

No. 15-23-OR

AN ORDINANCE

An Ordinance of the Council of the County of Allegheny ratifying amendments to the Allegheny County Health Department’s Rules and Regulations, Article II entitled “Needle Exchange Program.”

Whereas, pursuant to the Pennsylvania Local Health Administration Law, 16 P.S. §§ 12001 – 12028, Allegheny County created the Allegheny County Health Department and the Allegheny County Board of Health; and

Whereas, Section 12011 of the Local Health Administration Law provides for the Board of Health to adopt regulations and submit such regulations to Allegheny County for approval or rejection; and

Whereas, during its regularly scheduled public meeting held on March 22, 2023, the Allegheny County Board of Health adopted by unanimous vote amendments to the Allegheny County Health Department Rules and Regulations, Article II entitled, “Needle Exchange Program” attached hereto as Exhibit “A;” and

Whereas, it is the desire of Council to ratify the amendments to the Allegheny County Health Department Rules and Regulations as approved by the Board of Health.

The Council of the County of Allegheny hereby resolves as follows:

SECTION 1. Incorporation of Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein.

SECTION 2. Ratification of Regulations.

Acting pursuant to the Pennsylvania Local Health Administration Law and the Allegheny County Home Rule Charter, County Council hereby ratifies the amendments to the Allegheny County Health Department Rules and Regulations, Article II entitled “Needle Exchange Program,” attached hereto as Exhibit “A.”

SECTION 3. Severability.

If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

SECTION 4. Repealer.


Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

SECTION 5 Effective Date.


In accordance with Section 12011(c) of the Local Health Administration Law, this Ordinance shall become effective ten days after it has been approved.

Enacted in Council, this 20th day of June, 2023.

Council Agenda No. 12715-23.



Patrick J. Catena
President of Council

Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office June 20th, 2023

Approved: 

Rich Fitzgerald
Chief Executive

Attest: 

Jennifer M. Liptak
County Manager/Chief of Staff

M E M O R A N D U M
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: Jennifer M. Liptak
County Manager

DATE: June 1, 2023

RE: Proposed Ordinance

Attached is an Ordinance of the Council of the County of Allegheny ratifying amendments to the Allegheny County Health Department's Rules and Regulations, Article II entitled "Needle Exchange Program."

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.

Proposed Revisions to Allegheny County Health Department Rules and Regulations, Article II - Needle Exchange Programs

LEGISLATIVE SUMMARY

Article II of the Allegheny County Health Department Rules and Regulations provides regulatory oversight to Syringe Services Programs (SSPs) (formerly known as Needle Exchange Programs) in Allegheny County. SSPs are designed to prevent the spread of HIV, Hepatitis B and C, and other bloodborne pathogens and the development of invasive bacterial infections by providing clean injection equipment and biohazard containers. They also represent a significant opportunity to connect individuals with substance use disorders to appropriate medical care, social services, and substance use treatment.

In order to effectively address the urgent issue of infectious disease spread among people who inject drugs (PWID) as well as in an effort to expand access to an important point of intervention in the overdose epidemic, the Allegheny County Health Department is proposing revisions to Article II that clarify administrative requirements and allow for an increase in applications to become an SSP provider. Proposed revisions to Article II were drafted in consultation with technical guidance provided by the Centers for Disease Control, policy recommendations from the Office of National Drug Control Policy, research conducted on best practices from neighboring jurisdictions, and recommendations from local providers.

The Board of Health approved a Public Comment Period of 60 days for the proposed revision of Article II on Nov. 2, 2022. The Public Comment Period was held from November 21, 2022 through January 20, 2023. In addition to accepting written comments, oral testimony was also compiled at a Public Hearing that was held on January 19, 2023. Two members of the public gave oral testimony at the Hearing and seven written comments were submitted.

Pursuant to the authority granted under the Pennsylvania Local Health Administration Law, Sections 12010(f) and 12011(c), on March 22, 2023, the Allegheny County Board of Health voted unanimously to approve changes to its Rules and Regulations, Article II, “Needle Exchange Programs”. A summary of the changes to Article II are as follows:

§201 Purposes: Language updated to reflect on-going infectious disease crisis. **p. 2**
Introduces the philosophy of harm reduction and an overview of related services available to people who inject drugs (PWID). Language modernized to adhere with public health best practices.

