
A BILL FOR AN ACT

RELATING TO PRESCRIPTION DRUGS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 461, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§461- Return for disposal of unused, remaining, or
5 expired drugs; pharmacy options. Every pharmacy may accept for
6 disposal from any person the return of any unused, remaining, or
7 expired prescription drug that the pharmacy previously dispensed
8 using one of the following methods:

9 (1) Collection receptacles; or

10 (2) Mail-back program."

11 SECTION 2. New statutory material is underscored.

12 SECTION 3. This Act shall take effect on July 1, 3000.



Report Title:

Pharmacies; Prescription Drugs; Return for Disposal

Description:

Authorizes pharmacies to accept for disposal the return of any unused, remaining, or expired prescription drugs that the pharmacy previously dispensed, via collection receptacles or mail-back programs. (SB2339 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



**PRESENTATION OF THE
BOARD OF PHARMACY**

TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION AND COMMERCE

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Wednesday, March 28, 2018
2:00 p.m.

**TESTIMONY ON SENATE BILL NO. 2339, S.D. 1, H.D. 1, RELATING TO
PRESCRIPTION DRUGS.**

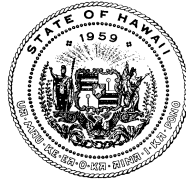
TO THE HONORABLE ROY M. TAKUMI, CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Lee Ann Teshima, and I am the Executive Officer for the Board of Pharmacy ("Board"). Thank you for the opportunity to testify on S.B. 2339, S.D. 1, H.D. 1, Relating to Prescription Drugs. The Board appreciates the intent of this bill but has concerns about H.D. 1 as currently written.

This measure allows pharmacies to accept for disposal the return of any unused, remaining, or expired prescription drugs that the pharmacy previously dispensed. The Board supports the safe disposal of unwanted or unused prescription drugs, including controlled substances, to prevent individuals from obtaining drugs that were not prescribed to them. However, the Board has the following concerns with S.B. 2339, S.D. 1, H.D. 1, as this bill does not:

- Allow a patient to return drugs for disposal to another pharmacy that did not dispense the drug;
- Address prescription drugs that are mailed to a patient;
- Include sufficient guidelines or procedures by which pharmacies will accept drugs for disposal by collection receptacles or mail-back programs;
- Include any requirements for compliance with federal regulations; and
- Include safeguards to protect pharmacies from robbery, theft, or diversion issues.

Thank you for the opportunity to testify on S.B. 2339, S.D. 1, H.D. 1.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SB 2339, HD1
RELATING TO PRESCRIPTION DRUGS**

REPRESENTATIVE ROY M. TAKUMI, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Hearing Date: March 28, 2018

Room Number: 329

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (DOH) defers to the Board of Pharmacy of
3 the Department of Commerce and Consumer Affairs on implementation of HRS Chapter 461 and
4 any amendments to current law or regulations that may apply. We also defer to the Department
5 of Public Safety, Narcotics Enforcement Division (PSD) regarding implications for enforcement.

6 The DOH refers the Committee to the Hawaii Opioid Action Plan (December 2017). The
7 Plan's recommended method to increase the amount of drugs taken back from the community is
8 to place containers in various county police stations. According to Plan Objective 4-2, "By
9 January 2019, implement year-round drop off / "takeback" sites at a minimum of two county
10 police stations within the State to include protocols for disposal of unused medications in a safe
11 and secured manner." This effort is currently in progress.

12 The DOH continues to work in close collaboration with PSD, the Department of the
13 Attorney General and county law enforcement to implement takeback programs in each county
14 that comply with federal regulation.

15 Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Cathy Ross
Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 2339, SENATE DRAFT 1, HOUSE DRAFT 1
RELATING TO PRESCRIPTION DRUGS

by

Nolan P. Espinda, Director
Department of Public Safety

House Committee on Consumer Protection and Commerce
Representative Roy M. Takumi, Chair
Representative Linda Ichiyama, Vice Chair

Wednesday, March 28, 2018; 2:00 p.m.
State Capitol, Conference Room 329

Chair Takumi, Vice Chair Ichiyama, and Members of the Committee:

The Department of Public Safety (PSD) appreciates the intent of Senate Bill (SB) 2339, Senate Draft (SD) 1, House Draft (HD) 1, which would require every pharmacy to accept for disposal the return of any unused, remaining, or expired prescription drug that the pharmacy previously dispensed. PSD, however, offers the following comments.

