

HB 2645 A STAFF MEASURE SUMMARY

House Committee On Health Care

Action Date: 04/10/17

Action: Do pass with amendments
and be referred to Ways and Means by prior reference. (Printed A-Eng.)

Vote: 5-3-1-0

Yeas: 5 - Alonso Leon, Greenlick, Keny-Guyer, Malstrom, Nosse

Nays: 3 - Buehler, Hack, Hayden

Exc: 1 - Kennemer

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Requires manufacturers of certain drugs to participate in the drug take-back program. Requires each take-back program operator to submit a plan to the Department of Environmental Quality (DEQ) for collection and disposal of drugs by July 1, 2018, with the programs being operational by February 1, 2019. Directs DEQ to review, approve or deny the submitted plans. Specifies that updated plans need to be submitted to DEQ every four years. Directs DEQ to enter into an agreement with the Board of Pharmacy to inspect the take-back stations. Establishes the Secure Drug Take-Back Account. Changes the convenience standard from 1 in 10,000 to 1 in 20,000. Allows for a mail-back option for communities without a population density of 20,000. Establishes fines to manufacturers of drugs, not pharmacies, for noncompliance. Removes liability from pharmacists for disposal of drugs in kiosks, with the exception of negligence. Places a moratorium on cities and counties (with the exception of law enforcement groups) from forming their own kiosk-based take-back program. Sunsets the program September 15, 2029.

ISSUES DISCUSSED:

- Impact of unused and expired medication
- Public health issues relating to improper drug disposal
- Concerns relating to over-prescribing and wasteful prescriptions
- Law enforcement concerns about unused opioids
- Proposed amendments

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Approximately a third of all pharmaceutical drugs purchased in the United States go unused and current disposal options are limited and inconsistent. Many drugs are considered hazardous wastes and end up in the water systems or landfills. In 2014, U. S. Drug Enforcement Administration (DEA) regulations expanded the types of locations allowed to accept unwanted medications on a routine basis. However, the potentially authorized collectors - drug manufacturers, distributors, narcotic treatment programs, retail pharmacies and hospitals - must modify their DEA registration to become authorized collectors. As of 2015, there are 615 authorized collectors nationwide.

Before this, pharmacies and hospitals were banned from accepting unwanted prescription drugs. The public's only legal option to discard them safely was to give them to a law enforcement agency. But instead, most people flushed them down the toilet, threw them in the trash or kept them in the household medicine cabinet, resulting in contamination of the water supply and the theft and abuse of the prescription drugs.