

May 26, 2017

Dear Ministers:

Re: Healthy drug policy: Bill C-37 and beyond

We, the undersigned, write to you respecting the recent passage into law of Bill C-37, *An Act to amend the Controlled Drugs and Substances Act and to make related amendments to other Acts*. As you well know, the intent of this law is to facilitate the scaling up of safer consumption services (SCS) across Canada, against the backdrop of the opioid overdose crisis that has already claimed too many lives.

We collectively monitored the progress of the bill, which is now law, and made various submissions to both the House of Commons and the Senate during their review of Bill C-37, with a view to ensuring a simple, straightforward and expeditious legislative framework for securing exemptions from the *Controlled Drugs and Substances Act* (CDSA) to operate an SCS without risk of prosecution. In our view, this new law represents a very substantial improvement over the previous legislative framework.

However, we need our governments — including provincial and territorial governments — to go further, in keeping with the spirit and the letter of this new law. We urge you to consider action on two important fronts:

1. *Ensuring that provincial/territorial funding be made immediately available for scaling up safer consumption services, and bureaucratic barriers to funding be eliminated*

Without committed funding to actually administer these much-needed and life-saving services, the new law will be nothing more than words on paper and people who use drugs in Canada will continue to die.

We call upon provincial and territorial health authorities to commit immediately to provide long-term funding for safer consumption services where there is evidence of need. Furthermore, provincial and territorial health authorities must not impose, in the context of funding such services, unduly burdensome operational requirements that effectively delay their scale-up. As the ongoing opioid crisis illustrates, such bureaucratic delays are deadly.

2. *Scaling up access to treatment for opioid use disorder*

During the debate over Bill C-37, we were heartened to see Senators and MPs from various political parties stating their support on the record for improving access to “alternative pharmaceutical therapy” for those using safer consumption services. Scaling up access to these therapies in addition to the establishment of safer consumption services presents an excellent opportunity for provincial authorities to significantly improve their system of care for people who use drugs in their communities.

There is an urgent need to expand access to treatment including medication-assisted treatment such as the prescription of buprenorphine, methadone, hydromorphone and diacetylmorphine for those with opioid dependence. Ensuring access to substances of known composition and potency is preferable to people injecting illegally-acquired substances of unknown, potentially deadly composition. These are sensible, evidence-based measures, particularly in light of the ongoing crisis of fatal opioid overdoses.

We therefore call on provincial and territorial governments to take urgent steps to scale up access to the full range of medication-assisted treatment, from buprenorphine and methadone to prescription hydromorphone and diacetylmorphine. This is an urgent public health necessity.

Without leadership and committed long-term funding from provincial and territorial governments, the promise of Bill C-37 will never be realized and people will continue to needlessly suffer and die. Drug policy is at a critical juncture in Canada, and provincial and territorial governments now have the law on their side to scale up safer consumption services and save lives. If this critical opportunity is not seized, we will continue to see the damage done by HIV, hepatitis C, overdose and inadequate health services, particularly for some of the most marginalized people in Canadian society.

Sincerely,

Dr. Jeff Blackmer, Vice-President, Medical Professionalism, Canadian Medical Association

Richard Elliott, Executive Director, Canadian HIV/AIDS Legal Network

Marilou Gagnon, Founder, Coalition of Nurses and Nursing Students for Supervised Injection Services

Donald MacPherson, Director, Canadian Drug Policy Coalition

Katrina Pacey, Executive Director, Pivot Legal Society

Barb Shellian, RN, MN, President, Canadian Nurses Association

Dr. Dan Werb, Executive Director, International Centre for Science in Drug Policy

Jordan Westfall, President, Canadian Association of People who Use Drugs

Catherine Zahn, MD, FRCP(C), President and CEO, Centre for Addiction and Mental Health

