



MICHELLE LUJAN GRISHAM  
Governor

DAVID R. SCRASE, M.D.  
Acting Cabinet Secretary

**FOR IMMEDIATE RELEASE**

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**Governor signs House Bill 52, Harm Reduction Act**  
*Legislation permits distribution of life-saving drug testing devices*

SANTA FE — Governor Michelle Lujan Grisham today signed [House Bill 52](#), which modernizes the state’s Harm Reduction Act to better serve communities and improve the health of New Mexicans. The legislation amends the Harm Reduction Act to allow the New Mexico Department of Health and organizations across the state to distribute fentanyl test strips and other drug testing devices. The bill is sponsored by Representatives Tara L. Lujan, Dayan Hochman-Vigil, and Christine Chandler, and Senators Katy Duhigg and Linda Lopez.

“We fully embrace having the ability to intervene as new public health emergencies occur, to save lives and get people into evidence-based treatment programs,” said Acting New Mexico Department of Health (NMDOH) Cabinet Secretary David R. Scrase, M.D. “The enhanced capacity to offer critical services will make a groundbreaking difference in the lives of New Mexicans who participate in and rely on these programs.”

“HB52 makes changes to the Harm Reduction Act that will make supplies proven to decrease overdose and the spread of disease available statewide. It also allows possession of drug testing devices, like fentanyl test strips legal, which detect the presence of deadly fentanyl in both prescription and illegal drugs,” said Representative Tara Lujan. “Fentanyl overdose is the leading cause of death in New Mexicans ages 18-35 and around the nation. With these changes, we can take a significant step towards preventing many of these unnecessary deaths.”

“I am so grateful to Governor Lujan Grisham for signing this critical legislation,” said Senator Duhigg. “This public health crisis requires a multifaceted, flexible and modernized approach to be effective. HB52 increases our ability to intervene and will save New Mexican lives.”

Currently, powerful and deadly synthetic opioids are driving a new wave of overdoses in the state and around the country, and public health professionals need flexibility in developing effective, data-driven harm reduction interventions. One of the most critical interventions is the use of fentanyl test strips, which can reveal lethal and otherwise undetectable amounts of the toxic synthetic opioid.

However, fentanyl test strips were previously considered drug paraphernalia and could result in criminal charges. HB52 allows for the legal possession and use of the strips to maximize safety and mitigate the risk of overdose. NMDOH has noted an exponential and alarming increase in fentanyl overdose deaths in New Mexico since 2018, affecting every county, rural and urban. This legislation vastly increases the ability of NMDOH to intervene with data-driven approaches to harm reduction, while enabling it to distribute drug testing devices in addition to naloxone to prevent and reverse overdose.

For more information on how the Harm Reduction Program works to reduce substance-related harm while enhancing individual, family, and community wellness, please visit [nmhealth.org](https://nmhealth.org).

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**NMDOH**

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The Department of Health works to promote health and wellness, improve health outcomes, and deliver services to all New Mexicans. As New Mexico's largest state agency, DOH offers public health services in all 33 counties and collaborates with 23 Native American tribes, Pueblos and nations.