

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Koutoujian

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to develop a pilot program for unused prescription medication disposal.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter J. Koutoujian	10th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2182 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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**AN ACT TO DEVELOP A PILOT PROGRAM FOR UNUSED PRESCRIPTION MEDICATION
DISPOSAL.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. For the purposes of this act the following terms will have the following
2 meanings:

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4 “Prescriber”, an individual licensed to prescribe medication according to Section 9 of Chapter
5 94C.

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7 “Unused medication”, any unused or expired prescription medications, including but not limited
8 to, controlled substances and over the counter medications.

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10 SECTION 2:
11 There is hereby established a task force to investigate and study the disposal of unused
12 medications, and to consider innovative and coordinated measures to prevent and reduce unused
13 medications. The task force shall develop a pilot program for the safe disposal of unused
14 medications. The department shall implement said pilot program. The task force shall remain as
15 an advisory body to the department.

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17 The task force shall include the commissioner of the department of public health, or his designee
18 who shall also be the chair of the task force, the commissioner of the department of
19 environmental protection or his designee, commissioner of the department of public safety or his
20 designee, the diversion program manager of the Federal Drug Enforcement Administration for
21 the New England Field Division or his designee, one member from the board of registration of

22 pharmacists and one member from the board of the registry in medicine, a representative from
23 the Massachusetts department of public health, bureau of substance abuse services, a
24 representative from Massachusetts biotechnology council, a representative of Massachusetts
25 association of health plans, a representative from Massachusetts pharmacy association, a
26 representative of the Massachusetts Aging Services Association, two members of the house of
27 representatives to be appointed by the speaker of the house, and one member of the senate to be
28 appointed by the senate president.

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30 SECTION 3:

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32 The task force shall investigate and report the following entities, but not be limited to, (a) data
33 collected on the types and quantities of unused or expired medications not being used by
34 consumers, (b) the results of a survey that investigates why consumers are not utilizing
35 medications, (c) analysis of the prescribing policies of entities, such as health insurance plans or
36 prescriber practices which result in significant amounts of unused medications, (d) a
37 quantification of the amount healthcare dollars wasted on unused medications and (e) research
38 detailing any or all other reasons for unused medications.

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40 The task force shall develop a pilot program to take-back unused medications to be implemented
41 by the department. The pilot program may include, but not be limited to, secure locations for the
42 drop-off and collection of unused medications, processes for the documentation of collected
43 unused medication, processes for the environmentally safe disposal of unused medications, and
44 public education of potential participating consumers. Said pilot program shall include measures
45 to improve training and expansion of physician awareness regarding the types of medications
46 being prescribed with excess amounts remaining unused by the intended consumer. Said pilot
47 program shall include measures to expand public education regarding patient adherence to
48 prescribed medications, education regarding proper and effective disposal of unused
49 medications, and the potential need for expanded use of warning labels on drugs that present
50 potentials for dependence and addiction.

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52 The department shall implement, under advisory of the task force, said pilot program to take-
53 back unused medications for safe disposal.

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55 SECTION 4:

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57 Said task force shall report to the speaker of the house of representatives, the president of the
58 senate, the house and senate clerks, and the house and senate chairs of the joint committee on
59 public health the results of the investigation and study and proposal for said pilot program ten
60 months after the implementation of this act. The department shall implement the recommended
61 pilot program for the safe disposal of unused medications not more than six months after the
62 filing of the task force's report.

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