First, on September 9, 2014, the United States Drug Enforcement Administration (DEA) published in the Federal Register, a lengthy set of regulations regarding the "take back" of drugs from the community by pharmacies, other controlled substances registrants, and law enforcement. In these regulations, the DEA declared that federal controlled substances laws apply to drug take back operations because the collection of drugs taken back from the community includes both controlled and non-controlled substances. If this bill is enacted into law, every pharmacy must comply with these federal regulations.

Second, in their regulations pertaining to pharmacies, DEA has stated that only "retail" pharmacies and "hospitals with an on-site pharmacy," may register to take back

drugs from the community. This appears to conflict with SB 2339, SD 1, HD 1, which would mandate that “every pharmacy shall accept for disposal” any unused, remaining, or expired prescription drug that they dispensed.

Third, the DEA requires that entities such as a retail pharmacy or a hospital with an on-site pharmacy obtain a controlled substances registration to become a “collector” of drugs taken back from the community. SB 2339, SD 1, HD 1, does not require that a pharmacy comply with this federal registration requirement.

Fourth, the DEA regulations require that retail pharmacies and hospitals with an on-site pharmacy maintain appropriate controls over the drugs which are taken back to prevent diversion. This federal requirement is not included in SB 2339, SD 1, HD 1. Also, SB 2339, SD 1, HD 1, does not contain a prohibition to prevent pharmacies from recycling drugs that have been taken back from the community.

Fifth, the DEA regulations require that because pharmacies are controlled substances registrants, in most cases, they must “reverse distribute” or ship the drugs that are taken back from the community to a registered reverse distribution company for disposal. PSD would note that, to our knowledge, there are presently no reverse distribution companies in the State of Hawaii. For Hawaii pharmacies, all drugs taken back would have to be shipped to the mainland at possibly significant costs to local pharmacies. Some of our local pharmacies are small businesses.

Finally, PSD would refer the Committee to the 2017 Hawaii Opioid Action Plan. As outlined in Focus Area 4 of the Plan, the recommended method of increasing the amount of drugs taken back from the community is to place take back containers in the various county police stations across the State. Efforts in this regard are currently ongoing.

Thank you for the opportunity to present this testimony.

Testimony for Public Hearing
by CPC
March 28, 2018, 2:00pm

Jhoana Gonzales
2056 Kaumana Dr
Hilo HI 96720

S.B. No. 2339 – RELATING TO PRESCRIPTION DRUGS

Good Afternoon. My name is Jhoana Gonzales and I am a Student Pharmacist at the UHH Daniel K. Inouye College of Pharmacy. I am also the current Generation Rx Chair for the National Community Pharmacist Association-Hawaii Chapter. As a Generation Rx Chair, I present to students around the Big Island on the prevention of misuse and abuse of prescription drugs, as well as safe practices and proper storage of medication. Our target audience has been as young as 9 years old and their stories are what inspires me to write this testimony in support of this bill.

In one of the schools I presented to, a 9-year-old speaks to be about her responsibility to give her grandmother her daily dose of medication. It led me to think back to when I was 9 and I didn't even know how to properly read a prescription label. This child had to make sure that the medicine she is giving her grandmother is the correct drug, dose, and frequency. This is also what inspires me to be active in introducing these young students about how to read labels and how to properly take medications through the Generation Rx program. However, education is not the only way we can prevent errors for this young child, but to also provide a service to minimize the number of medications in the household. The Drug Take Back bill will do just that.

I truly believe that passing this bill will provide a service that will benefit the community by helping to rid their households of unused, un-needed, expired medication, thereby preventing the misuse and abuse of prescription drugs in the future. It will also help decrease the chance of children and pets getting their hands on these medications, which might lead to adverse events and even death. I hope you consider passing this bill.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Jhoana Gonzales". The signature is written in a cursive, flowing style.

Jhoana Gonzales



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Consumer Protection and Commerce
March 28, 2018 at 2:00 p.m.

