

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 this to express my 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 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.¹ Additionally, counterfeit prescription tablets containing fentanyl are being sold on the streets that are nearly impossible to detect with the naked eye.² 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.³ 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.⁴

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

¹ 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>

² Ohio Narcotics Intelligence Center Warns of Dangerous Counterfeit Prescription Tablets Found in Ohio. <https://publicsafety.ohio.gov/news-and-events/all-news/onc-120321>

³ Fentanyl Overdose Reduction Checking Analysis Study. https://americanhealth.jhu.edu/sites/default/files/website-media/resources/Fentanyl_Executive_Summary_032018.pdf

⁴ 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>

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.

In the summer of 2021 I was laid off from both of my jobs and didn't have a working car, which in turn nearly caused me to be evicted from my apartment. I have struggled with substance use in the past and when faced with these triggers, I fell back into familiar habits. I was fortunate enough to have received a few fentanyl test strips from a friend, but because my drug of choice was cocaine, I really didn't believe I would ever need to use them.

I don't know why I decided to test that first time. I knew nothing of the overdose rates for people who use cocaine containing fentanyl. So when it came up positive, I was shocked. So much so that I tested it again. And again it came up positive. I ended up using it anyway, however not nearly in the same quantity and when I could, I didn't use it when I was alone.

If I wouldn't have had test strips that night, I don't think I'd be writing this now.

I 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.

Yours in service,

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