§202 Statement of Policy: Language modernized to reflect both the infectious disease and harm reduction services provided by SSPs. **p. 3**

§204 Definitions: Language modernized to reflect current public health best practices. Definitions added for: **p. 3**

- Emergency Opioid Antagonist
- Harm Reduction Services
- Medications for Addiction Treatment
- Overdose
- Post-exposure Prophylaxis
- Pre-exposure Prophylaxis
- Secondary Exchange
- Sharps Waste
- Wound Care

§205 Syringe Services Program Requirements: Section has been reordered and divided into subsections to improve readability. **p. 5**

§205.1 Application and Approval Process: **New subsection.** Clarifies the responsibilities of the provider, the Board of Health (BOH), and the Department. Outlines the provider application process and clarifies the need for municipal approval prior to review by the BOH. Clarifies the content of SSP applications. Removes the requirement for proposed program locations to be more than 1500 feet school facilities, day care facilities, and drug treatment facilities. Municipalities and the BOH retain the ability to reject applications based on proposed location considerations. **p. 5**

§205.2 Operations and Services: **New subsection.** Language revised to modernize participant registration and confidentiality requirements. SSP required services for primary distribution and disposal of used equipment clarified. Minimum requirements for programs that permit secondary exchange are added. Required infectious disease services have been modernized and expanded. Recommended complimentary harm reduction services have been added. **p. 7**

§205.3 Responsibilities of the Department: **New subsection.** Language has been updated to reflect Department's role in compiling and presenting SSP provider applications to the BOH. **p. 11**

§205.4 Reporting: Previously Section 206. Added to Section 205. Updated to reflect current recommended practice as well as expanded infectious disease requirements. Ability to report on complimentary harm reduction services added. **p. 11**

§206 Non-compliance: Previously Section 207. Revised to reflect the role of the BOH and Department in making determinations as to the status of SSP suspensions or terminations. Specifies the ability of municipalities to bring grievances to the **p. 13**

Department. Responsibilities of the Department to provide notice to non-compliant SSPs added.

EXHIBIT "A"

PROPOSED REVISION

**Allegheny County Health Department Rules and Regulations
Article II - Needle Exchange Programs**

**Proposed Article II Revision
Needle Exchange Programs
Rules and Regulations**

Deletions are shown with ~~strikethroughs~~.
Additions are shown in **larger font, bolded, and underlined**.

ARTICLE II ~~NEEDLE EXCHANGE~~ **SYRINGE SERVICES** PROGRAMS
APPROVAL AND REPORTING FOR COMMUNICABLE
~~DISEASE PREVENTION~~
AND PROVIDING DRUG TREATMENT OPPORTUNITIES

201. PURPOSES

The Allegheny County Health Department finds the sharing of intravenous injection ~~apparatus~~ **equipment** among ~~injecting drug users~~ **people who inject drugs (PWID)** a threat to public health. Sharing injection ~~apparatus~~ **equipment** is a significant factor in the transmission of infectious diseases, including HIV and Hepatitis B and C. **Syringe services programs are designed to prevent the spread of HIV, Hepatitis B and C, and other bloodborne pathogens by** ~~providing clean~~ **sterile** injection ~~apparatus~~ **equipment**, and biohazard containers, **and other supplies** through a sanctioned ~~needle exchange program~~, educating ~~injecting drug users~~ as to the dangers of sharing injection ~~apparatus~~ and continued drug abuse, and providing condoms to prevent sexual transmission of infectious diseases have been shown to reduce the incidence of infectious disease transmission among ~~injecting drug users~~. Repeated offerings of drug rehabilitation services have also been demonstrated to increase the likelihood that ~~injecting drug users~~ will enter treatment, and through one or more attempts, become drug free. **They also represent a significant opportunity to connect PWID to appropriate medical care and treatment. Syringe services programs operate under a philosophy of harm reduction, which honors the dignity of those who use drugs or are living with a substance use disorder, reduces the negative consequences of injection drug use, and provides a stigma-free environment for people who inject drugs by providing the care they desire and need. Programs can also act as trusted sources for other harm reduction services, allowing syringe services programs to act as a bridge to initiatives designed to prevent overdoses and overdose deaths as well as to social support services.**

202. STATEMENT OF POLICY

The regulation of ~~needle exchange~~ **syringe services** programs is necessary to assure that the distribution of ~~clean~~ **sterile** injection apparatus **equipment** and biohazard containers is carried out in a manner consistent with the goal of preventing infectious disease transmission among ~~injecting drug users~~ **PWID**, and to encourage the provision of the greatest number of ~~treatment and prevention strategies~~ **harm reduction services** possible, with the ultimate goal of reducing the incidence of HIV and Hepatitis B and C among ~~injecting drug users, their sexual partners, and their offspring.~~ Such ~~prevention~~ **services** will ~~promote~~ **improve** the health, safety and welfare of the community.

