

# ASSEMBLY, No. 3191

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2008

**Sponsored by:**

**Assemblywoman CHARLOTTE VANDERVALK  
District 39 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Milam**

**SYNOPSIS**

Prohibits health care institutions from discharging medications into sewer or septic systems.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/14/2009)**

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1 AN ACT concerning health care institutions and unused  
2 medications, and supplementing P.L.1977, c.74 (C.58:10A-1 et  
3 seq.).

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

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8 1. a. No health care institution, or any employee, staff person,  
9 contractor, or other person under the direction or supervision of the  
10 health care institution, may discharge, dispose of, flush, pour, or  
11 empty any unused medication into a public wastewater collection  
12 system or a septic system.

13 b. As used in this section:

14 “Health care institution” means any public or private institution,  
15 facility, or agency licensed, certified, or otherwise authorized by  
16 State law to administer health care in the ordinary course of  
17 business, including hospitals, nursing homes, residential health care  
18 facilities, home health care agencies, hospice programs operating in  
19 this State, institutions, facilities or agencies that provide services to  
20 persons with mental health illnesses, or institutions, facilities and  
21 agencies that provide services for persons with developmental  
22 disabilities; and

23 “Public wastewater collection system” means any collection  
24 system regulated by the Department of Environmental Protection  
25 pursuant to the “Water Pollution Control Act,” P.L.1977, c.74  
26 (C.58:10A-1 et seq.), and which system consists of structures  
27 which, operating alone or with other structures, result in the  
28 collection and conveyance or transmission of wastewater from  
29 private, commercial, institutional, or industrial sources, to public  
30 wastewater treatment systems for subsequent treatment.

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32 2. This act shall take effect on the 90th day after the date of  
33 enactment.

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STATEMENT

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38 This bill would prohibit a health care institution, or any  
39 employee, staff person, contractor, or other person under the  
40 direction or supervision of the health care institution, from  
41 discharging, disposing of, flushing, pouring, or emptying any  
42 unused medication into a public wastewater collection system or a  
43 septic system.

44 A health care institution found in violation of any provision of  
45 this bill would be subject to the penalty provisions of the “Water  
46 Pollution Control Act.”

47 Under this bill, a “health care institution” is defined as any  
48 public or private institution, facility, or agency licensed, certified,

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1 or otherwise authorized by State law to administer health care in the  
2 ordinary course of business, including hospitals, nursing homes,  
3 residential health care facilities, home health care agencies, hospice  
4 programs operating in this State, institutions, facilities or agencies  
5 that provide services to persons with mental health illnesses, or  
6 institutions, facilities and agencies that provide services for persons  
7 with developmental disabilities.

8 This bill responds to the growing threat to the environment and  
9 human health posed by the improper disposal of unused  
10 medications, which has been manifested in recent reports of  
11 prescription drugs found in public water supplies and the potential  
12 hazards this poses in terms of long-term health consequences, and  
13 the rampant abuse of medications, especially among teenagers.

14 According to the Associated Press (AP), a vast array of  
15 pharmaceuticals – including antibiotics, anti-convulsants, mood  
16 stabilizers, and sex hormones – have been found in the drinking  
17 water supplies of some 41 million Americans. In the course of a  
18 five-month inquiry, an AP National Investigative Team discovered  
19 that medications have been detected in the drinking water supplies  
20 of 24 major metropolitan areas, including New Jersey. It has also  
21 been reported that researchers at the United States Geological  
22 Survey analyzed a Passaic Valley Water Commission drinking  
23 water treatment plant, which serves 850,000 people in northern  
24 New Jersey, and found a metabolized angina medicine and the  
25 mood-stabilizing carbamazepine in drinking water.