

Where Decriminalization Applies

Designated Health Care Clinics:

Community-based clinics and physician offices that primarily provide substance use services, supports or access to addictions medicine.

Includes:

- Drug checking services
- Overdose prevention sites and services
- Community physician offices where the patient population is comprised primarily of persons with substance use concerns
- Clinics funded and/or operated by a regional health board or the PHSA which provide primarily substance use services (e.g. rapid access to addiction care and/or opioid agonist treatment)

These are essential community services for people who use drugs. The purpose of exempting these locations is to ensure people do not face additional barriers in accessing services and supports related to substance use and addiction.

Health service categories below are designated by the B.C. Minister of Mental Health and Addictions as Health Care Clinics as defined in the S.56 Exemption.

Health Service	Operational Definition and Guidance
<p>Drug Checking Services <i>(covered under separate UPHNS S56 exemption)</i></p>	<p>Locations or service settings that offer drug checking services. Drug checking is a harm reduction service that allows individuals to submit illicit drug samples to learn what is in it. Drug checking can be provided with a variety of different technologies (from simple test strips, through to sophisticated laboratory machines) and is meant to provide the client with information that can help them make informed decisions to reduce risks of using—including how much, where, with whom, or even whether to use.</p> <p><i>Note: Exemption also covers handling, collection, storage, transport of small amounts of drugs for testing.</i></p>
<p>Overdose prevention sites and services (OPS)</p>	<p>Sites and services where the consumption of substances, including illegal substances, is monitored and rapid medical intervention is available in case of need or;</p> <p>A place or places in housing facilities where residents of those buildings can go to use substances with supervision by trained staff, and rapid intervention is available in case of need.</p>

	Overdose prevention services (OPS) may be offered at a fixed site, within hospitals, may be mobile or temporary.
Health Authority clinics and physician offices primarily providing care for substance use and addictions, including Opioid Agonist Treatment (OAT) clinics	<p>Community-based clinics and physician offices that primarily provide care for substance use and addictions.</p> <p>This could include both Health Authority run or contracted clinics, and physician offices in community. Including Rapid Access Addiction Clinics (RAAC), Opioid Agonist Treatment (OAT) clinics, injectable Opioid Agonist Treatment (iOAT) clinics.</p> <p>Applies to 18+ adults only in these locations.</p> <p>OAT/ iOAT Clinics: Structured, supervised clinical settings offering medications for the treatment of opioid use disorder that help reduce the risk of a toxic drug poisoning event and death and sustained abstinence from unregulated opioid use.</p> <p>RAAC Clinics: Health Authority-run clinics that provide low-barrier, responsive care to patients with substance use concerns with a focus on assessment, initial stabilization and transition to community-based clinics and services.</p>

Other definitions

Term	Definition
Unhoused and sheltering in accordance with all applicable laws	<p>Includes people who are unhoused and sheltering in either outdoor or indoor locations (i.e. emergency shelters) subject to all applicable laws (including local bylaws)</p> <ul style="list-style-type: none"> • If outdoor – does not require a physical shelter. • This exemption does not over-ride local bylaws that may prohibit smoking.
Within a private residence	<p>A residence as defined in section 1 of the <i>Liquor Control and Licensing Act</i>, SBC 2015, c. 19.</p> <ul style="list-style-type: none"> • A building or part of it, or a manufactured home that is occupied and used by the owner, lessee, or tenant solely as a private dwelling, together with the land and buildings adjacent to it that are used for the convenience, occupation and enjoyment of the occupants, or • A private guest room in a hotel, motel or other building in which private rooms are maintained for the accommodation of the public.