

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 Nelsonville Voices 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 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.<sup>1</sup> Additionally, counterfeit prescription tablets containing fentanyl are being sold on the streets that are nearly impossible to detect with the naked eye.<sup>2</sup> 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.<sup>3</sup> 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.<sup>4</sup>

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

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<sup>1</sup> 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>

<sup>2</sup> Ohio Narcotics Intelligence Center Warns of Dangerous Counterfeit Prescription Tablets Found in Ohio.

<https://publicsafety.ohio.gov/news-and-events/all-news/onc-120321>

<sup>3</sup> Fentanyl Overdose Reduction Checking Analysis Study.

[https://americanhealth.jhu.edu/sites/default/files/website-media/resources/Fentanyl\\_Executive\\_Summary\\_032018.pdf](https://americanhealth.jhu.edu/sites/default/files/website-media/resources/Fentanyl_Executive_Summary_032018.pdf)

<sup>4</sup> 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>

overdose, including those involving fentanyl. This bill exempts naloxone from most Board of Pharmacy distribution laws and broadens access to naloxone to all Ohioans.

At Nelsonville Voices, we have spent the past 9 months surveying our neighbors on the issues most important to their lives. Drug use is the top issue that people have named, and we have learned through weekly distribution events of harm reduction supplies such as naloxone and fentanyl test strips that increasing access to such life-saving tools is a top priority for making Nelsonville a safer and healthier place for all. We know that not only will access to fentanyl test strips and naloxone help people who use drugs, but it will also the loved ones of people experiencing addiction, including parents, children, neighbors, and others. Senate Bill 296 will help our organization to have fewer hurdles to cross when distributing supplies like naloxone, and also for our neighbors and loved ones to deal with less stigma and risk that is often associated with substance use.

On behalf of Nelsonville Voices, 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,

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