**Tennessee Pharmacists Association**
**Position Statement**

**SB 409 by Overbey / HB 229 by Shepard**

**Pharmacy Drug Disposal Programs:** This legislation permits Tennessee-licensed pharmacies within the state to participate in voluntary drug disposal programs as authorized by state and federal rules and regulations. This legislation amends TCA 63, Chapter 10, relative to pharmacy drug disposal programs.

**Position: The Tennessee Pharmacists Association respectfully urges the members of the Tennessee General Assembly to SUPPORT SB 409 and HB 229.**

**Background:** Unused, unwanted, or outdated controlled substances and prescription medications create a dangerous risk for individuals, families, and the community. These medications can be accidentally ingested, stolen, misused, or abused. Until recently, controlled substances and prescription medications could only be collected and disposed of through authorized locations, such as law enforcement facilities. According to the "Prescription for Success" campaign, only 45 of Tennessee's 95 counties have a permanent prescription drug collection box. Further, if medications are not disposed of in an environmentally appropriate manner, they could contaminate our water supply, our environment, and our citizens.

On October 9, 2014, the Drug Enforcement Agency (DEA) Final Rule regarding Drug Disposal went into effect. This Final Rule implements the Secure and Responsible Drug Disposal Act of 2010, which authorized DEA to develop and implement regulations that would allow authorized entities, such as pharmacies, to collect unused and unwanted prescription medications, including controlled substances, for disposal purposes. This Final Rule provides additional options for individuals to dispose of medications, thus removing outdated and unused prescription medications and controlled substances from households and out of the reach of children, teenagers, and pets. The DEA Final Rule did not, however, address several important issues relative to pharmacy participation in DEA Drug Disposal programs. This legislation seeks to address those issues.

**Key Provisions:**

- Creates new definitions for "authorized pharmacy disposal site" and "pharmacy drug disposal program"
- Authorizes pharmacists' voluntary participation in drug disposal programs
- Assigns responsibility regarding participation and implementation of drug disposal programs to the pharmacist in charge of the pharmacy practice site
- Provides certain protections from liability for pharmacy practice sites voluntarily participating in drug disposal programs, as long as the pharmacy practice site is acting in good faith and operating in compliance with all state and federal rules and regulations regarding drug disposal
- Requires the Board of Pharmacy to maintain a list of pharmacies participating in drug disposal programs and to promulgate rules necessary for implementation

**Effective date:** July 1, 2015

The Tennessee Pharmacists Association strongly believes this legislation will improve the safe and responsible disposal of prescription medications, including controlled substances, and it will help fulfill the Governor's "Prescription for Success" campaign by increasing access to drug disposal programs. Allowing pharmacies to implement drug disposal programs will be an efficient and effective solution to assist in achieving the Governor's goal of establishing permanent collection boxes in every county in Tennessee.

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