By
Carolyn Ma, PharmD, BCOP
DEAN
UH Hilo - Daniel K. Inouye College of Pharmacy

SD 2339 SD1 HD1 – RELATING TO PRESCRIPTION DRUGS

Chair Takumi, Vice Chair Ichiyama, and members of the Committee:

My name is Carolyn Ma, and I am the Dean for the UH Hilo Daniel K. Inouye College of Pharmacy (DKICP). As designated lead for UH Hilo and on behalf of Interim Chancellor Dr. Marcia Sakai, University of Hawai'i at Hilo fully supports this bill with the proposed amendments, stating that pharmacies may accept for disposal certain prescription medications utilizing either collection receptacles or mail-back programs. The college defers to the appropriate state laws and rules that govern controlled substances in the state and federal acts.

Unused medications in households and at various patient care facilities expose residents to potential harm due to mistaken ingestion and increase the potential for theft and assault. In children ≤ 5 years old, medication overdoses are the most common.¹ Annually, more than 71,000 children under the age of 19 present to emergency rooms for unintentional overdoses of prescription and over the counter drugs.² The problem can add to drug abuse in young adults aged 18-25 (5.9%) while 3% of teens (12-17 yrs) have the second highest rate.³ So called "pharm parties", social gatherings where prescription drugs are consumed with alcohol, have gained popularity in recent years in both age groups.^{3,4}

In partnership with the Narcotics Enforcement Division, the DKICP has participated in annual Drug Take Back events since 2012. In 2014, our efforts to quantify and describe the types of returned medications were published in the Hawai'i Journal of Medicine and Public Health.⁵ In two large drug take back events at the annual Good Life Senior Expo (3 days) and 9 one-day events on O'ahu, Maui, Kaua'i and Hawai'i Island, a total of over 8000 pounds of medications were recovered. Seven of the top 10 types of medications were classified as cardiovascular agents. The most common non-prescription medications included aspirin, naproxen and ibuprofen. Controlled substances comprised 10% of the returned medications; the most common was the combination hydrocodone/acetaminophen medications (CII). The DEA also continues to hold annual drug take back events.

References

1. Schillie SF, Sheab N., Thomas KE, Budnitz DS, Medication overdoses leading to emergency department visits among children, *A. J. Pre. Med.* 2009; 37(3):181-7.
2. Epidemic Responding to America's Prescription Drug Crisis. Executive Office of the President of the United States (2011).
3. Prescription Drug: abuse and Addiction Adolescents and young adults. National Institute on Drug Abuse.
4. Leinwand D., Prescription place in teen culture. *USA Today.* June 13, 2006.
5. Ma, CS, Batz, F, Taira Juarez, D. Ladao, L, Drug Take Back in Hawai'i: Partnership Between the University of Hawai'i Hilo College of Pharmacy and The Narcotics Enforcement Division. *HJMPH* 2014;73:1(26-31).

SB-2339-HD-1

Submitted on: 3/27/2018 6:54:44 AM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thu Nguyen	Daniel K. Inouye College of Pharmacy	Support	No

Comments:

To the Honorable: Chair Takumi, Vice Chair Ichiyama, and Members of the Committee on Consumer Protection and Commerce.

I am a student pharmacist and writing to offer strong support for SB 2339 SD1 HD1 with respectful recommendations to focus this initial effort, as proposed in this measure, on drug take back. Thank you for the opportunity to testify.

Sincerely,
Thu Nguyen
Student Pharmacist, Class of 2019
The Daniel K. Inouye College of Pharmacy
University of Hawai'i at Hilo
thutn@hawaii.edu | (408) 726-2094

Testimony of
Jonathan Ching
Government Relations Specialist

Before:
House Committee on Consumer Protection & Commerce
The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair

March 28, 2018
2:00 p.m.
Conference Room 329

Re: SB2339 SD1 HD1, Relating to Prescription Drugs

Chair Takumi, Vice-Chair Ichiyama, and committee members, thank you for this opportunity to provide testimony on SB2339 SD1 HD1, which authorizes pharmacies to accept for disposal the return of any unused, remaining, or expired prescription drugs, excluding opioids, that the pharmacy previously dispensed, via collection receptacles or mail-back programs.

