

## ORDINANCE NO. 2006-048

Adopted by the Sacramento City Council

September 5, 2006

### AN ORDINANCE ADDING CHAPTER 9.10 TO THE SACRAMENTO CITY CODE, RELATING TO THE CREATION AND ADOPTION OF A DISEASE PREVENTION DEMONSTRATION PROJECT

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Chapter 9.10 of the Sacramento City Code is hereby added as follows:

#### **Section 9.10.010 Findings.**

The Council of the City of Sacramento finds and declares the following:

1. Pursuant to authorization by a city or county, Business and Professions Code section 4145 allows a pharmacist to furnish or sell ten (10) or fewer hypodermic needles or syringes to a person for human use, provided the pharmacist works for a pharmacy registered for the Disease Prevention Demonstration Project and provided the pharmacy complies with the provisions of Health and Safety Code section 121285. c

2. The Sacramento County Department of Health and Human Services, with the support of pharmacies in the community, is able to administer the Disease Prevention Demonstration Project within the physical boundaries of the City of Sacramento.

3. Pursuant to charter amendments, in 1956-1957, the City and County Health Departments merged and in 1957 the City and County of Sacramento entered into an agreement implementing the merger. The agreement appoints the County Health Officer as the Health Officer of the City, effective February 1, 1957 and transfers all functions of the City Health Department (with limited inapplicable exceptions) to the County Health Department.

#### **Section 9.10.020 Local Disease Prevention Demonstration Project - Health Department Requirements**

Within the physical boundaries of the City, there is established a Local Disease Prevention Project satisfying the requirements for such a program as set forth in Section 121285 of the Health and Safety Code. The County of Sacramento Health Department serving as Health Officer for the City of Sacramento shall be responsible for the following:

1. Creating and maintaining a registry of pharmacies located within the City of Sacramento desiring to participate in the Local Disease Prevention Demonstration Project. The registry will include:

A. Contact name and related information for each pharmacy.

B. Certification in the form of an attestation by an individual authorized to sign on behalf of each pharmacy that at the time of the furnishing or sale of hypodermic needles or syringes pursuant to this provision, the pharmacy will provide customers with written or oral information on all the following: (a) how to access drug treatment; (b) how to access testing and treatment for HIV and hepatitis C; and (c) how to safely dispose of sharps waste.

2. Making available to the pharmacies, written information on: (a) how to access drug treatment; (b) how to access testing and treatment for HIV and hepatitis C; and (c) how to safely dispose of "sharps waste," so that such information may be provided or reproduced to be provided by the pharmacy at the time of furnishing or sale of nonprescription hypodermic needles or syringes. (For purposes of this chapter, "sharps waste" means hypodermic needles, syringes and lancets.)

### **Section 9.10.030 Local Disease Prevention Demonstration Project - Pharmacy Requirements**

In order to furnish or sell nonprescription hypodermic needles or syringes as part of the Disease Prevention Demonstration Project within the City of Sacramento, a pharmacy shall do all of the following:

1. Register with the County of Sacramento Health Department by providing a contact name and related information.

2. Certify in the form of an attestation that it will provide, at the time of furnishing or sale of hypodermic needles pursuant to this provision, written information or verbal counseling on all of the following: (a) how to access drug treatment; (b) how to access testing and treatment for HIV and hepatitis C; and (c) how to safely dispose of "sharps waste."

3. Store hypodermic needles and syringes so that they are available only to authorized personnel, and not openly available to customers.

4. Provide one or more of the following options to provide for the safe disposal of hypodermic needles and syringes: (a) an onsite safe hypodermic needle and syringe collection and disposal program; (b) furnish or make available for purchase, mail-back sharps disposal containers authorized by the United States Postal Service that meet applicable state and federal requirements, and provide tracking forms to verify destruction at a certified disposal facility; or (c) furnish or make available for purchase, personal sharps disposal containers that meet state and federal standards for disposal of medical waste.

**Section 9.10.040 Effective Dates**

This provision will expire on December 31, 2010 unless extended pursuant to state law and authorized by the City of Sacramento.

Adopted by the City of Sacramento City Council on September 5, 2006 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, and Tretheway.


Noes: Councilmembers Sheedy and Waters.

Abstain: None.

Absent: Mayor Fargo.

Attest:

  
Shirley Concolino, City Clerk

  
Robert King Fong, Vice Mayor

Passed For Publication August, 29, 2006  
Published September 1, 2006  
Effective September 5, 2006