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February 2, 2026

Dear Colleagues:

This letter is intended to provide information to organizations that contract with the Massachusetts Department of Public Health (DPH) with respect to three federal communications related to funding for harm reduction services. DPH is adherent to all federal grant guidance related to harm reduction activities, but there are limitations to federal funding. To provide comprehensive harm reduction services to people with a substance use disorder and those that use drugs, DPH will continue to utilize both state and non-federal funds. These services are crucial, life-saving interventions that remain a priority to the Commonwealth.

On July 24, 2025, the Trump Administration issued an Executive Order (EO) titled "Ending Crime and Disorder on America's Streets".[1] In the EO, the President directed the Secretary of Health and Human Services (HHS) to take action to "ensure that discretionary grants issued by the Substance Abuse and Mental Health Services Administration (SAMHSA) for substance use disorder prevention, treatment, and recovery fund evidence-based programs and do not fund programs that fail to achieve adequate outcomes, including so-called 'harm reduction' or 'safe consumption' efforts that only facilitate illegal drug use and its attendant harm" (Section 4(a)(i)).

On July 29, 2025, SAMHSA published a "Dear Colleague" letter to reinforce the Administration's position on harm reduction pursuant to the EO and clarify, through a list, which supplies and services can and cannot be supported with SAMHSA funding.[2]

In September 2025, the Health Resources and Services Administration (HRSA) updated its website to include a webpage entitled "Advancing HRSA's Mission Through Focused, Accountable Action".[3] The webpage states that HRSA funds will not be used to support harm reduction activities, consistent with SAMHSA's guidance on July 29, 2025. Further, the

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[1] https://www.federalregister.gov/documents/2025/07/29/2025-14391/ending-crime-and-disorder-on-americas-streets

[2] https://www.samhsa.https://www.samhsa.gov/sites/default/files/dear-colleague-letter-executive-order-ending-crime-disorder-americas-streets-07302025.pdf

[3] https://www.hrsa.gov/about/priorities

webpage states: "It is a priority of HRSA not to support programs that subsidize drug injection sites for illegal drugs or so-called 'safe consumption sites,' knowingly distribute drug paraphernalia, or permit use or distribution of illegal drugs on property under their control".

DPH implements its HRSA and SAMHSA grants in a manner that is consistent with federal guidance related to harm reduction activities.[4] DPH does not authorize subcontractor or subrecipient use of SAMHSA funds for the non-supportable supplies or services identified in the "Dear Colleague" letter and does not allow HRSA funds to be used to purchase syringes, safer smoking kits, or related harm reduction materials.[5]

DPH will continue to work with federal grant subrecipients to ensure that federal funds are used only to support allowable costs and activities, including the use of funds for allowable services of "life-saving overdose prevention and response services" and "infectious disease prevention services" in alignment with federal guidance.

If you have questions regarding your agency's compliance with federal guidance, we encourage you to consult your agency legal counsel as DPH is unable to provide legal advice regarding the interpretation of these directives.

DPH is committed to helping ensure that Massachusetts residents have access to a comprehensive set of services that is responsive to their needs, and we appreciate your partnership. DPH will continue to utilize state and non-federal funds to support these aims.

Thank you,

Robbie Goldstein, MD, PhD
Commissioner
Massachusetts Department of Public Health

Kiame Mahaniah, MD, MBA
Secretary
Executive Office of Health and Human Services

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[4] Including State Opioid Response Grant, Substance Use Prevention, Treatment and Recovery Services Block Grant, Promoting the Integration of Primary and Behavioral Health Care, and Strategic Prevention Framework for Prescription Drugs.

[5] https://www.govinfo.gov/app/details/USCODE-2023-title42/USCODE-2023-title42-chap6A-subchapXXIII-sec300ee-5/context