

# BRIEF OVERVIEW OF THE WA SECURE DRUG TAKE-BACK ACT OF 2018

RCW 69.48 / ESHB 1047 sponsored by Representative Strom Peterson (WA-21st).

**A statewide drug take-back program for prescription and over-the-counter medicines must be financed and coordinated by pharmaceutical manufacturers selling medicines into Washington State.**

Medicine manufacturers must design their program to meet the law's requirements and standards, and submit a program plan to WA Department of Health (DOH) for review.

Manufacturers are responsible for costs of drop boxes, collection supplies, prepaid mailers, collection events, transportation, disposal, and promotion. Most of WA DOH's oversight costs will be recovered through a fee on approved program(s).

**WA Department of Health (DOH) will review the manufacturer's program plan, and oversee the approved drug take-back program for security, safety, and compliance.**

**The pharmaceutical manufacturers' drug take-back program must:**

- **Take-back prescription and over-the-counter medicines used in the home**, including legally prescribed controlled substances such as OxyContin, Vicodin, and stimulants.
- **Provide secure medicine drop boxes at pharmacies and police stations across the state.**
  - Any qualified pharmacy, hospital, clinic, or police station that volunteers to host a secure drop box must be included in the manufacturers' program. All collectors participate voluntarily.
  - There must be at least 1 collection site in every city/town's population area, defined as including a 10-mile radius around each city or town, plus 1 additional collection site for every 50,000 residents.
  - For islands and unincorporated areas outside population areas, a drop box must be provided at every qualified collector open to the public, unless the collector is unwilling to participate.
  - If any areas are underserved by collection sites, as determined by WA DOH and local health agencies, mailer distribution locations or periodic collection events must be provided for residents.
- **Provide prepaid return mailers on request** to any resident and to any retail pharmacy that offers to distribute mailers.
- **Handle collected medicines securely** according to the DEA's regulation and other federal and state laws.
- **Ensure environmentally sound disposal** of collected medicines at properly permitted disposal facilities.
- **Conduct public education and outreach** about safe medicine storage and using the drug take-back program. WA DOH will conduct periodic public awareness surveys and can require changes to the manufacturers' promotion activities based on survey results.

**Local Secure Medicine Return ordinances remain in effect until 12 months after the statewide drug take-back program begins operations.**

The state law's requirements are very similar to local ordinances enacted in seven WA counties: Clallam, King, Kitsap, Pierce, Skagit, Snohomish, and Whatcom. These local drug take-back programs can continue until the state law is fully implemented, then the local programs will be incorporated into a consistent statewide drug take-back program.

## **Implementation Timing:**

June 7, 2018 — Secure Drug Take-Back Act takes effect.

July 1, 2019 — Deadline for drug manufacturers to submit a program plan to WA DOH. DOH will review the plan during a 4-month time period, and hold a public comment period.

April 26, 2020 — Earliest potential start date for statewide drug take-back program. The program's launch date will depend on the length of the plan review process and whether manufacturers must revise and improve their program plan.

*For more information about the WA Secure Drug Take-Back Act and local Secure Medicine Return ordinances, see [www.cehstrategies.com/wa-drug-take-back-laws](http://www.cehstrategies.com/wa-drug-take-back-laws).*

