

# Washington Secure Medicine Take-Back Legislation



*More than 200 WA organizations and municipalities support creation of a secure, statewide medicine return program that is financed by pharmaceutical manufacturers, and that does not rely on state and local government funding.*



In the 2011 action agenda “**Epidemic: Responding to America’s Prescription Drug Abuse Crisis**”, federal agencies issued a call for action in four major areas: (1) education of providers and the community, (2) prescription drug monitoring programs, 3) **consumer-friendly and environmentally-responsible drug disposal**, and (4) enforcement to shut down “pill mills” and “doctor shopping”.

Medicine take-back programs are the safest way to handle leftover drugs, recommended by the DEA, FDA, EPA, and other experts.

Medicine drop sites in 17 Washington counties have safely collected and destroyed more than 160,000 pounds of leftover drugs. But local funding for these programs is drying up. Most communities cannot afford an ongoing take-back program.

The DEA is coordinating some one-day take-back events; but, these will end in 2012 when the DEA issues new regulations for take-back of controlled substances.

**Secure medicine take-back programs reduce the supply of dangerous drugs in our communities.**

**Significant amounts of medicines go unused— about 30% of medicines sold. Unused, leftover drugs in our homes endanger our children and families by increasing risks of accidental poisonings and drug abuse.**

Medicine take-back keeps waste medicines out of our water supplies by sending drugs to safe destruction by high temperature incineration. The DEA, FDA, EPA, and Office of National Drug Control Policy recommend medicine take-back programs and suggest trash disposal only if a take-back program is not available (see [www.takebackyourmeds.org/why/federal-agency-support](http://www.takebackyourmeds.org/why/federal-agency-support)).

*For less than 2 pennies per prescription, drug manufacturers can provide a statewide medicine take-back program that they help design and that fits within federal laws.*

**SSB 5234/HB 1370 will create a statewide system for secure return and environmentally sound disposal of leftover prescription and over-the-counter medicines from our homes.**

- Primarily financed by all drug producers selling medicines in Washington, as part of doing business.
- Not a government-run program; budget-neutral to the state. Removes financial burden from Sheriffs, police, and local governments. Establishes the non-profit WA Medicine Return Corporation that is managed and financed by drug producers so they can control their own funds and operate the program efficiently.
- Total annual costs to all drug producers collectively cannot exceed \$2.5 million, which can easily fund a robust statewide take-back program.
- Annual sales of medicines in WA are about \$4 Billion per year, so \$2.5 million works out to about 1 penny for a take-back program for every \$16 in sales of medicines annually in Washington.

Learn More at [www.TakeBackYourMeds.org](http://www.TakeBackYourMeds.org)

## 2012 Secure Medicine Take-Back Bill ~ Policy Overview

### What medicines are “covered drugs” under the bill?

- Prescription and over-the-counter medicines that people use in their homes.
- Includes legally prescribed controlled substances (such as OxyContin, Ritalin, Vicodin, Valium, stimulants).
- Exempted: over-the-counter drugs that are regulated as cosmetics like toothpaste, sunscreen, and medicated shampoos; homeopathic remedies; and biologic drugs that already have a take-back program.

### Who can use the program?

- Residents, hospice services, boarding homes, schools, foster care, day care.

### Who pays?

- Requires no state funds; budget-neutral to the state.
- Primarily financed by drug producers selling covered drugs in Washington, as part of doing business.
- Collection sites volunteer their staff time.
- State and local governments promote safe storage of medicines and use of the take-back program.

**SSB 5234 (Kline) / HB 1370 (Van De Wege) requires drug producers selling medicines in WA to provide, finance, and promote a safe, convenient program for return and disposal of leftover and expired medicines.**

### Who runs the program?

- The WA Medicine Return Corporation, a non-profit that is managed and financed by drug producers.
- Not a government-run program. Designed and operated in the private sector by drug companies.

### Who oversees the program?

- WA Board of Pharmacy approves and licenses the secure drug take-back system.
- WA Association of Sheriffs and Police Chiefs consults on security measures.
- WA Department of Ecology consults on environmentally sound disposal.

### What is the Medicine Return Corporation responsible for?

- **Take-back System**: Providing minimum number of drop-off collection sites - 1 per county plus 1 per city with pop. > 10,000 (=114 sites). Providing pre-paid mailers if drop-off sites not available in a specific county or city.
- **Transportation, Disposal, and Collection Site Supplies**: Paying for secure collection containers, shipping supplies, transportation (including law enforcement escort if required), disposal of medicines at high temperature incineration facility, program administration, and costs of state agency oversight. (Not required to pay for staff time at voluntary collection sites.)
- **Education**: Promoting safe storage of medicines and how to use the take-back program to consumers, pharmacists, retailers, and health care professionals. Providing website, toll-free number, and materials.
- **Evaluation**: Reporting pounds of medicines collected and evaluating the effectiveness of education annually. Conducting survey of residents to measure awareness and program convenience at least every four years.

### What will it cost?

- Total costs cannot exceed \$2.5 million per year— or less than two pennies per container of medicines sold, and less than 0.07% of the \$4 billion in annual medicines sales in WA.
- The Corporation assesses costs to each drug producer selling covered drugs, estimated at 500 companies.

### Where are collection sites and how are controlled substances collected?

- Voluntary at pharmacies, law enforcement offices, hospitals, fire stations, as allowed by state and federal regulations for handling covered drugs.
- New DEA rules to expand the locations allowed to collect controlled substances will be developed in 2012. Bill does not require the program to start in WA until 2014.