HOUSE DOCKET, NO. 2392 FILED ON: 2/18/2011

HOUSE . . . . . No. 3365

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas A. Golden, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to drug disposal by mail.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas A. Golden, Jr.	*16th Middlesex*
Martin J. Walsh	*13th Suffolk*
Jason M. Lewis	*31st Middlesex*

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HOUSE . . . . . No. 3365

By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 3365) of Thomas A. Golden, Jr., Martin J. Walsh and Jason M. Lewis for legislation to establish an unused prescription drug disposal program within the Department of Public Health. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to drug disposal by mail.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 111 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following section:-

Section 225. (a) There is hereby established within the department, the unused prescription drug disposal program. The purpose of the program is to ensure the safe, effective and proper disposal of prescription drugs as defined in section 1 of chapter 94C.

(b) The department shall create a system for the return of unused prescription drugs. The system shall use prepaid mailing envelopes into which the unused prescription drugs are placed and returned to a single collection location. The prepaid mailing envelopes shall be made available to the public at various locations, including, but not limited to, pharmacies, physicians' offices and post offices. The agency may randomly assess the toxicity of materials received under the program as long as the assessment results do not identify the patient, person who mailed the material, prescriber or pharmacy.

(c) The department shall ensure that only department employees handle the unused prescription drugs received pursuant to this section. The unused prescription drugs shall be disposed of by the department in a manner that is designed to be effective, secure and in compliance with local, state and federal environmental and drug disposal requirements, including the federal Resource Conservation and Recovery Act of 1976, as amended and the Secure and Responsible Drug Disposal Act of 2010.

(d) The department shall adopt rules and regulations to carry out the purposes of this section.