

HB 3273 STAFF MEASURE SUMMARY

House Committee On Health Care

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/21

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, 2020 with the programs being operational by February 1, 2021. Directs DEQ to review, approve or deny the submitted plans. Specifies that updated plans need to be submitted to DEQ every four years. Defines terms. 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. 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. Places a moratorium on cities and counties (with the exception of law enforcement groups) from forming their own kiosk-based take-back program. Creates civil penalties up to \$10,000 for manufacturers that do not participate in the drug take-back program. Sunsets the program September 15, 2031.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Approximately a third of pharmaceutical drugs purchased in the United States go unused, are considered hazardous wastes, and end up in water systems or landfills. Current disposal options are limited and inconsistent. In 2014, U.S. Drug Enforcement Administration (DEA) regulations expanded the types of locations allowed to accept unwanted medications on a routine basis. As of 2015, there are 615 authorized collectors nationwide that include drug manufacturers and distributors, narcotic treatment programs, retail pharmacies, and hospitals. Prior to this expansion, pharmacies and hospitals were banned from accepting unwanted prescription drugs, and the public's only legal option to discard unwanted medications safely was giving them to a law enforcement agency. Instead, many people flushed them down the toilet, resulting in contamination of the water supply, or kept them at home, leading to the theft and abuse of the prescription drugs

House Bill 3273 creates a drug take-program to allow for the safe disposal of prescription drugs.