203. EFFECTIVE DATE

The provisions of this Article will become effective ten days after the enactment date of an ordinance of Allegheny County approving its provisions.

204. DEFINITIONS

~~The following terms when used in this Article have the meanings indicated in this section, except where the context indicates a clearly different meaning.~~

“Biohazard Containers” shall mean ~~approved~~, limited access, puncture-proof receptacles to be used for the safe storage of used **hypodermic** needles or sharps **waste**.

“Board of Health” shall mean the Allegheny County Board of Health.

“Department” shall mean the Allegheny County Health Department.

“Director” shall mean the Director of the Allegheny County Health Department or ~~his or her~~ **their** authorized representative.

“Emergency Opioid Antagonist” shall mean a drug approved by the United States Food and Drug Administration for the complete or partial reversal of an opioid overdose, including, but not limited to, intramuscular, nasal, and autoinjector formulations.

“Harm Reduction Services” shall mean programs or practices that aim to reduce the negative health and social impacts of substance use. Examples of harm reduction services include but are not limited to: infectious disease screenings; vaccinations; education about overdose prevention; wound care;

emergency opioid antagonist distribution and education; and referrals to health and social services.

“Infectious Disease Screening” or “IDS” shall mean testing blood or other tissue for HIV and Hepatitis B and C, by a Clinical Laboratory Improvement Amendments (CLIA) approved method.

“Injection Apparatus **Equipment**” shall mean **materials involved in injecting drugs including, but not limited to,** syringes, **hypodermic** needles, **cotton, water,** and alcohol wipes.

“Medications for Addiction Treatment” shall mean drugs approved by the United States Food and Drug Administration for the treatment of substance use disorders or the use of such drug, in combination with counseling and behavioral therapies, to provide a “whole-patient” approach to the treatment of substance use disorders and any concomitant conditions associated with it.

“Overdose” shall mean an acute condition, including, but not limited to, physical illness, coma, mania, hysteria, seizure, cardiac arrest, cessation of breathing, or death, which reasonably appears to be the result of consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe requires medical assistance.

"Program Participant" shall mean any individual receiving services, materials, or referrals from a needle exchange **syringe services** program.

"Program Location" shall mean the specific, **fixed** address at which a Needle Exchange **syringe services** Pp program provides any materials or services to any Pp participant(s), whether inside a building or at a temporary facility, including, but not limited to, **a building,** tents, outdoor tables, or mobile facilities **vehicles.**

“Key Individuals” shall mean individual(s) with actual authority **and responsibility for** over the day-to-day operations of **the** Needle Exchange **syringe services** Pp programs **and that serves as the contact for communication with the Department.**

“Needle Exchange **Syringe Services** Program” shall mean a public or private enterprise with the goal of reducing the incidence of infectious disease transmission among Program

Participants, their sexual partners, and their offspring, approved by the Board of Health, through the provision of education on safe practices, counseling opportunities, clean Injection Apparatus, Biohazard Containers, and condoms or other barrier methods of preventing sexually transmitted diseases a program where unused, sterile hypodermic needles, syringes, and other supplies are distributed and collected for safe disposal. These programs may also provide additional harm reduction services, either through direct access or referral, that are intended to lessen the adverse consequences of drug use and protect public health and safety.

“Person” shall mean any natural person, corporation, partnership or association.

“Post-exposure Prophylaxis (PEP)” shall mean antiretroviral drugs approved by the United States Food and Drug Administration for the prevention of HIV infection after a possible exposure to HIV.

“Pre-exposure Prophylaxis (PrEP)” shall mean drugs approved by the United States Food and Drug Administration for the prevention of HIV infection in individuals at risk for exposure from sexual activity or injection drug use.

“Secondary Exchange” shall mean a practice through which persons distribute unused injection equipment and other supplies obtained from an approved syringe services program to PWID who are unable to travel to the program location, and who may also collect used hypodermic needles, syringes, and other supplies from PWID for safe disposal.

