WEST virginia legislature

2025 regular session

Committee Substitute

for

House Bill 2378

By Delegates Chiarelli, Hornby, Willis, J. Cannon, Heckert, Shamblin, and Browning

[Originating in the Public Health Subcommittee; Reported on March 10, 2025]

A BILL to amend and reenact §16-64-2 of the Code of West Virginia, 1931, as amended, relating to syringe exchange services programs.

Be it enacted by the Legislature of West Virginia:

[**ARTICLE 64. SYRINGE SERVICES PROGRAMS.**](https://code.wvlegislature.gov/16-64/)

§16-64-2. Application for license to offer a syringe services program.

(a) All new and existing syringe services programs shall obtain a license from the Office for Health Facility Licensure and Certification.

(b) To be eligible for a license, a syringe services program shall:

(1) Submit an application on a form approved and provided by the office director;

(2) Provide the name of the program;

(3) Provide a description of the harm reduction program it is associated with and the harm reduction services provided in accordance with ~~§16-2-3~~ §16-64-3 of this code;

(4) Provide the contact information of the individual designated by the applicant as the administrator of the harm reduction program;

(5) Provide the hours of operation, location, and staffing. The description of hours of operation must include the specific days the syringe services program is open, opening and closing times, and frequency of syringe exchange services. The description of staffing must include number of staff, titles of positions, and descriptions of their functions;

(6) Provide a specific description of the applicant’s ability to refer to or facilitate entry into substance use treatment;

(7) Provide a specific description of the applicant’s ability to encourage usage of medical care and mental health services as well as social welfare and health promotion;

(8) Pay an application fee in amount not to exceed $500, to be determined by the director by legislative rule; ~~and~~

(9) Provide a written statement of support from a majority of the members of the county commission and a majority of the members of a governing body of a municipality in which it is located or is proposing to locate; and

(10) If not operated by a local health department, provide a written statement of affiliation with a local health department within the proposed service area. This written statement of affiliation shall be used to coordinate service to ensure compliance with the requirements of this article.