

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Public Health
For HB 362

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Hearing Date: March 13, 2023 9:00 AM

Mike Lee, Chief Deputy Executive Command
Harris County Sheriff's Office
Houston, TX

My name is Mike Lee, Chief Deputy of the Harris County Sheriff's Office, and I am here today to testify in support of HB362.

When Texas first outlawed drug paraphernalia, drug testing for the purpose of overdose prevention was not common and not nearly as necessary as it is today. Now, the proliferation of illicitly manufactured fentanyl being found in opioid and non-opioid drugs poses life-threatening risks to anyone who uses a chemical substance. Many people are not aware they are taking fentanyl and would not take it if they were aware of its presence.

In Texas, fatal overdoses involving fentanyl increased 558% from August 2021 - August 2022. In Harris County alone, fentanyl kills more than one person every day. Fatal drug overdoses increased 52% from 2019 to 2021, according to Harris County Institute of Forensic Sciences data. Deaths involving fentanyl skyrocketed by 341% in the same period, from 104 to 459.

Therefore, we fully support this new legislation that will increase awareness of fentanyl contamination and reduce overdose risk by prompting individuals to not use fentanyl laced substances.

We also urge you to consider an amendment to the proposed bill that would allow for testing for other adulterants in addition to fentanyl. The reason is simple: fentanyl is not the last drug crisis we will face. We are already seeing increasing overdoses involving drugs like xylazine, an animal tranquilizer, and a class of opioids called nitazenes that are not detectable with fentanyl test strips. Texas will be better prepared for these new drug threats by permitting testing for other adulterants.

Testing strips are no silver bullet for the fentanyl crisis, but experts and advocates say they are a common-sense way to keep people alive. Parent groups across Texas are asking for fentanyl testing to help save their children.

Law enforcement across the state increasingly support fentanyl-checking programs and have received positive community feedback. Federal grant money is available to law enforcement agencies to distribute fentanyl test strips. However, Texas law enforcement agencies cannot access this money because Texas considers test strips to be illegal drug paraphernalia.

Twenty-three states allow for drug checking to reduce overdose risks. Eleven states have legislation pending that would allow drug-testing equipment. I believe Texas should join the growing list of states that are making this change to allowing for the legal use of drug-testing equipment.

Harris County would appreciate your favorable consideration of HB362, and I am available to answer any questions you may have. Thank you for the opportunity to submit these comments on this important piece of legislation and thank you for your public service.

Cynthia Humphrey
Assoc. of Substance Abuse Programs (ASAP)
KERRVILLE, TX

The Association of Substance Abuse Programs (ASAP) represents prevention, treatment, and recovery support service providers across the State. Along with the Governor, lawmakers and communities across Texas, the Association is concerned about the unprecedented number of overdose deaths caused by fentanyl. Overdose deaths involving fentanyl in the state rose 399%, from 333 people dying in fiscal year 2019 to 1,662 in fiscal year 2021.

Reversing this deadly trend is important to protecting the health and safety of our citizens and will require program and policy changes across multiple fronts. One of those is to make the use of fentanyl testing strips legal. Fentanyl testing strips are a reliable means of reducing fentanyl overdoses because they provide individuals an opportunity to reduce their risk of unknowingly consuming fentanyl and consequently experiencing a deadly outcome. Regardless of the motivation behind using a potentially fentanyl laced drug--- recreational, experimental or driven by an addiction, legalizing fentanyl testing strips is first and foremost a life-saving measure. Too many Texans are dying and leaving too many loved ones devastated not to legalize fentanyl testing strips as an inexpensive common-sense measure to reduce preventable deaths from fentanyl poisoning.

We urge the public health committee to vote favorably on HB 362 to reduce overdose and death from fentanyl and encourage you to support similar measures for other deadly drugs that may appear in the future.

Molly Cook
Self
Houston, TX

I am an ER nurse, and I support this bill. Thank you!

Sydney Carter
Network of Behavioral Health Providers
Houston, TX

NBHP drops a card of support for this bill.