

February 14, 2006

Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Department of Health and Human Services, Division of Public Health requests actions to implement clean needle and syringe exchange project pursuant to recently adopted legislation, Health and Safety Code Section 121349 et seq.**

Dear Supervisors:

**RECOMMENDATION:**

1. TERMINATE the local emergency declared on November 23, 1993 due to the existence of a critical local public health crisis based upon the increasing and epidemic number of AIDS/HIV and Hepatitis C cases in Marin County, especially among injection drug users.
2. AUTHORIZE the Department of Health and Human Services to administer, in consultation with the State Department of Health Services, a clean needle and syringe exchange project pursuant to Health and Safety Code Section 121349 et seq.
3. DIRECT the Health Officer or designee to annually report to the Board on the status of the clean needle and syringe exchange project.

**SUMMARY:** The Board declared a local state of emergency relative to transmission of HIV through contaminated needles on November 23, 1993, Resolution Number 93-293. The State of Emergency has been renewed every two weeks since that time. On February 27, 2001, the Board passed and adopted Resolution Number 2001-14 designating Marin AIDS Project, its employees and volunteers participating in the needle exchange program, as agents of the County for the purposes solely limited to the protection provided by Health and Safety Code Section 11364.7.

On October 7, 2005, the Governor signed legislation (AB 547 / Berg) that allows counties to replace the biweekly declaration of a state of emergency with an annual presentation by the health officer at an open meeting of the Board of Supervisors in which the public and other stakeholders are allowed ample opportunity to comment. The legislation takes effect January 1, 2006. The State Office of AIDS is finalizing details on a process to implement the requirements of the legislation, and has indicated that a local declaration is no longer necessary if the jurisdiction allows for public comment annually.

**COMMUNITY BENEFITS:** The spread of HIV and Hepatitis C through the sharing of needles remains a concern in Marin County. As of January 1, 2006, a total of 1272 cases of HIV and AIDS have been reported in Marin County, with injection drug users accounting for 15% of these cases. Seventy-two percent of the 655 HIV and AIDS cases reported from San Quentin State Prison were injection drug users. As a whole, 34% of Marin County's 1,927 reported HIV and AIDS cases had a history of injection drug use. By contrast, among all reported HIV and AIDS cases in California, the proportion attributed to injection drug use is approximately 18%. Between November 1998 and December 2002, an HCV testing program targeted to high-risk groups in Marin County screened 880 clients. Of the 186 (21%) who tested positive for HCV, 83% had a history of IV drug use and 45% reported IV drug use in the prior year.

Needle exchange programs have been shown to be effective in reducing the transmission of HIV and other communicable diseases through the sharing of needles. Approval of the proposed actions allows Marin County to continue this important program, while requiring the necessary oversight of the County's Board of Supervisors.

**FISCAL/STAFFING IMPACT:** None.

**REVIEWED BY:**

<input type="checkbox"/>	Auditor Controller	<input type="checkbox"/>	N/A
<input checked="" type="checkbox"/>	County Counsel	<input type="checkbox"/>	N/A
<input type="checkbox"/>	Human Resources	<input type="checkbox"/>	N/A

Respectfully submitted,

Larry Meredith, Ph.D.  
Director of Health and Human Services