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Secure Drug Take-Back Act Becomes Law

Program will expand drug take-back services to help address the opioid crisis

OLYMPIA, WA— At a 3 pm ceremony on Thursday afternoon, Governor Inslee will sign House Bill 1047 into law, creating the nation’s first statewide, comprehensive drug take-back program to be financed and provided by pharmaceutical manufacturers that sell drugs in Washington state. Championed by Representative Strom Peterson, D- Edmonds, the Secure Drug Take-Back Act will make it easier for residents to safely dispose of leftover medicines and ensure that communities across the state have access to safe drug take-back options.

The Secure Drug Take-Back Act focuses on prevention, seeking to shut down the “drug dealer” in the home medicine cabinet that is a common starting place for medicine misuse and addiction. A majority of people who abuse prescription drugs obtain them from family and friends. In Washington state, overdose deaths have surpassed car accidents as the most common cause of accidental death. According to the Washington State Department of Health, of the almost 700 opioid overdose deaths in 2016, over 400 were attributed to prescription opioids.

Prescription drugs are not only related to overdose and abuse, they also contribute to accidental poisonings and suicides. In Washington, over 150 suicides were attributed to medications in 2015. Prescription drug accumulation in homes can also increase the possibility of accidental poisonings, often due to expired medication or ingestion by a child.

To reduce risks of drug abuse, overdoses, poisonings, and suicides, the Secure Drug Take Back Act requires drug manufacturers to implement a statewide program for the safe and secure collection of unused, expired, and leftover medications. The drug take-back system must operate on a year-round basis and offer convenient drop-off sites in cities and towns across the state. Any pharmacy, hospital, or police agency that volunteers to host a secure drug drop box must be included in the collection system financed by drug manufacturers. Prepaid return mailers will also be available to residents. Additionally, each program must develop a system of promotion, education, and public outreach about the safe storage and collection of pharmaceuticals.

“It’s time the Legislature took this action so that all residents of the State can have access to a convenient and safe drug take-back program,” said Peterson, prime sponsor of the bill. “Safe medicine return is a critical part of an ‘all of the above approach’ to fighting the opioid

epidemic. I know first-hand the devastating effects losing someone to an opioid overdose has on a family. We've lost too many loved ones to opioid addiction.”

Peterson has worked on other legislation to address the opioid crisis, including being the prime sponsor of bills to increase naloxone distribution and to improve the state's prescription monitoring program.

Passage of the Secure Drug Take-Back Act fulfills the promise of changes made to Drug Enforcement Administration (DEA) Regulations in 2014 under the federal Secure and Responsible Drug Disposal Act of 2010. Then Congressman Jay Inslee was a champion in the U.S. House of modifying the federal Controlled Substances Act to allow more convenient options for secure drug disposal, including allowing pharmacies to accept return of controlled substances. The federal law change removed barriers but did not provide any funding, leaving it to state and local governments to find solutions to providing drug take-back options.

The WA Secure Drug Take-Back Act establishes the first comprehensive drug take-back program in the nation that will be fully financed and provided by the pharmaceutical industry. Two states – Massachusetts and Vermont – enacted opioid abuse laws in 2016 that have components addressing drug take-back through partial or limited funding from pharmaceutical manufacturers. Finding sustainable and adequate financing has been a key barrier to providing drug take-back services in every community in Washington state. Sheriff and police departments often provide drug drop boxes but have no dedicated funding to pay to dispose of the large amounts of medicines collected from community members. Under the new law, pharmaceutical manufacturers will directly finance the drug take-back program. The annual cost of the drug take-back program is estimated to be about 0.1% of the \$5.7 billion in sales that pharmaceutical companies make per year in Washington.

Bill History: Passage of the secure drug take-back law has been many years in the making. Similar bills were proposed in the state Legislature from 2008 through 2012 and moved through policy and budget committees, but were blocked from floor votes by strong pharmaceutical industry opposition.

