

Prescription Drug Take-Back & Drop-Off Programs

Statewide and Regional Efforts

As of the beginning of 2010, only a handful of states have implemented state-wide programs specifically designed to facilitate the return of unused prescription drugs by consumers. So-called pharmaceutical/prescription/drug take back programs have several stated purposes including but not limited to preventing the misuse/diversion of controlled substances and preventing contamination of the environment by controlled substances that are improperly disposed of. The following outlines state statutes as well as regional programs re: prescription take back programs.

Please note that the information contained in this document is limited in its scope to state statutes and regional programs related only to the direct return by consumers of unused prescription drugs. There may be additional relevant state regulations (Board of Pharmacy, Department of Health, etc.) as well as additional regional collection programs that are not referenced herein. This compilation does not include measures related to:

- Returns/Disposal of unused pharmaceuticals by healthcare facilities (such as Illinois' Safe Pharmaceutical Disposal Act that prohibits the disposal of unused medication into the public wastewater collection system – 210 § 150/1 through 150/99);
- Returns of unused drugs by correctional facilities;
- Donations of new and unused drugs to programs designed to assist the elderly and indigent in obtaining prescription medications (such as New Hampshire's Unused Prescription Drug Program allowing the donation of unused prescription drugs and medical devices to uninsured or underinsured individuals – 318:56 through 318:60);
- Disposition of drugs seized in association with law enforcement activities;
- Returns of drugs that come into the possession of certain state agency officials in the performance of their official duties such as coroners;
- Returns of unused stocked drugs by ambulances and other emergency personnel;
- Returns of drugs used for research purposes; or
- Returns of expired or otherwise unsellable drugs to wholesalers by pharmacies.

Returns of Unused Drugs – Statewide Programs

CALIFORNIA

California Public Resources Code § 47120 through § 47126 (Drug Waste Management and Disposal) - These sections within the State's Public Resources Code are related to drug waste management and disposal. Citing a study by the U.S. Geological Survey regarding the prevalence of prescription and nonprescription drugs in streams, the legislature's stated purpose was to "establish a program through which the public may return and ensure the safe and environmentally sound disposal of drugs and may do so in a way that is convenient for consumers." A group of enumerated state agencies are tasked with developing model programs that must be made available to participants no sooner than July 1st, 2008 and no later than December 1st, 2008. At a minimum the model programs must include 1) the means by which the participant will provide for the safe take back of drugs; 2) the means by which the participant will ensure protection of public health and safety as well as the environment; 3) the means by which the participant will report data for purposes of program evaluation; and 4) the means by which the participant will protect against the potential for diversion of drug waste for

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unlawful use or sale. Model programs must provide notice and informational materials to consumers. This law does not apply to controlled substances. Sections 47120 through 47126 will be repealed as of January 1, 2013.

ILLINOIS

Illinois Compiled Statutes 415 § 5/17.9 (Collaborative on Environmentally Safe Disposal of Pharmaceuticals) – Establishes The Medication Education Disposal Solutions (MEDS) with the stated purpose of partnering with public and private sector constituents to promote the environmentally responsible disposal of unwanted and expired medications. The collaborative is tasked with developing an organization that will produce educational materials for the public and assist in promoting the expansion of a network of pharmaceutical collection centers. No later than December 31, 2010, the collaborative must submit a status report on its program development and post relevant findings on its Web site. This provision will be repealed as of July 1, 2011.

Illinois Compiled statutes 415 § 5/22.55 (Household Waste Drop-off Points) – Establishes a method for managing certain types of household waste separately from the general household waste stream by outlining parameters and procedures for household waste drop off points and events. Household waste is defined to include pharmaceutical products, but not controlled substances. Drop-off points must be located at a site where the item(s) being dropped off are lawfully sold, distributed or dispensed; drop-off points that accept prescription pharmaceutical products must be located at a site or facility where prescription pharmaceutical products are sold, distributed, or dispensed. Household waste may only be accepted from private individuals and must not be stored for longer than 90 days after the date of acceptance at the drop-off point. The State Environmental Protection Agency may adopt regulations governing the operation of household waste drop-off points designed to protect against releases of waste to the environment, prevent nuisances, and otherwise protect human health and the environment.

MAINE

Maine Revised Statutes Title 22 § 2700 (Unused Pharmaceutical Disposal Program) – The Unused Pharmaceutical Disposal Program is administered by the Maine Drug Enforcement Agency and has the stated purpose of ensuring the safe, effective and proper disposal of unused pharmaceuticals. The system will utilize prepaid envelopes in which unused pharmaceuticals are placed and then returned to a single collection location. Envelopes must be made available to the public at various locations including but not limited to pharmacies, physicians' offices and post offices. The unused pharmaceuticals will be disposed of in a manner designed to be effective, secure and compliant with local, state and federal environmental requirements.

NEW YORK

Consolidated Laws of New York § 27-2703 (Public Information on the Disposal of Drugs) – Mandates the development and implementation of a public information program on the proper disposal of drugs that must include information on the proper storage and disposal of drugs, and on drug disposal sites.

OREGON

Oregon Revised Statutes § 468B.140 (Plans to Reduce Discharges of Persistent Pollutants) – Includes a list of measures identified as possibilities for reducing persistent pollutants – instituting pharmaceutical take-back programs is one of the listed measures.

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WISCONSIN

Wisconsin Statutes § 93.57 (Household Hazardous Waste) –Provides for the awarding of grants to county, municipal and regional planning commissions to aid in the collection of unwanted prescription drugs. Grants may not exceed 75% of the cost of the program.

Returns of Unused Drugs –Regional Programs

The following list identifies examples of regional prescription take-back programs. Please note it is not exhaustive as there are many other similar programs operating in communities across the country.

Collier County, Florida – Operation Medicine Cabinet allows individuals to bring unused and expired prescription medications to permanent drop-off locations for proper disposal.

http://www.drugfreecollier.org/operation_medicine_cabinet.asp

Monroe County, Indiana – The County Solid Waste Authority, in partnership with a number of other entities, has initiated a pilot program for the collection of household pharmaceuticals.

<http://www.mcswmd.org/>

Washtenaw County, Michigan – The Pharmaceutical Take-Back Program permits county residents to return unwanted medications to pharmacies for proper disposal; scheduled drugs are not accepted through this particular program.

http://www.ewashtenaw.org/government/departments/planning_environment/dpw/environmental_issues/medications_disposal/

Olmsted Falls, Ohio – Drug Disposal Program offers residents of the City of Olmsted free disposal of non-controlled medication.

<http://www.olmstedfalls.org/2008/meddisposal.htm>

Amarillo, Texas – Amarillo and surrounding communities offer scheduled drive-through events where residents can dispose of unused, expired and unneeded medications, including controlled substances.

<http://medicationcleanout.com/default.aspx>