"Sharps Waste" shall mean used injection equipment.

“Wound Care” shall mean treatment of the symptoms of skin and soft tissue infections that may result from injection drug use.

205. ~~NEEDLE-EXCHANGE~~ SYRINGE SERVICES PROGRAM REQUIREMENTS

205.1 Application and Approval Process

- A. The Department shall, subject to the approval of the Board of Health, devise operating procedures an application process for persons proposing to establish a Needle Exchange syringe services Pprogram in Allegheny County, Pennsylvania. Applications, including proof of approval of the proposed program location by resolution or ordinance from the municipality in which the

program is proposed to operate, are to be submitted to the Department and the Director will present completed applications to the Board of Health for review and final determination of approval. ~~The Board shall not approve or alter any operating procedure without providing written notice of the new procedure(s) to the Allegheny County Council and Chief Executive at least thirty (30) days prior to the Board's vote.~~

- B. ~~The Board of Health shall review each proposal for a Needle Exchange Program, and upon~~ **Following Board of Health** approval, **the Department** shall forward written copies of all materials pertaining to approved ~~proposals~~ **applications** to the County Chief Executive and **County** Council, and to the Mayor and Council or, if applicable, Commissioners of each municipality where a Needle Exchange **syringe service** ~~P~~program is proposed at least ninety (90) days before the Program proposes to begin operations.
- C. Persons wishing to create and operate Needle Exchange **a syringe services** ~~P~~program shall submit to the Board of Health **Director a completed application that includes the following information:**
- i. ~~w~~**Written statements of their intent to promulgate such a program, including a rationale for the necessity for the program;**
 - ii. ~~with~~ **The names, addresses, and social security numbers position titles, and contact information of key individual(s);**
 - iii. Each statement shall include a rationale for the necessity for the program, ~~t~~**The intended program location(s), days and hours of operations, and staffing. The description of staffing shall include number of staff, titles of positions, and descriptions of their functions;** ~~the proposed method for tracking program users. Any changes in this identifying information or the identity of Key Individuals shall be sent to the Board of Health within thirty days. All Needle Exchange Program shall maintain continuously updated records of the full names, addresses and telephone numbers of all individuals providing services to or having contact with Program Participants at any Program Location.~~
 - iv. **A protocol for the safe and secure disposal of sharps waste and related supplies;**

- v. Proof of approval of the proposed program location by resolution or ordinance from the municipality in which the program is proposed to be located;
- vi. As applicable, a description of proposed additional harm reduction services to be provided directly by the program; and
- vii. If known, the names of community organizations the program plans to offer as referrals to participants for additional medical and social services.

D. No Needle Exchange syringe services Pprogram shall operate in any location until the address of the Pprogram Llocation is specifically approved by resolution or ordinance from the proposed site's municipality and the Board of Health and the proposed site's municipality through legislative action.

i. — Program Llocations in operation with the approval of the Allegheny County Health Department as of January 1, 2007 **2023** shall not require additional approval by the Department or the municipality in which they are located, although all such Program Locations shall be disclosed to the Mayor, Council, and/or Commissioners of all municipalities in which they are located in writing within ten (10) days of the effective date of this Regulation.

ii. — Under no circumstances shall the Department approve any future program location proposed to be within 1,500 feet of any elementary, primary school, secondary school, licensed day care facility, or drug treatment facility, except in the City of Pittsburgh.

iii. — The Department shall not approve any temporary facility, including but not limited to tents, outdoor tables, or mobile units, as a Program Location unless such location is first identified by address and in writing by the Needle Exchange Program, and the municipality in which the temporary facility is to be located is notified in writing of the address of the temporary Program Location in accordance with the requirements of Subsection 205.C.

205.2 Operations and Services

A. The Department shall devise application guidance for syringe services programs. The Department shall, at a minimum, make such materials available via print materials and on its website.

