach that minimizes the negative consequences of drug use, saves lives, improves health outcomes, and strengthens families and communities. This approach recognizes opportunities to engage with people who use drugs and offer them additional services, including access to treatment, while addressing the conditions of their substance use.

Test strips, which are inexpensive, may very well be the difference between life or death and legalizing them would be one more tool in our management of the addiction crisis. With the increase in polysubstance use, the use of more than one drug, and stimulants (e.g. methamphetamine, cocaine) across the commonwealth, we all must recommit to tackling SUD as a whole, instead of targeting treatment options specific to one substance. We must use all tools at our disposal to offset the devastating increase in overdose deaths and keep our loved ones, friends, and neighbors alive.

While the focus of this hearing is on legalizing fentanyl test strips, I urge you to consider concurrently legalizing syringe services programs. While active in Philadelphia and Pittsburgh under local authority, other Pennsylvania communities are unable to benefit from these kinds of programs. Syringe services programs are critical components of harm reduction that help reduce the transmission of diseases such as HIV and Hepatitis C, and they also provide a lifeline to keep people alive and connected to service providers so they can more easily seek treatment and begin recovery in the future.

## Federal and State Progress

Harm reduction strategies continue to be legalized, as well as utilized without a change in law, across many states in the United States. States that have legalized the use of fentanyl test strips include Maryland, Arizona, and Washington. Other states have instituted fentanyl test strip distribution programs, despite having a drug paraphernalia law that includes testing equipment, including California, Connecticut, New Jersey, Ohio, Texas, and Utah.

In April 2021, the CDC and the Substance Abuse and Mental Health Services Administration (SAMHSA) announced that federal funding may now be used to purchase fentanyl test strips. This is a positive step forward on the federal level. However, without the passage of legislation like House Bill 1393 to legalize fentanyl test strips in Pennsylvania, we will continue to be unable to take advantage of this critical, federally supported tool.

In addition, [SAMHSA recently announced](#) a new harm reduction grant program. Grants totaling \$30 million, will be awarded to governments, communities, non-profit organizations and others across the country to increase access to harm reduction services and support harm reduction service providers on the frontlines of managing the addiction crisis.

Without legalized harm reduction laws in place that would legalize syringe services programming, Pennsylvania cannot benefit from this new opportunity to further address our substance use crisis by keeping individuals who are actively using substances safe and most importantly, alive.

Recent years have been marked by both progress and setbacks. While the setbacks can be difficult to digest, they have revealed new challenges and exposed how critical drug and alcohol prevention, treatment, and recovery programs are to the health and well-being of our fellow Pennsylvanians. Furthermore, I would be remiss if I did not mention the impacts of some initiatives and strategies that we have implored and have the chance to build upon, including:

1. *Increased naloxone awareness, access, and distribution.* Naloxone has been made available to first responders through the Pennsylvania Commission on Crime and Delinquency since November 2017, with more than 80,000 kits made available and more than 17,094 overdose reversals reported through the program. More than 6,600 of those saves occurred in 2019. Utilizing DOH's Naloxone Standing Order, any individual is able, and encouraged, to obtain naloxone at their local pharmacy. Additionally, through a partnership with NEXT Distro, individuals across Pennsylvania can watch a training video and receive naloxone, by mail, to their home.
2. *Warm hand-off implementation.* Since January 2017, warm handoff programs have been implemented in 160 Pennsylvania hospitals, accounting for over 95 percent of the total hospitals in the commonwealth. Through these programs, more than 16,000 individuals have been directly referred to treatment. A total of 6,931 warm handoff encounters took place across these hospitals from January 2021 to April of 2021 alone.

3. *Reducing barriers to treatment.* Stigma associated with SUD remains to be a major barrier to an individual seeking treatment. In September 2020, Governor Wolf and DDAP announced the launch of *Life Unites Us*, a SUD anti-stigma campaign. It uses proven behavioral health strategies through social media platforms to spread real-life stories of individuals and their family members battling SUD, live and recorded webinars detailing tools and information necessary to more than 350 community-based organizations focused on SUD prevention, treatment, and recovery throughout Pennsylvania, and a web-based interactive data dashboard detailing the progress of the campaign. During its first year, the campaign earned more than 3.6 million impressions on social media and more than half of those who viewed the campaign reported that they feel more prepared to talk with others about stigma against opioid use disorder.

On behalf of the Wolf Administration, thank you again for this opportunity. We are committed to continuing to work with you and all members of the General Assembly to address the ongoing addiction crisis and strengthen drug and alcohol services and supports to individuals across the commonwealth.