

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 531 (Delegate Reznik, *et al.*)
Health and Government Operations

State Government - Commemorative Days - Prescription Drug Take Back Day

This bill requires the Governor to annually proclaim October 29 as Prescription Drug Take Back Day. If the federal Drug Enforcement Administration designates a day other than October 29 as National Prescription Drug Take Back Day, the Governor must proclaim that day as Prescription Drug Take Back Day. It is the intent of the General Assembly that the State Board of Pharmacy coordinate with the Maryland State Medical Society (MedChi), the Pharmaceutical Research and Manufactures of America, the Maryland Pharmacists Association, and the Maryland Hospital Association in organizing Prescription Drug Take Back Day.

Fiscal Summary

State Effect: Commemorating Prescription Drug Take Back Day does not affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Eight official commemorative days and three months are recognized in State law as shown in **Exhibit 1**. The Governor also must issue a proclamation each year encouraging citizens and other individuals to observe a moment of silence at 3 p.m. on Memorial Day to unite in remembrance and commemorate the heroic acts and efforts of Marylanders who have served and died in the U.S. armed forces.

Exhibit 1
Official Commemorative Days and Months in Maryland

| | |
|---|-------------------|
| Asian Lunar New Year Day ¹ | January/February |
| Black History Month | February |
| Women's History Month | March |
| John Hanson's Birthday ² | April 13 |
| Negro Baseball League Day ³ | May |
| Law Day | May 1 |
| Fire, Rescue, and Emergency Services Workers Day ⁴ | June |
| Maryland Charter Day | June 20 |
| Hispanic Heritage Month ⁵ | September/October |
| Poetry Day | October 15 |
| Annapolis Charter Day | December 17 |

¹Day designated as new year on the Asian lunar calendar.

²John Hanson served as the first president of the Continental Congress under the Articles of Confederation from 1781 to 1782.

³Commemorated on the second Saturday in May.

⁴Commemorated on the first Sunday in June.

⁵Commemorated from September 15 to October 15.

Background: Safe disposal of prescription drugs preserves patient safety, reduces abuse or unintended ingestion of prescription drugs, and limits the impact of unused medications on the environment. Many independent community pharmacies, including 38 in Maryland, participate in DisposeMyMeds.org, a website that directs consumers to local medication disposal programs. Sharps Compliance, Inc. offers the TakeAway™ Environmental Return System for unused consumer prescription drugs (excluding controlled substances) in which returned drugs are mailed to the company, processed by law enforcement officials, and destroyed.

Under the federal Secure and Responsible Drug Disposal Act of 2010 (enacted in October 2010), individuals may now return lawfully obtained controlled substances for disposal. The U.S. Attorney General will issue regulations governing the transfer of controlled substances for disposal to prevent diversion.

Except for a drug or device dispensed to an inpatient in a hospital or related institution, each container of a drug or device must be labeled to include specific information, including the date the prescription is filled, an expiration date of the drugs or devices, any

appropriate special handling instruction regarding proper storage of the drugs or devices, and the name and strength of the drugs or devices. The name of the drug or device must also be on the label.

Chapter 287 of 2006 established a prescription drug repository program regulated by the State Board of Pharmacy. The program accepts donated prescription drugs for the purpose of dispensing them to needy patients in the State. However, prescription drugs can only be donated if they are in unopened, sealed, and tamper-evident unit dose packaging and have an expiration date at least 90 days from the date the drug is donated.

Chapters 546 and 547 of 2011 expanded the scope of the program to allow the acceptance of prescription drugs and medical supplies returned to a pharmacy for proper disposal (rather than donation). Each pharmacy for which a pharmacy permit has been issued must dispose of returned prescription drugs or medical supplies in accordance with program policies.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, DisposeMyMeds.org, Department of Legislative Services

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mm/hlb

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