



Louisiana Society of Addiction Medicine

A Chapter of American Society of Addiction Medicine

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May 9, 2022

The Honorable Franklin J. Foil
Chairman
Senate Committee on the Judiciary C
900 North Third Street
Baton Rouge, LA 70802

Re: Support for HB 212

Dear Chairman Foil,

On behalf of the Louisiana Society of Addiction Medicine (LSAM), the medical specialty society representing physicians and other clinicians in Louisiana who specialize in the prevention and treatment of addiction, I would like to express our support for HB 212. This important legislation would remove fentanyl test strips (FTS) from drug paraphernalia classification under state law. With opioid-involved deaths in Louisiana increasing,ⁱ due primarily to the proliferation of fentanyl, it is vital that our citizens have access to proper testing equipment that can save lives.

Fentanyl testing strips are accessible and inexpensive tests that can be utilized by drug users to detect the presence of fentanyl in their drugs with high accuracy. These tests are associated with positive changes in drug use behavior and desire to seek treatment, indicating that they have the potential to prevent overdoses and save lives.^{ii iii} State lawmakers around the country recognize this robust body of scientific evidence and have moved to legalize fentanyl test strip possession and usage. For example, legislation similar to HB 212 has been enacted recently in diverse settings such as New Mexico, Tennessee, and Wisconsin.

According to a recent legal analysis, it is clearly legal to possess fentanyl test strips and other drug testing equipment in 22 states.^{iv} Additionally, in 14 states drug testing equipment is legal only if the materials are distributed from a certified syringe service program. Discrepancies of this nature can cause confusion about the true legality of fentanyl test strips and restrict their availability. Therefore, it is recommended that states clarify their laws to ensure that fentanyl test strips are clearly excluded from drug paraphernalia classification. The enactment of HB 212 would accomplish this aim in Louisiana.

LSAM greatly appreciates the opportunity to comment on this important legislation. If there is any other assistance that we can provide, please contact our president, Dr. Gregory Caudill, at (504) 300-9330 or at caudill1872@gmail.com.

Sincerely,

Gregory Caudill, MD, FASAM

President, Louisiana Society of Addiction Medicine

CC: The Honorable Mark Abraham
The Honorable Regina Barrow
The Honorable Gary Carter
The Honorable Beth Mizell
The Honorable Rick Ward
The Honorable Mack White

ⁱ Ahmad, F. B., Rossen, L. M., & Sutton, P. (2022). *Provisional Drug Overdose Death Counts*. National Center for Health Statistics. <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

ⁱⁱ Peiper, N. C., Clarke, S. D., Vincent, L. B., Ciccarone, D., Kral, A. H., & Zibbell, J. E. (2019). Fentanyl test strips as an opioid overdose prevention strategy: Findings from a Syringe Services Program in the Southeastern United States. *International Journal of Drug Policy*, *63*, 122–128. <https://doi.org/10.1016/j.drugpo.2018.08.007>

ⁱⁱⁱ Krieger, M. S., Goedel, W. C., Buxton, J. A., Lysyshyn, M., Bernstein, E., Sherman, S. G., Rich, J. D., Hadland, S. E., Green, T. C., & Marshall, B. D. L. (2018). Use of rapid fentanyl test strips among young adults who use drugs. *International Journal of Drug Policy*, *61*, 52–58. <https://doi.org/10.1016/j.drugpo.2018.09.009>

^{iv} Davis, C. S., Lieberman, A. J., & O'Kelley-Bangsberg, M. (2022). Legality of drug checking equipment in the United States: A systematic legal analysis. *Drug and Alcohol Dependence*, *234*. <https://doi.org/10.1016/j.drugalcdep.2022.109425>