

Controlled Substances Act Changed by New Federal Law

Passage of S. 3397 paves the way for drug companies to create a statewide medicine take-back program in Washington State

On September 29, 2010, the U.S. Congress unanimously passed a bill that helps Washington's communities by removing a key barrier to creating a statewide program to safely return and dispose of left-over meds. President Obama signed the "Secure and Responsible Drug Disposal Act of 2010" into law on October 12, 2010.

Congress took action to support the creation of medicine take-back options that reduce prescription drug abuse and reduce the amount of pharmaceuticals getting into the environment.

While this new law does not create or pay for medicine take-back programs, it does remove the restriction that only law enforcement take-back programs can collect highly addictive narcotics and other controlled substances from residents.

Once the new law is implemented, providers of medicine take-back programs will have more options for where and how they set up programs that accept controlled substances, like OxyContin, Vicodin, and Ritalin. Right now, only law enforcement can accept narcotics and other controlled substances from residents. The intent of this federal law is to authorize other convenient community return locations – like pharmacies – for secure disposal of controlled substances. Currently pharmacy take-back programs can only accept return of all over-the-counter medicines and prescription medicines that are not controlled substances. Controlled substances make up about 11% of prescription drugs sold.

The federal law also makes it legal for you to return unwanted medicines for a member of your household or for a family member who has passed away. And it authorizes long-term care facilities to dispose of medicines for their residents. **However, the new law does not create or pay for community take-back programs.** This change in federal law is a critical step forward, but it simply opens the door to more options for how an individual can return their unwanted medicines. There is still a huge, unfunded community need for medicine take-back programs all throughout Washington State!

Right now the funding for existing, temporary medicine take-back programs is on the backs of law enforcement, local governments and a few pharmacies. With drastic budget cuts in law enforcement departments and other agencies, who knows how long they will be able to continue these programs. In most of our communities, police and local governments can't afford to start a take-back program. And 27 counties in our state do not have any medicine take-back programs at this time. **With the passage of S. 3397, the time is right for the pharmaceuticals industry to step up and finance a statewide medicine take-back program, similar to the programs they already fund in Canada and Europe.**

WA Representative Jay Inslee, who championed this issue in Congress, says:

"The credit for this victory goes to the parents, pharmacists, law enforcement officials, and community leaders who came forward on this issue, making it a true grassroots effort. Together we worked across political boundaries to forge a coalition who believed that common sense steps could be taken to address the growing problem of prescription drug abuse."

Details of S. 3397 are available at – <http://hdl.loc.gov/loc.uscongress/legislation.111s3397>