



May 25, 2022

The Honorable Jeff LaRe
Ohio House of Representatives
Criminal Justice Committee

RE: Letter of Support – House Bill 456

Dear Chair LaRe and Members of the House Criminal Justice Committee,

We are writing on behalf of Nationwide Children's Hospital to express our support for House Bill 456, which would legalize the use of fentanyl test strips. If passed, this legislation would be a significant step forward for local communities and organizations working to prevent fentanyl-related overdose deaths in the state.

As faculty members in the Center for Injury Prevention and Policy at Nationwide Children's Hospital, we are engaged in two statewide research projects funded by the Centers for Disease Control and Prevention and the National Institute on Drug Abuse at the National Institutes of Health evaluating the use of fentanyl test strips by individuals who use drugs to help prevent fentanyl-related overdose.

Making it possible for individuals to check their drugs for the presence of fentanyl using fentanyl test strips is vital due to Ohio's increasingly lethal drug supply. For example, illicit fentanyl was involved in 81% of Ohio's 2020 overdose deaths, often in combination with other drugs such as cocaine and methamphetamines.ⁱ Additionally, counterfeit prescription tablets containing fentanyl are being sold on the streets that are nearly impossible to detect with the naked eye.ⁱⁱ Fentanyl test strips are easy to use, cost one dollar per strip, and are 96-100% accurate in detecting the presence of fentanyl.

Fentanyl test strips have been shown to facilitate behavior change to protect against overdose. According to a 2018 John Hopkins Study of active drug users, 70% of respondents reported that knowing that their drugs contained fentanyl would lead them to modify their behavior.ⁱⁱⁱ Another study, conducted out of North Carolina, concluded that individuals with a positive fentanyl test strip test result were five times more likely to report changes in drug use behavior compared to those with a negative result.^{iv}

Under current law, paraphernalia is defined to include items used to test drugs, including fentanyl test strips. This leaves many Ohio communities and organizations fearful of potential criminal and civil penalties for distributing these life-saving tools. House Bill 456 would align Ohio with other states such as Arizona, which updated its state law in 2021 to remove fentanyl test strips from the definition of drug paraphernalia.

On behalf of Nationwide Children's Hospital, we strongly support the passage of HB 456. This legislation expands access to an important intervention necessary to respond to the dangerous rise of fentanyl in our state and will save lives.

Sincerely,



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ⁱ Ohio Department of Health, 2020 Ohio Drug Overdose Data: General Findings. <https://odh.ohio.gov/know-our-programs/violence-injury-prevention-program/media/2020+ohio+drug+overdose+report>

ⁱⁱ Ohio Narcotics Intelligence Center Warns of Dangerous Counterfeit Prescription Tablets Found in Ohio. <https://publicsafety.ohio.gov/news-and-events/all-news/onc-120321>

ⁱⁱⁱ Fentanyl Overdose Reduction Checking Analysis Study. https://americanhealth.jhu.edu/sites/default/files/website-media/resources/Fentanyl_Executive_Summary_032018.pdf

^{iv} Fentanyl test strips as an opioid overdose prevention strategy: Findings from a syringe services program in the Southeastern United States. <https://www.sciencedirect.com/science/article/pii/S0955395918302135>