

State Legislation for Secure Medicine Return: A Comparison of Maine and Washington

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Management Program in King County**



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States with Bills in 2009



- Florida (SB 2650)
- Maine (LD 821)
- Minnesota (HB 1217)
- Oregon (SB 598)
- Washington (2SHB 1165, SB 5279)

Washington and Maine

Similarities Between the Bills

In 2009



Producer Responsibility

- Producers provide & pay for program
- No fee to customer at time of sale or collection



What's Covered

- **All medicines**
 - Over-the-counter
 - Prescriptions, including controlled substances
 - veterinary
- **From households & residential sources**



Not Prescriptive

- Producers determine how to collect drugs
- Pharmacy take-back , mail-in, combination, or other idea



Pharmacies not required to
to be collection sites

Expect many pharmacies to
be eager to participate

Administration

- All producers must participate in an approved plan
 - WA - Board of Pharmacy
 - ME – ME DEP & ME DEA & ME DHHS
- Can coordinate with other producers or have their own plan
- **Must** accept all medicines regardless of who produced them

Oversight – State Role

Washington Board of Pharmacy

Maine DEA/DEP/DSHS

- Review & approve plans
 - WA – in consultation with DOE
 - ME – DEP in consultation with DEA & DHHS
- Adopt rules
 - WA – BOP shall adopt rules
 - ME – ME BEP will adopt rules as necessary
- Enforcement
 - WA – BOP
 - ME – ME DEA and ME DEP



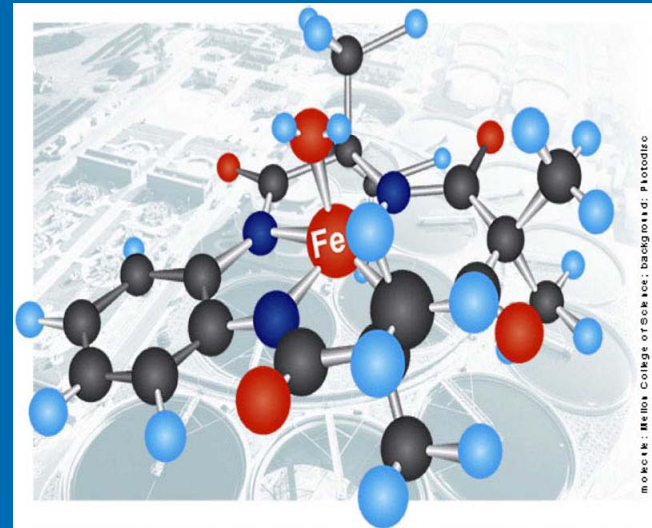
Outreach & Evaluation

- Producers provide education and outreach about the program



Final Disposal

- **Must be disposed at hazardous waste facility**
- **Allows for superior technology if approved by WA Department of Ecology or Maine DEP**



Reporting

- **Annual report must include**
 - **List of producers that participated**
 - **Amount of medicines collected**
 - **Description of collection system**
 - **The disposal facility used**
 - **Identification of any problems**
 - **Description of outreach & education**

Washington and Maine

Differences Between the Bills
In 2009



Producer Responsibility

Washington

- State agency may establish fees on producers to recover expenses

Maine

- No fee to recover DEP or DHHS administrative expenses. If DEA runs some aspects of program, manufacturers cover the costs.

Pharmacies

Both Maine & Washington

- If producers set up pharmacy take-back program, pharmacies may voluntarily participate as collection sites.

Maine

- Pharmacies must make program information available to customers. If mail-in established, pharmacies must make mailers available.

Program Evaluation

Washington

- Must annually evaluate outreach & program including:
 - % of residents aware of program
 - What extent residents find program convenient

Maine

- Annually evaluates program performance and recovery rates. Year 4 can require modifications.

Recovery Requirements

Washington

- **No recovery goals or requirements BUT:**
 - Board of Pharmacy may establish performance standards
 - Collection must be provided in all counties & in cities of 10,000 or greater population
 - Board of Pharmacy must invite comments on satisfaction with services

Maine

- Recovery goals established through stakeholder process for year 4 and beyond



Data Requirement

Washington

- Producers encouraged to collect data

Maine

- requires random sampling to develop unbiased and statistically significant data including:
 - Brand/generic name
 - Strength
 - Quantity returned
 - Quantity prescribed
 - Zip code if script

Maine Politics

- Sponsor: Rep. Anne Perry of Machias (esteemed moderator and public health nurse).
- 9 co-sponsors
- Overwhelming support during testimony by health, law enforcement and environmental groups and some pharmacies.
- Opposition was pharmaceutical co's.
- Held over to January 2010 session.

