

# ***Secure Medicine Return Legislation: A Producer Responsibility Approach***

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# The question

- We all want to prevent accidental poisonings and keep pharmaceuticals out of our streams and drinking water
- The pilot is helping us learn what's needed in an ongoing program
- Funding for the pilot is short-term
- **Who will pay for an ongoing program?**



# The solution

Producer responsibility  
would make a  
medicine return program  
possible for the long term



# Private Sector Solution: Producer Responsibility

- Medicine return becomes part of doing business
- Uses relationships that already exist between pharmacies, distributors, manufacturers, and regulatory agencies
- Provides good customer service
- Law would level the playing field by requiring that all manufacturers participate



# Private Sector Solution: Producer Responsibility

- Avoids new costs to local governments
- Government programs can't achieve the same convenience
- No charge to consumers when returning medicines
- Negligible impact (if any) on price of medicines
- Effective, secure, and convenient



# 2008 Medicine Return Bill

- House Bill 3064
- Introduced by Rep. Dawn Morrell
- Diverse proponents
- Timely response to public concerns
- Interest and support from diverse groups



# Endorsers

## **Business**

Bartell Drugs  
Group Health  
Washington Food Industry  
WA State Pharmacy Association

## **Civic & Environmental Organizations**

Children's Alliance  
Environment Washington  
League of Women Voters of WA  
People for Puget Sound  
Senior Citizens' Lobby  
Sierra Club Cascade Chapter  
WA Citizens for Resource Conservation  
WA Organic Recycling Council  
WashPIRG

## **Governments**

Coalition for Clean Water  
King County  
Local Hazardous Waste Mgmt Program in King County  
Thurston County  
WA Association of Sheriffs and Police Chiefs  
Yakima County

## **Health Organizations**

Assoc of Advanced Practice Psychiatric Nurses  
Breast Cancer Fund  
School Nurse Organization of WA  
WA State Association of Occupational Health Nurses  
WA State Hospice and Palliative Care Org.  
WA State Nurses Assoc.



# 2008 Medicine Return Bill Results

- Lively hearing in House Environmental Health Committee
- Moved from Committee with unanimous, bi-partisan vote
- Did not move out of Appropriations Committee
- Big bill, short session
- Set the stage for success in 2009



# Medicine Return Legislation: The Basics

- **Drug manufacturers set up & pay for the return program**
- **In every county statewide**
- **Covers over-the-counter and prescription drugs (including controlled substances)**
- **Covers households and residential sources (hospice services, nursing homes, schools, etc.)**
- **Free to residents**



# Medicine Return Legislation: Producer Responsibility

- Producers pay for the program (collection, transportation, disposal)
  - Includes brand name & generic drug manufacturers
  - Includes retailers for own house brands
- Cost internalization (no fee)
- All producers must participate in a plan approved by the Board of Pharmacy
- Can coordinate with other producers (e.g. industry organization) or run independent program



# Medicine Return Legislation: What does the program look like?

Producers determine how best to securely and conveniently collect the drugs

- Could use pharmacy take-back, mail-in, etc.
- Pharmacies not required to provide collection locations
- Expect many pharmacies to be eager to become collection locations for program provided by producers



# Medicine Return Legislation: Goals

- Producers will set their own recovery goals for the first three years of the program.
- After that time, the Board of Pharmacy will set and enforce recovery rates.



# Medicine Return Legislation: Final Disposal

- Medicines must be disposed at a properly permitted hazardous waste facility
- Allows use of new technology if superior protection of human health and environment, and approved by Department of Ecology



# Medicine Return Legislation: Outreach

- Producers will inform the public about their program
- Producers will prepare outreach materials for use by pharmacies and others
- Pharmacies will provide information to customers describing where and how to return unwanted drugs



# Medicine Return Legislation: State Oversight

- Oversight by Board of Pharmacy to ensure secure handling of drugs
- Board of Pharmacy will:
  - Review & approve producer plans (in consultation with Department of Ecology)
  - License the program
  - Receive annual reports
  - Enforce the program



# Shared Responsibility

- **Pharmaceutical manufacturers** pay for program
- **Consumers** return their unwanted medications into the program
- **Pharmacies** provide information to customers (and may voluntarily act as take-back locations)
- **Local governments** and others encouraged to promote the program
- **Board of Pharmacy** provides oversight and enforcement



# Next Steps

- Continued conversations with stakeholders throughout 2008
- Broaden stakeholder support
- Seek pharmaceutical manufacturers support
- Goal of successful legislation in 2009 session