E. **B.** Needle Exchange Program shall enroll each Program Participant with a unique identifier, and shall not provide services before attempting to elicit the Program Participant's age, gender, self-reported race, zip code, and disease status (HIV, Hepatitis B or C.) **Syringe services programs shall institute a registration process for program participants for the purpose of records or data collection. Such registration shall be voluntary, non-contingent, and non-coercive.**

C. **Syringe services programs shall maintain the anonymity of all program participants. Information obtained by a syringe services program that might directly or indirectly identify a program participant, including program records, shall be kept confidential.**

F. Each Needle Exchange encounter shall be documented with the unique identifier and the date and time of the encounter. The person documenting the encounter and all individuals providing materials or services to any Program Participant shall provide his or her initials. Documentation **of registration and encounters with participants** shall be retained by the Needle Exchange **syringe services** Pprogram for at least three (3) years.

i. — IDUs not known to be infected with HIV, or Hepatitis B or C infections at first screening shall be offered testing at the first visit that is at least six months from the date of first screening.

ii. — IDUs presenting with one or more symptoms of HIV or Hepatitis B or C shall be informed that they should follow up immediately with their primary care provider or the Department.

iii. — IDUs shall be counseled on safe sex practices.

G. Needle Exchange Program shall be primarily for the use of Allegheny County Residents, but non-residents may participate if there are available resources.

H. — The number of Injection Apparatus and Biohazard Containers dispensed shall be no more than are reasonably necessary for one month's worth of injections at an IDU's first interaction with the Needle Exchange Program.

D. **Syringe services programs are required to provide the following program components directly to program participants:**

- i. Provide injection equipment and other supplies at no cost and in quantities sufficient to reasonably ensure that hypodermic needles, syringes, and other supplies are not shared or reused and
- ii. Provide education regarding the proper disposal of sharps waste and other supplies and offer one or more of the following disposal options for used hypodermic needles and syringes:
 - (a) An onsite hypodermic needle and syringe collection and disposal program that meets applicable state and federal standards;
 - (b) Furnish, or make available, mail-back biohazard containers authorized by the U.S. Postal Service; or
 - (c) Furnish, or make available, biohazard containers for use off-site by program participants that meet applicable state and federal standards.

E. Syringe services programs that permit secondary exchange shall make the following materials available for persons to distribute to PWID unable to access the program location:

- i. Injection equipment and biohazard containers as outlined in § 205.2 D;
- ii. Notification of the syringe services program's hours of operation and program location(s); and
- iii. Printed materials on availability of infectious disease services and on harm reduction practices, including safer injection practices and the proper disposal of sharps waste.

F. Syringe services programs may directly provide the below infectious disease services. If a syringe services program is unable to provide services directly, the program shall provide referrals to appropriate services or inform program participants of relevant services available

through the Department and community organizations. Referrals and direct infectious disease services shall be documented for the purpose of records or data collection and be kept confidential.

- i. Testing options for HIV, viral hepatitis, other bloodborne infectious diseases transmitted through injection drug use, sexually transmitted infections, and COVID-19;
- ii. Prevention, treatment, and care services for HIV, including PEP and PrEP, viral hepatitis, other bloodborne infectious diseases transmitted through injection drug use, and sexually transmitted infections; and
- iii. Vaccinations for hepatitis A, hepatitis B, human papillomavirus (HPV), influenza, pneumococcal, Tdap (tetanus, diphtheria, pertussis), and COVID-19.

I. G. Each IDU shall be offered a referral to drug treatment and counseling services at each Needle Exchange Encounter. Syringe services programs may either directly provide or may provide referrals to the below harm reduction services, where such services are reasonably available in the community. Such referrals and direct harm reduction services shall be documented for the purpose of records or data collection and be kept confidential with the initials of the person who made the referral and the IDU's response:

- i. Emergency opioid antagonist kits and training on overdose prevention, including materials regarding how to recognize an opioid overdose and how an emergency opioid antagonist can help prevent a fatal overdose;
- ii. Substance use disorder care, treatment, or recovery services, including, but not limited to, medications for addiction treatment and peer support services, as appropriate;
- iii. Mental health services, including peer support services, as appropriate;

- iv. Medical treatment services, including provision of antibiotics, wound care, treatment for viral hepatitis, PEP and PrEP, and pre- and post-natal care;
- v. Condom distribution and education regarding safer sex practices; and
- vi. Assistance with obtaining social services, such as legal services, identification, housing, food, health insurance enrollment, clothing, and transportation services.

