

House Bill 2918

Sponsored by Representative GREENLICK; Representatives GELSER, KOTEK, SHIELDS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates Drug Take Back Program in State Board of Pharmacy. Establishes Drug Take Back Program Fund and continuously appropriates moneys in fund to board to implement program. Permits hospitals and long term care facilities to establish public education and outreach programs with grants from fund.

Sunsets January 2, 2014.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to disposal of prescription drugs; appropriating money; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Drug Take Back Program Fund is established in the State Treasury,**
5 **separate and distinct from the General Fund. Interest earned by the Drug Take Back Pro-**
6 **gram Fund shall be credited to the fund. All moneys in the Drug Take Back Program Fund**
7 **are continuously appropriated to the State Board of Pharmacy for the purpose of carrying**
8 **out the provisions of sections 2 and 4 of this 2009 Act.**

9 (2) The board may accept gifts, grants or contributions from any source, whether public
10 or private, for deposit in the Drug Take Back Program Fund. The board shall seek contri-
11 butions from the pharmaceutical industry as the primary source of contributions to the fund.

12 **SECTION 2. (1) The State Board of Pharmacy shall adopt rules to implement a Drug Take**
13 **Back Program for patients to properly dispose of prescription drugs.**

14 (2) The program implemented under subsection (1) of this section shall require the dis-
15 tribution to hospitals and long term care facilities of containers that conform to federal re-
16 quirements for the disposal of toxic waste for the safe and secure disposal of prescription
17 drugs.

18 (3) The board shall report to each regular Legislative Assembly:

19 (a) The name of and amount of contribution by each contributor to the Drug Take Back
20 Program Fund established in section 1 of this 2009 Act.

21 (b) The number of hospitals and long term care facilities participating in the program.

22 (c) The amount of prescription drugs collected and disposed of in the program.

23 (d) Annual operating costs of the program.

24 (e) Annual revenues of the program.

25 **SECTION 3. Section 4 of this 2009 Act is added to and made a part of ORS chapter 441.**

26 **SECTION 4. (1) A hospital or long term care facility may install in the public areas of**
27 **the facility the container for disposal of prescription drugs distributed by the State Board**
28 **of Pharmacy under section 2 of this 2009 Act. A facility that accepts a container is respon-**
29 **sible for transporting the contents for disposal at an approved hazardous waste site.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(2) A hospital or long term care facility may develop a public education and outreach**
2 **program to inform consumers and patients about the Drug Take Back Program and the need**
3 **to dispose of prescription drugs safely. The public education and outreach program may ex-**
4 **tend to retail pharmacies, physicians' offices, county health department facilities, hospitals,**
5 **hospice care providers and long term care providers.**

6 **(3) The board may provide grants to support the public education and outreach programs**
7 **from the Drug Take Back Program Fund established in section 1 of this 2009 Act.**

8 **(4) A hospital or long term care facility may not be required to participate in the Drug**
9 **Take Back Program.**

10 **SECTION 5.** **The Department of Environmental Quality shall adopt rules for the trans-**
11 **portation and disposal of prescription drugs in the Drug Take Back Program established in**
12 **section 2 of this 2009 Act. In adopting rules, the department shall strive to utilize disposal**
13 **processes in use by hospitals and long term care facilities for infectious waste.**

14 **SECTION 6.** **The State Board of Pharmacy may take any action before the operative date**
15 **specified in section 7 of this 2009 Act to implement the provisions of section 2 of this 2009**
16 **Act on and after the operative date specified in section 7 of this 2009 Act.**

17 **SECTION 7.** **Section 2 of this 2009 Act becomes operative on January 1, 2010.**

18 **SECTION 8.** **Sections 1 to 5 of this 2009 Act are repealed on January 2, 2014.**

19 **SECTION 9.** **Any unexpended balances in the Drug Take Back Program Fund established**
20 **in section 1 of this 2009 Act on January 1, 2014, are transferred to the State Treasury to the**
21 **credit of the General Fund.**

22 **SECTION 10.** **This 2009 Act being necessary for the immediate preservation of the public**
23 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
24 **on its passage.**