Kaiser Permanente Hawai‘i supports the intent of SB2339 SD1 HD1 and offers the following COMMENTS

Kaiser Permanente Hawai‘i is keenly aware that abuse and diversion of prescribed medication continues to rise around our state and country. Drug poisoning is the leading cause of death by injury in the United States, according to the U.S. Drug Enforcement Administration Opioid painkillers accounted for 42,249 drug overdoses — 115 a day — in 2016, the most recent year for which statistics are available from the U.S. Centers for Disease Control and Prevention. According to the National Institute on Drug Abuse, most of prescription drug abusers get their drugs from friends and family, often taking them from home medicine cabinets without asking.

We are committed to providing opportunities for anyone to dispose of unwanted prescription medication in a safe, environmentally appropriate, and accountable manner. In furtherance of this commitment, we believe there are other viable safe drug disposal options. Currently, all of Kaiser Permanente Hawai‘i’s outpatient pharmacies offer “mail back” postage-paid envelopes that can be used to send unwanted medications to a registered pharmaceutical waste handler, which is an “authorized collector” under federal rules, for disposal in an environmentally safe manner in accordance with federal and state regulations. These envelopes are available during regular pharmacy hours.

We appreciate that a previous committee has amended SB2339 SD1 HD1 to authorize rather than mandate pharmacies to accept unwanted prescriptions for disposal, which may have had a significant financial and administrative burden, especially on smaller, community pharmacies.

Finally, we believe this would still help to provide clarity over existing Hawai‘i Administrative Rules, which currently prohibit the return of any prescription medications to retail pharmacies after dispensing, preventing these pharmacies from serving as return points for unwanted/unused medications.¹

Thank you for the opportunity to testify on this important measure.

¹ Hawaii Administrative Rules Title 16 Chapter 95 Pharmacists and Pharmacies Return or exchange of drugs prohibited (§16-95-87). Available at: https://cca.hawaii.gov/pvl/files/2013/08/HAR-16-95-C_0816.pdf. See also H.A.R. § 23-200-20, Procedures for disposal of controlled substances.



SB2339 SD1 HD1 Prescription Drug Disposal

COMMITTEE ON CONSUMER PROTECTION AND COMMERCE:

- Representative Roy Takumi, Chair; Representative Linda Ichiyama, Vice Chair
- Wednesday, March 28, 2018: 2:00 pm
- Conference Room 329

Hawaii Substance Abuse Coalition Comments SB2339 SD1 HD1:

GOOD MORNING CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of almost 40 non-profit alcohol and drug treatment and prevention agencies.

There exists a pilot project for 2 police stations to develop medication drop off points to learn the various federal and state rules, costs for disposal and best practices before widespread implementation.

The statewide opioid task force of about 150 participants, including pharmacies, discussed this option at length, determining more information about appropriate procedures are needed before implementation.

Pharmacies are not the best choice at this time until laws are known (so as not to get arrested) and associated costs are identified.

This bill is premature until the Department of Health and Law Enforcement determine legal implications before enacting this law.

We appreciate the opportunity to provide testimony and are available for questions.

SB-2339-HD-1

Submitted on: 3/27/2018 9:12:54 AM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:



SanHi

GOVERNMENT STRATEGIES
A LIMITED LIABILITY LAW PARTNERSHIP

DATE: March 27, 2018

TO: Representative Roy M. Takumi
Chair, Committee on Consumer Protection and Commerce
Submitted Via Capitol Website

RE: **S.B. 2339, S.D.1, H.D.1, Relating to Prescription Drugs**
Hearing Date: Tuesday, March 28, 2018 at 2:00 p.m.
Conference Room: 329

Dear Chair Takumi and Members of the Committee on Consumer Protection and Commerce:

We submit this testimony on behalf of Walgreen Co. ("Walgreens"). Walgreens operates stores at more than 8,200 locations in all 50 states, the District of Columbia, and Puerto Rico. In Hawaii, Walgreens now has 19 stores on the islands of Oahu, Maui, and Hawaii.