Supporters of LD 821

Maine's Drug Take Back Program

Environmental Organizations

- Bath Garden Club
- Cherwonki Foundation
- Environmental Health Strategy Center
- Friends of Casco Bay
- Friends of Merrymeeting Bay
- Garden Club of Wiscasset
- Maine DEP
- ME Audubon
- Natural Resources Council of Maine

Health Organizations

- Brunswick Stroke Support Group
- CHANS Home Health Care
- ME Alliance of Substance Abuse
- ME DHHS
- MidCoast Health Services
- Northern NE Poison Control Center
- Planned Parenthood of Northern NE
- Youth Alternatives Ingraham

Local Government

- Bath Housing Authority
- Bath Water District
- Bath City Councilor Pagurko
- Brunswick Sewer District
- Maine Wastewater Control Association
- ME Water Utilities Association

Businesses

- Miller Drugs

Law enforcement

- Community Justice Project
- ME DEA
- ME Association of Police
- Project AWARE
- Sagadahoc County Sheriff's Department

Organizations on Aging

- AARP Maine
- Aroostook Area Agency on Aging
- Eastern Area Agency on Aging
- Elder Abuse Task Force of MidCoast ME
- Hill House Assisted Living
- Home Instead Senior Care
- Maine Association of TRIADS
- Maine Association of Area Agencies on Aging
- Merrymeeting Bay TRIAD
- Seniors Plus
- Spectrum Generations
- Southern Maine Agency on Aging
- State Elder Abuse Task Force
- University of Maine Center on Aging

Others

- Arnold Besier of St. Charles Parish Church
- Davenport Trust
- Husson School of Pharmacy
- ME Council of Churches
- Product Stewardship Institute
- Volunteers of America of Northern NE

Washington Politics

- Prime sponsors = champions
 - Rep. Dawn Morrell
 - Sen. Adam Kline
- 33 House sponsors
16 Senate sponsors
- Passed out of House policy & fiscal committees
- Moved out of Rules
- Ran out of time



Washington: Endorsers

Businesses & Associations

Bartell Drugs
Jim's Pharmacy, Sequim
Washington State Recycling Association

Local Governments & Associations

City of Kirkland
City of Seattle
Clark County
Coalition for Clean Water
King County
Local Hazardous Waste Management Program in King County
Public Health – Seattle & King County
Snohomish County
Washington State Association of Counties

Environmental Organizations

American Rivers
Environment Washington
National Wildlife Foundation
People For Puget Sound
Sierra Club Cascade Chapter
Surfrider Foundation
The Nature Conservancy
Washington Citizens for Resource Conservation
Washington Environmental Council
Washington Toxics Coalition

Civic & Faith Organizations

Earth Ministry
League of Women Voters of Washington
Lutheran Public Policy Office of Washington State
Ryan's Solution
Washington State Senior Citizens' Lobby
WashPIRG

Law Enforcement

Clallam County Sheriff
Snohomish County Sheriff's Office
Washington Association of Sheriffs and Police Chiefs
Washington Council of Police and Sheriffs (WACOPS)

Health & Medical Organizations

American Academy of Pediatrics – WA State Chapter
Association of Advanced Practice Psychiatric Nurses
Breast Cancer Fund
Children's Alliance
Compassion & Choices of Washington
Home Care Association of Washington
Institute for Children's Environmental Health
Institute for Neurotoxicology & Neurological Disorders
Planned Parenthood Public Policy Network of WA
School Nurse Organization of Washington
Science and Management of Addictions (SAMA) Foundation
WA Acupuncture and Oriental Medicine Association
Washington Association for Substance Abuse and Violence Prevention
Washington Chapter of the American College of Emergency Physicians
Washington Poison Center
Washington Private Duty Association
Washington State Assoc of Local Public Health Officials
Washington State Assoc of Occupational Health Nurses
Washington State Hospice and Palliative Care Organization
Washington State Medical Association
Washington State Nurses Association
Washington State Psychological Association



This issue isn't going away ...

AP: Drugs found in drinking water

Updated 31d ago | Comments

147 | Recommend 76

...den was how...
"When you...
Please

a farm.
"some sight?" said

Seattle Times 4/11/07

Hormonal chemicals may be imperiling fish

PERVASIVE IN AREA'S WATER | Even at the low levels detected, scientists worry about the possible effect on fish growth and reproduction.

BY WARREN CORNWALL AND KEITH ERVIN
Seattle Times staff reporters

As they swim deep beneath Seattle's Elliott Bay, male English sole carry something in their bodies that's not supposed to be there: a protein found only in female

fish, first found in the 1990s, are thought to be times of human hormones: hormone-mimicking chemicals — flushed into the water from sewage-treatment plants, factories, storm-water drains and runoff from roads — that had made their reproductive systems go haywire.

Prescription drug overdoses are up 56% since 1997

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Grels were found at
roubut some scrien

< Hormones
FROM B1
SEATTLE POST-INTELLIGENCER | TUESDAY, APRIL 15, 2008

Pain pills a rising cause of death

such as opiate
anxiety

COMMON ABUSED DRUGS

Generic Name

phine

Common brand names

Buprenex, Subutex, Suboxone

Codeine

Actiq, Sublimaze, Duragesic

Medical indications

Pain, addiction treatment

Pain, cough suppressant

Pain

Drugs in water causing troubling problems to fish, wildlife

OxyContin abuse in region soars

OUTPACING METH | The illicit use of the painkiller, especially among teens, has driven up its street price, which has made pharmacies robbery targets.

the region say that methamphetamine's popularity is quickly being outpaced by the powerful prescription painkiller simply known as "Oxy."

among teens, Oxy commands a street value of \$80 per pill.

According to the Drug Enforcement Administration (DEA), prescription-drug



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

Next Steps

- Continue participating in PSI's National Stakeholder Dialogue
- Drug manufacturer support?
- Continue local conversations with stakeholders
- Broaden & deepen support
- Bill passage



Additional Information

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Maine bill

<http://www.maine.gov/legis/> (type in 821 beside “LD”)

Cheri Grasso, Local Hazardous Waste Management
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Washington Bill

www.leg.wa.gov (type in 1165 under “bill search”)