Proponents and local public health agencies then focused on adopting similar policies at the local level. Secure Medicine Return ordinances have now been enacted by local Boards of Health in seven counties: Clallam, King, Kitsap, Pierce, Skagit, Snohomish, and Whatcom. These successful local laws are already serving residents of Snohomish and King counties with many new drug drop boxes at local pharmacies, grocery stores, and medical clinics provided by MED-Project, an organization financed by more than 400 drug manufacturers.

Peterson reengaged the state-level debate in Olympia in 2017, with a bill modeled on the successful local laws that gained new support from the pharmacy community. In 2018, House Bill 1047 ultimately passed both chambers with strong bipartisan support, with a vote of 84-12 in the House and 49-0 in the Senate.

Statements from Bill Proponents: The Secure Drug Take-Back Act was supported by a wide array of organizations, ranging from health professionals and suicide prevention groups to pharmacies and health centers to local public health officials, law enforcement, and city associations.

“We are so appreciative of Rep. Peterson’s leadership and the outpouring of support on this vital legislation,” stated Jeff Rochon, Pharm.D., Washington State Pharmacy Association Chief Executive Officer. “Pharmacists strive to ensure the safe and appropriate use of medications. Increased access to medication take-back programs in pharmacies will create safer homes by reducing misuse of unused medications and help prevent suicide, overdoses and opioid addiction.”

“Our state’s Sheriffs and Chiefs are honored to be part of the team to help keep our communities safer by getting dangerous drugs off the streets and out of homes.” Said Steve Strachan, Executive Director of the Washington Association of Sheriffs & Police Chiefs.

“We’re delighted to see secure medicine return being implemented at the state level, and we appreciate Representative Strom Peterson’s leadership,” said Jefferson Ketchel, administrator for the Snohomish Health District. “This program has been tremendously successful in Snohomish County, and to have a consistent system statewide will be crucial to preventing drug abuse and misuse.”

“The Washington Food Industry Association, on behalf of its grocery store pharmacies, has been a strong proponent of pharmaceutical take back programs.” said Jan Gee, President & CEO of the Washington Food Industry Association. “This new statewide approach will allow our members to help their customers to properly dispose of remaining medications through a safe and efficient program.”

“WSALPHO is very pleased to see the legislature take action and pass a statewide safe medicine disposal program. This program addresses important public health issues such as the opioid epidemic, injury prevention, and environmental quality and health.” Said Chris Bischoff, President of the Washington State Association of Local Public Health Officials. “Having this program available throughout the state also reinforces that these issues are impacting our rural and urban counties alike.”

“We know cities and towns throughout Washington are struggling with the ugly impacts of the opioid epidemic on our communities,” said Peter King, Association of Washington Cities Chief Executive Officer. “A great part of this new law is that cities throughout the state will have at least one secure drug collection location, removing unneeded prescription drugs from our medicine cabinets and making our streets safer.”

“One big step forward for WA state residents helping them to keep their homes safer — drug take-back is a vital tool to prevent suicide deaths and attempts.” said Jennifer Stuber, Faculty and Policy Director, Forefront Suicide Prevention at the University of Washington.

"We were glad to support this bill because we know that suicide tends to be an impulsive act, so reducing the means to commit suicide -- such as overdosing with certain leftover medications -- is an effective prevention strategy," added Charles Meredith, Washington State Psychiatric Association Legislative Chair. "This measure will to some degree help ensure the safe disposal of such medications," he concluded.

"Nurses have supported local medicine take-back programs enacted in several counties, and we are thrilled to see Washington become the first state in the nation to implement a statewide medicine take-back program," said Jan Bussert, President of the Washington State Nurses Association. "Nurses know that patients and families need a safe and convenient way to dispose of unwanted and unused medications in communities across our state – and a statewide secure medicine take-back program will ensure every resident has access to this service."

"Washington's doctors see firsthand the impact that medication misuse and abuse has on our patients and their families. This important legislation will give our patients a convenient and easy way to return medications that they no longer use or need," said Donna Smith, MD, president of the Washington State Medical Association. "We are aggressively working to reduce medication misuse and the abuse of prescription opiates. We are committed to helping our patients better understand the promise — and the perils — of these powerful pain-relieving substances."

