



**Senators Nathan Manning & Steve Huffman**  
**Senate Health Committee**  
**March 16, 2022**  
**Senate Bill 296**

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Chairman Huffman, Vice Chair Antani, Ranking Member Antonio and members of the Senate Health Committee, thank you for allowing us to present sponsor testimony on Senate Bill 296, which would revise the laws governing access to naloxone and certain narcotic testing products.

Ohio's illicit drug supply is increasingly tainted with fentanyl, a synthetic opioid that is many times more potent than heroin, and therefore many times more deadly. In 2020, 5,017 Ohioans died from unintentional drug overdoses, which marked a 25% increase over the number of overdose deaths in 2019. In 2020, illicit fentanyl was involved in 81% of those unintentional drug overdose deaths according to the Ohio Department of Health.<sup>1</sup>

One way for individuals to potentially avoid overdose from unknown levels of fentanyl in their drugs is to make it possible for them to check their drugs for fentanyl before they use them. Fentanyl test strips have proven to be accessible, easy to use, and effective, detecting the presence of fentanyl almost 100% of the time.

Many states, including Ohio, have a drug paraphernalia law on the books that define paraphernalia to include items used to test drugs, which may include fentanyl test strips. As such, local public health programs will sometimes act as a barrier to large-scale distribution of these test strips, preventing individuals from getting them or using them out of a fear of criminal penalties.

Our proposed legislation would follow other states, most recently Arizona, in clarifying that these strips may be distributed without violating the state's drug paraphernalia law. To further strengthen Ohio's response to increasing drug overdose deaths, this legislation would also remove existing regulatory/legal barriers for the distribution of naloxone, an overdose reversal medication. To do this, the Ohio Revised Code would be modified to permit anyone to possess, administer, and distribute naloxone. The modifications essentially allows naloxone to be provided without any barriers or fear of criminal penalties.

This legislation has the support of the Governor's RecoveryOhio Office and the State of Ohio Board of Pharmacy. Thank you for the opportunity to present testimony today. We are happy to answer any questions you may have.

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<sup>1</sup> [https://odh.ohio.gov/wps/wcm/connect/gov/0221d6cb-261b-4e7f-98a4-8474b9937554/Ohio+Monthly+Overdose+Report+Preliminary+Data+Dec2021.pdf?MOD=AJPERES&CONVERT\\_TO=url&CACHEID=ROOTWORKSPACE.Z18\\_K9I401S01H7F40QBNJU3SO1F56-0221d6cb-261b-4e7f-98a4-8474b9937554-nVPCRse](https://odh.ohio.gov/wps/wcm/connect/gov/0221d6cb-261b-4e7f-98a4-8474b9937554/Ohio+Monthly+Overdose+Report+Preliminary+Data+Dec2021.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_K9I401S01H7F40QBNJU3SO1F56-0221d6cb-261b-4e7f-98a4-8474b9937554-nVPCRse)