



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

December 5, 2019

Dear Colleague:

Under emergency regulations, the New York State Department of Health (NYSDOH) is authorized to approve not-for-profit organizations and government entities as second-tier syringe exchange programs (STSEPs). The notice of this action appears in the New York State Register (Volume 41, Issue 48, November 27, 2019) and may be accessed online at <https://www.dos.ny.gov/info/register/2019/112719.pdf>.

The emergency regulations remain in effect until February 9, 2020, subject to possible renewal. They may be adopted as permanent (non-emergency) regulations, depending on input from the public. There is a 60-day public comment period which ends January 26, 2020. Comments should be directed to

Katherine Ceroalo
Bureau of Program Council, Regulatory Affairs Unit
New York State Department of Health
ESP Tower Building, Room 2438
Albany, New York 12237
(518) 473-7488
regsqa@health.ny.gov

Second-tier syringe exchange will complement the other means of syringe access in New York State: first-tier (traditional) syringe exchange programs (SEPs); the expanded syringe access program (ESAP) initiative; and prescribed syringes.

STSEPs will be similar to SEPs, however STSEPs do not need to follow all of the requirements in subsection (m) of 10 NYCRR 80.135. They must, however, meet the following requirements:

- Provide other services to individuals at heightened risk for adverse outcomes.
- Submit a plan which includes the following elements:
 - Description of staffing and training;
 - Issuance of participant identification cards;
 - Policies and procedures for the proper safeguarding, handling and disposal of injection equipment;
 - Policies and procedures for enlisting community support; and
 - Submission of quarterly reports.

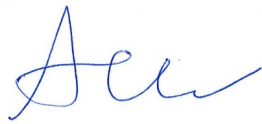
STSEPs will not receive funding from NYSDOH to provide syringe exchange services.

Note: NYSDOH will furnish STSEPs with their harm reduction supplies, including syringes, at no cost to STSEPs.

If your agency is interested in becoming a STSEP, please contact Maxine Phillips at maxine.phillips@health.ny.gov.

Please share this communication with others who may benefit from this information

Sincerely,

A handwritten signature in blue ink, appearing to read 'Allan Clear', with a stylized, cursive script.

Allan Clear
Director, Drug User Health
AIDS Institute