

The Honorable Stephen A. Huffman
Senate Building
1 Capitol Square, Ground Floor
Columbus, OH 43215

RE: Letter of Support - Senate Bill 296

Dear Chair Huffman and Members of the Senate Health Committee,

I am writing on behalf of The Ohio State University Wexner Medical Center (OSUWMC) to express our support for Senate Bill 296, which would legalize the use of narcotic testing products, including fentanyl test strips, and deregulate naloxone. 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.

Making it possible for individuals to check their drugs for the presence of fentanyl using test strips is vital due to Ohio's increasingly lethal drug supply. 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, test strips can detect counterfeit prescription tablets containing fentanyl that are being sold on the streets and 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. Senate Bill 296 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.

Along with the legalization of fentanyl test strips, Senate Bill 296 would also remove barriers to the distribution and administration of naloxone. Naloxone is a life-saving drug that can reverse an opioid overdose, including those involving fentanyl. This bill exempts naloxone from most Board of Pharmacy distribution laws and broadens access to naloxone to all Ohioans.

The passage of SB 296 would grant OSUWMC greater flexibility to provide necessary resources for patients in short or long term recovery from Opioid Use Disorder. It would also enable our Project

DAWN sites to provide fentanyl testing products alongside our Naloxone kits and expand the reach of the program throughout our hospital system and in Franklin County. Lastly, it would grant our patients with Opioid Use Disorder and their families a greater peace of mind knowing that they won't be penalized for using tools that could help them on their recovery journey, and ultimately give them a tool that could save their life.

On behalf of OSUWMC, we strongly support the passage of SB 296. This legislation expands access to important interventions necessary to respond to the dangerous rise of fentanyl in our state and will save lives.

Sincerely,

Julie Teater, MD

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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>