Walgreens **submits comments** regarding S.B. 2339 S.D.1, H.D.1, which authorizes pharmacies to accept for disposal the return of any unused, remaining, or expired prescription drugs, excluding opioids, that the pharmacy previously dispensed, via collection receptacles or mail-back programs.

Walgreens has been a leader in finding solutions to combat prescription drug misuse. On the mainland, Walgreens piloted the installation of over 500 drug takeback kiosks in states across the country, and has plans to significantly expand this program.

Walgreens appreciates that this bill was amended from its original proposal to mandate that pharmacies take back unused, remaining or expired prescriptions in their stores, and now simply authorizes them to do so. In 2014, the Federal Drug Enforcement Agency issued rules to allow pharmacies to voluntarily implement in-store collection kiosks or provide mail-back envelopes in their stores. However, in order to implement these systems, pharmacies have to pay for collection companies to maintain and dispose of pharmaceutical waste, and abide by strict procedures for the handling of the waste.

We would recommend that, if the committee is inclined to pass this measure, the bill be amended so that it is clear that all drug take back systems: 1) follow federal law and 2) allow for the take back of all prescription drugs, rather than just those that originated from the pharmacy they were dispensed from.

In other jurisdictions that are addressing this issue (including several counties in California and Washington, and now a bill pending in Washington state), drug manufacturers are being given responsibility for implementing drug take back collection, handling and disposal systems. In these systems, manufacturers are required to pay for a drug take back system, and may partner with pharmacies, hospitals or clinics to accomplish this goal.

We would be happy to participate in additional discussions with law enforcement, chain and community pharmacies, hospitals/clinics and drug manufacturers about how a more comprehensive drug take back program could be developed in Hawaii.

Thank you for the opportunity to testify on this bill.

SB-2339-HD-1

Submitted on: 3/26/2018 11:28:39 AM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anita E Ciarleglio	Individual	Support	No

Comments:

Dear Sirs and Madams,

Please support this very important bill that will help prevent the diversion of prescription medications. The number of adverse events and deaths due to the misuse of drugs is increasing at a horrendous rate. At present, well meaning patients have no place to discard their unused medications but the trash or the kitchen sink, both of which are unacceptable and can lead to unforeseen consequences. This bill will allow patients to safely dispose of drugs and help prevent drugs from getting into the wrong hands. I humbly ask for your support in this matter.

Anita E. Ciarleglio, Ph.D.

SB-2339-HD-1

Submitted on: 3/26/2018 8:52:33 PM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Clement Tran Tang	Individual	Support	No

Comments:

To the Honorable: Chair Luke, Chair, Vice Chair Cullen and Members of the Committee on Finance.

I am a student pharmacist and writing to offer strong support for SB 2339 SD1 HD 1 but with respectful recommendations to focus this initial effort, as proposed in this measure, to primary care including advanced practice nursing, medicine, and pharmacy. Thank you for the opportunity to testify.

SB-2339-HD-1

Submitted on: 3/26/2018 9:12:26 PM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Regpala	Individual	Support	No

Comments:

SB-2339-HD-1

Submitted on: 3/26/2018 10:20:12 PM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Clifford Agcaoili	Individual	Support	No

Comments:

To the Honorable: Chair Luke, Chair, Vice Chair Cullen and Members of the Committee on Finance.

I am a student pharmacist and writing to offer strong support for SB 2298 SD2 HD 1 but with respectful recommendations to focus this initial effort, as proposed in this measure, to primary care including advanced practice nursing, medicine, and pharmacy. Thank you for the opportunity to testify.

SB-2339-HD-1

Submitted on: 3/27/2018 12:43:41 AM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tin Le	Individual	Support	No

Comments:

SB-2339-HD-1

Submitted on: 3/27/2018 8:03:39 AM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Nakagawa	Individual	Support	No

Comments:

SB-2339-HD-1

Submitted on: 3/27/2018 1:19:36 PM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Kawakami	Individual	Support	No

Comments:

SB-2339-HD-1

Submitted on: 3/27/2018 3:57:46 PM

Testimony for CPC on 3/28/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bj Isaac Acosta	Individual	Support	No

Comments:



PRODUCT STEWARDSHIP INSTITUTE

LATE

Scott Cassel
Chief Executive Officer/Founder

March 28, 2018

PSI Board of Directors

Jennifer Holliday – **President**
Chittenden Solid Waste District, VT

Tom Metzner – **Vice President**
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Joe Rotella
RI Resource Recovery Corporation

Jennifer Semrau
*WI Department of Natural
Resources*

Honorary Board Members

Allyson Williams
CalRecycle

Walter Willis
*Solid Waste Agency of Lake
County, IL*

Rep. Roy M. Takumi, Chair
House Committee on Consumer Protection & Commerce
Hawaii State Legislature
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813

RE: Testimony regarding prescription drug disposal bill SB.2339 (companion HB.2125)

Honorable Chairman Takumi and Committee Members:

The Product Stewardship Institute (PSI) commends Hawaii's efforts to support safe drug disposal. However, **we urge you to establish a manufacturer financed and managed drug take-back program** in line with best practices for safe drug disposal legislation across country.

We strongly support pharmacy-based drug take-back programs that accept both controlled and non-controlled substances, providing residents with a convenient way to safely remove expired and unwanted medications from their homes. Mounting evidence demonstrates the need for secure medication disposal options that match the convenience of purchasing them. Pharmaceuticals improperly stored in the home or disposed in the trash may end up in the hands of children, teenagers, and potential abusers. A lack of safe disposal options contributes to the national drug abuse epidemic that is now the leading cause of injury death in the U.S., ahead of car accidents. Moreover, when flushed or thrown away, pharmaceuticals end up in waterways, harming the ecosystem and potentially affecting sources of drinking water.

However, we do not believe that government or retailers should have to pay for drug take-back programs. Our experience nationally indicates that pharmacies are generally willing to volunteer to host take-back programs as long as they are not being asked to cover the cost. They recognize the benefits: in addition to providing a community service, pharmacy-based take-back programs increase foot traffic in their stores and engender customer loyalty.

Product Stewardship Institute, Inc. | 29 Stanhope Street, 3rd Floor, Boston, MA 02116
tel. 617.236.4855 | www.productstewardship.us | @productsteward
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We also caution you against any bill that would have pharmacy staff handling medication being disposed of by residents, as the U.S. Drug Enforcement Agency rules forbid this. The person in legal possession of the medications must be the one to dispose of it directly into a collection receptacle. A pharmacist should only provide oversight and guidance. This is also a more efficient arrangement.

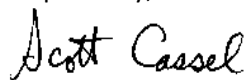
Instead, we support funding from pharmaceutical manufacturers, which profit from drug sales and have contributed to the over-prescription of medications in the U.S. **Producer-funded drug take-back programs save government and taxpayers money, fairly incorporate the small cost of managing drug disposal in the product's purchase price, and provide a direct financial incentive for pharmaceutical companies to reduce unnecessary prescriptions.** This funding mechanism is a key element to the sustainability and success of these programs.

We strongly urge you to pursue producer-funded drug take-back legislation, for which model language already exists. In the U.S., 24 local governments and two states (Massachusetts and Vermont) have already passed similar drug stewardship laws around the country. Washington State which is poised to pass its bill, and many other state and local governments are considering similar legislation. Hawaii has the chance to stand among these leaders by taking this important step to address the opioid epidemic, accidental overdoses, and aquatic contamination.

We would be happy to work with you on a state bill for Hawaii. PSI is a national nonprofit organization dedicated to reducing the health and environmental impacts of consumer products. We have 47 state government agency members and hundreds of local government agency members nationwide. PSI also has formal partnerships with 110 businesses, organizations, academic institutions, and non-U.S. governments. Our organization has been working on the issue of safe drug disposal for over a decade, including helping to change the federal Secure and Responsible Drug Disposal Act of 2010 and subsequent Drug Enforcement Administration regulations in 2014, which has allowed retail pharmacies to become authorized collectors of controlled substances. These changes made dropping off leftover drugs significantly more convenient, which is a key factor in increasing collection through drug take-back programs.

Thank you for your strong leadership on this important issue. Please contact us with any questions.

Respectfully,



Scott Cassel

Chief Executive Officer/Founder