

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB274

Chairperson: Senator Kathy Campbell

Committee: Health and Human Services

Date of Hearing: January 26, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Proper disposal of prescription medication has become a popular issue across the U.S. While there are no laws or regulations that mandate the method of disposal of prescription medications, best practices suggest that flushing medications into the sewage system is no longer appropriate.

The Pharmacy Practice Act, Section 71-2421, currently states that drugs may be returned to the dispensing pharmacy for immediate disposal by a pharmacist. This language has always been interpreted to mean that the medication must be flushed by a pharmacist when brought back to a pharmacy for disposal. By removing the words "dispensing pharmacy" and the word "immediate," LB 274 will allow pharmacies in Nebraska to participate in a nationwide drug take-away program. The drug take-away program was established to provide a safe, environmentally friendly method of drug disposal. Through this program, pharmacies will be able to purchase tamper proof containers for disposal of unused and unwanted medications. Once the container is full it is shipped to a medical incinerator.

LB 274 clarifies under what circumstances an individual may take drugs to a pharmacy for disposal, or in the case of long term care facilities, for credit or disposal. LB 274 authorizes pharmacies to charge a fee for drug disposal. In addition, the reference to calculated expiration date was changed from six months to one year to be consistent with other references within the Pharmacy Practice Act.

Principal Introducer: _____

Senator Mike Gloor