205.3 Responsibilities of the Department

- A. The Department shall confirm receipt of submitted applications. Programs shall receive notification of incomplete submissions and instructions on submitting needed materials.**
- B. Upon receipt of a completed application, the Department shall ensure that the Board of Health approval vote is scheduled in a timely manner.**
- J. **C.** Whenever possible, the Department shall provide infectious disease testing materials as requested by Needle Exchange syringe services Pprograms.
- K. **D.** Community laboratory facilities processing Needle Exchange syringe services Pprogram specimens shall report positive infectious disease tests not conducted by the Department ~~shall be reported~~ to the Department within seventy-two (72) hours.
- L. Department funds shall not be used to support any activity of any Needle Exchange Program without prior approval as required by law.
- E. The Department shall ensure that syringe services program reports are submitted annually to the Board of Health.**

~~206.~~ **205.4** Reporting

- A.** Needle Exchange Syringe services Pprograms shall submit to the Director ~~Semi-annual~~ **a**Annual ~~r~~Reports of the disease status of all enrolled IDUs on or before December 31 and July 1 of each calendar year, in a form to be determined by the Director Board of Health, but which shall include at least:

- i.** ‡The number of encounters;
- ii.** ‡The number of individual participants;
- iii.** ‡The total **quantity** number of injection apparatuses **equipment distributed**; the number of treatment referrals made, the number of infectious disease tests performed.
- iv.** **The estimated number of used hypodermic needles and syringes collected by or given to program staff, employees, or volunteers for disposal;**
- v.** **For programs that distribute emergency opioid antagonists, the quantity distributed;**
- vi.** **The number of participants who received tests for, or who were referred to services that provide testing for, HIV, viral hepatitis, or other bloodborne infectious diseases;**
- vii.** **The number of participants who received, or who were referred to services that provide, prevention, treatment, and care services for HIV, including PEP and PrEP, viral hepatitis, other bloodborne infectious diseases transmitted through injection drug use, and sexually transmitted infections; and**
- viii.** **The number of participants who received, or who were referred to services that provide, vaccinations for hepatitis A, hepatitis B, human papillomavirus (HPV), influenza, pneumococcal, Tdap (tetanus, diphtheria, pertussis), and COVID-19.**

B. **If known, programs may also report out on:**

- i.** **Demographic information regarding participants including, but not limited to, age, gender, race, ethnicity, area of residence, types of drugs used, length of drug use, and frequency of injection;**

- ii. For programs that permit secondary exchange, an overview of populations served and the municipality or municipalities where secondary distribution has been facilitated;
- iii. The number of participants engaged in, or referred to, substance use disorder treatment services, either through referral or directly provided by the program;
- iv. The number of participants who received, or who were referred to entities that provide, medication for addiction treatment;
- v. The number of participants who received, or who were referred to entities that provide, mental health treatment services;
- vi. The number of participants who received, or who were referred to entities that provide, social services;
- vii. The number of participants who received, or who were referred to entities that provide, health care services, including reproductive health care, treatment for viral hepatitis, PEP, PrEP, and wound care services; and
- viii. The number of participants who received, or who were referred to entities that provide, recovery support services, including peer support services.

2076. VIOLATIONS NON-COMPLIANCE

A. Any Needle Exchange syringe services Pprogram approved by the Board of Health that violates fails to comply with any of the sections contained herein, shall may lose its authorization to continue to operate as a Needle Exchange syringe services Pprogram, subject to the discretion of the Department ~~or upon the repeal of the legislative Program Location approval required under the terms of Subsection 205.D. by the host municipality.~~ In addition to options available in Section 207, aggrieved municipalities in which programs are located may also consult the Department regarding any limitations, corrective actions, or

possible suspensions or terminations of approved syringe services programs.

B. Before any termination, suspension, or limitation of any operations, the Department shall first send written notice of non-compliance to the syringe services program. The written notice shall include the following:

- i. The specific findings of non-compliance;**
- ii. The program location where the non-compliant action(s) took place;**
- iii. The remedial measures, if any, the syringe services program shall take to consider removal of any limitation; and**
- iv. Steps to appeal the decision.**

2087. APPEALS

Any **P**erson aggrieved by any action of the Department may file an appeal in accordance with the Allegheny County Health Department Rules and Regulations, Article XI, entitled "Hearings and Appeals."

2098. SEVERABILITY

Should any section, paragraph, sentence, clause or phrase of this Article be declared unconstitutional, null or otherwise invalid for any reason, the remainder of this Article shall not be affected thereby.

End of Regulation Change