"The opioid crisis has affected communities all across our state — both urban and rural — and most of the opioids that are abused actually come from family members and friends with leftover medication." according to Cassie Sauer, CEO of the Washington State Hospital Association. "A statewide drug takeback program would give everyone access to a safe way to dispose of their unused medication, helping prevent addiction across Washington State."

"Washington dentists are committed to working with other health care organizations to help reduce the opioid epidemic that is harming families and communities around our state and across our country," said the Washington State Dental Association's President, Dr. Cynthia R. Pauley. "This secure drug take-back program is an important, common-sense step that will help make a real difference in that work, and we are proud to have had a role in working with legislators and other stakeholders who came together to make it a reality."

"According to a recent report from Safe Kids Worldwide, children can open child-resistant pill bottles in seconds -- often with tragic results: a child in the U.S. is rushed to the emergency room for an accidental medicine-related poisoning every nine minutes, on average. Once every hour, a case is serious enough that a child needs to be hospitalized. And every 12 days, a child under the age of 6 dies," added Priscilla Lisicich, President of the Washington Association for Substance Abuse & Violence Prevention. "All the more reason to have unused medications safely removed from the home," she concluded.

“We were pleased to see the Legislature adopt this smart policy requiring that medicine manufacturers provide safe medicine return drop boxes and mailers across our state.” said Heather Trim, Executive Director of Zero Waste Washington. “With pharmaceutical industry support, drug take-back programs will be more convenient and accessible, making it easy for people to safely dispose of old medicines to prevent misuse as well as protect our water quality and wildlife.”

Next steps in implementation of the WA Secure Drug Take-Back Act.

Under the WA Secure Drug Take-Back Act, drug manufacturers whose medicines are sold in or into Washington State must submit a program proposal by July 1, 2019 explaining how they will provide a drug take-back program meeting the law’s requirements. The bill also defines earlier deadlines for when manufacturers must contact pharmacies, hospitals, law enforcement, and other potential medicine collectors of the opportunity to participate in their program by hosting a secure drug drop box. The Washington State Department of Health will review and approve the manufacturers’ proposals.

The similar local Secure Medicine Return ordinances enacted in a number of Washington counties remain in effect until one year after the manufacturers’ statewide drug take-back program is launched and providing services. The local programs will then merge into a consistent statewide drug take-back system.

Additional Resources for Media:

Bill summary page: <http://app.leg.wa.gov/billsummary?BillNumber=1047&Year=2018>

One page policy overview:

http://www.zerowastewashington.org/images/pdfs/1047_drugtakeback_policyoverview.pdf

List of Bill Supporters:

http://www.zerowastewashington.org/images/pdfs/1047_securedrugtakeback_supporterslist.pdf

Media resources: <http://www.zerowastewashington.org/index.php/medicine-return-legislation-state/media-resources>

Short video “Local Drug Take-Back Laws are a Success” about the manufacturers’ MED-Project program from the Association of WA Cities in collaboration with the Washington State Pharmacy Association, Washington State Medical Association, and the Snohomish Regional Drug & Gang Task Force: <https://www.youtube.com/watch?v=3Po4EblbPr8>

What Washington residents can do now with their leftover and expired medications:

Residents of Snohomish and King counties can find many secure drug drop boxes at local pharmacies, grocery stores, and clinics through the MED-Project program provided by pharmaceutical manufacturers. [MED-Project program](#)

Similar MED-Project programs are rolling out in Kitsap County and will launch soon in Pierce County.

Kitsap Public Health District's Secure Medicine Return page:
www.kitsappublichealth.org/information/medicine_return.php

Tacoma-Pierce Health Department's Secure Medicine Return page: www.tpchd.org/healthy-places/waste-management/safe-medicine-disposal

Residents throughout the state can look up existing medicine take-back locations at TakeBackYourMeds.org, a website managed by the WA Poison Center.
www.TakeBackYourMeds.org

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