

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5667

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 5, 2019

The Assembly Health and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 5667.

As amended, this bill requires each pharmacy practice site that dispenses prescription drugs, other than a long-term care pharmacy, to, when dispensing to an individual located in this State a prescription drug or medication which is a controlled dangerous substance, and when dispensing any other prescription drug or medication as may be designated by the Commissioner of Health by regulation: (1) provide the patient with written informational materials advising that there are risks when unused, unwanted, or expired drugs and medications are not properly, safely, and promptly disposed of; (2) have available on-site, for purchase or at no cost to the patient, at least one consumer method for individuals to dispose of unwanted or expired prescription drugs, including, but not limited to over-the-counter drug disposal solutions for use at home and secured medication collection kiosks or boxes; and (3) provide the patient with written informational materials concerning how to properly, safely, and promptly dispose of unused, unwanted, or expired drugs and medications. The individual dispensing the prescription drug, or an appropriate designee, is to answer any questions the patient may have upon receiving the written informational materials pursuant to this paragraph.

The bill identifies certain aspects of federal law that may relate to the requirements of the bill and indicate that the household drug disposal solutions to be made available under the bill are to meet certain Department of Environmental Protection requirements concerning alternate disposal methodologies for medical waste that currently apply to the medical industry. Medication collection kiosks or boxes are to be marked or identified by prominent signage.

The bill requires that, any time a pharmacy practice site that dispenses prescription drugs, other than a long-term care pharmacy, sells or dispenses a hypodermic syringe or needle, regardless of whether the hypodermic syringe or needle is sold or dispensed pursuant to a prescription, the pharmacy practice site is to provide the patient with written information as incorporated in the drug

monograph and prepared by the Division of Consumer Affairs in the Department of Law and Public Safety (division) pursuant to the bill's provisions.

Under the bill, if a patient is enrolled in the hospice care program, and if any change is made to the patient's course of treatment that results in a change in the drugs or medications prescribed for the patient, or in the patient discontinuing the use of a prescription drug or medication, the hospice care program is to: (1) provide the patient or the patient's health care representative with oral instructions and written informational materials advising that there are risks when unused, unwanted, or expired drugs and medications are not properly, safely, and promptly disposed of; (2) make available for purchase or at no cost to the patient an at-home or site-of-use prescription medication disposal product, and (3) provide the patient with written informational materials concerning how to properly, safely, and promptly dispose of unused, unwanted, or expired drugs and medications.

A nurse in the hospice care program may dispose of unused drugs or medications using an at-home or site-of-use drug disposal solution.

The bill provides that the division is to amend the drug monograph to include information for distribution to patients by hospice care programs and pharmacy practice sites concerning the safe disposal of used hypodermic syringes and needles so as to prevent against the potential transmission of bloodborne pathogens that can occur when used hypodermic syringes and needles are reused or when they result in accidental injury.

This bill is named "Charlie's Law" after Charlie Van Tassel, a young man who struggled with addiction for many years before finally succumbing in 2013, at the age of 33.

COMMITTEE AMENDMENTS:

The committee amendments:

- 1) make various technical changes as to usage, citation, and clarity;
- 2) remove a reference to municipal waste regulation;
- 3) remove the requirement that pharmacy practice sites request of manufacturers to represent that certain supplies are not toxic and in compliance with federal regulations;
- 4) provide that a pharmacy practice site that dispenses prescription drugs or hypodermic syringes or needles to a patient, provide the patient with written information as incorporated in the drug monograph and prepared by the division;
- 5) remove the requirement that certain written informational materials be prepared and made available through the division's Internet website;
- 6) require the division to amend the drug monograph to include information for the distribution to patients by hospice care

programs and pharmacy practice sites concerning the safe disposal of used hypodermic syringes and needles; and

7) remove the requirement that a manufacturer, supplier, or servicing agent ensures that methods of incineration follow federal recommendations.