

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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<b>Action:</b>	Do Pass the A-Engrossed Measure
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Kruse, Monnes Anderson, Telfer, Verger, Morrisette
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Jennifer Kellar, Administrator
<b>Meeting Dates:</b>	5/11

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**WHAT THE MEASURE DOES:** Creates Charitable Prescription Drug Program within the State Board of Pharmacy for purpose of distributing donated prescription drugs to needy individuals. Stipulates that drugs must be in original, sealed packaging that displays lot number and expiration date, and cannot be accepted if: the expiration date is less than nine months from donation date; if there is any evidence of adulteration or misbranding; or if the drugs belong to certain categories of controlled substances. Specifies that pharmacists are to use professional judgment, based upon a visual inspection, to verify compliance. Requires that all personal information be removed from labels of donated drugs and that drugs must be kept in a secure location used exclusively for the program. Requires recipients of donated drugs to sign form attesting to various stipulations.

**ISSUES DISCUSSED:**

- Voluntary based pharmacy participation
- Fee assessment
- Clarification of “charitable” definition
- Benefit of unused drugs to needy individuals
- Program safeguards of donated prescriptions

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** A majority of states have created prescription drug repositories for the purpose of distributing unused prescription drugs to persons of economic need. Some states require that the drugs must have been in the control of a health care facility or health care professional. The patients or estates of patients, as the owners of their drugs, need to give permission in some states for the drugs to be donated to the repository. States generally prohibit the donation of controlled substances to repositories. Typically, donated drugs must be in the original, sealed packages or unopened single-unit dose packages. Most states allow the repository site to charge a nominal handling fee to the patients who are the recipients of the donated prescriptions.