

SENATE, No. 1607

STATE OF NEW JERSEY

INTRODUCED OCTOBER 24, 1996

By Senator McGREEVEY

1 AN ACT concerning the disposal of syringes and supplementing Title  
2 26 of the Revised Statutes.

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

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7 1. For purposes of this act:

8 "Retailer" means any person who engages in the sale of syringes to  
9 any consumer at retail within the State.

10 "Home self-care" means the provision of medical care in the home  
11 setting through either self-administration practices or by a family  
12 member or other person who does not receive monetary compensation  
13 for their services.

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15 2. Any individual who purchases syringes for home self-care shall  
16 be required to provide a deposit of \$.10 per syringe upon purchase at  
17 the point of retail sale and shall be entitled to a refund of such deposit  
18 upon return of the used syringes. However, an individual who  
19 provides documentation showing that he is currently participating in  
20 a hospital syringe disposal program to dispose of his used syringes  
21 shall not be required to pay such a deposit upon purchase. An  
22 individual shall also be entitled to bring used syringes to any retailer  
23 and receive \$.10 per syringe returned.

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25 3. All retailers shall be required to either enter into an agreement  
26 with a hospital or other health care facility, which is registered with  
27 the State as a regulated medical waste generator pursuant to the  
28 "Comprehensive Regulated Medical Waste Management Act,"  
29 P.L.1989, c.34 (C.13:1E-48.1 et seq.), or to enter into a contract with  
30 a medical waste transporter, who has fulfilled State requirements and  
31 registered with the State as a regulated medical waste transporter  
32 pursuant to the "Comprehensive Regulated Medical Waste  
33 Management Act," P.L.1989, c.34 (C.13:1E-48.1 et seq.), to provide  
34 for disposal of syringes returned to their place of business.

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36 4. A retailer may apply to the Department of Health and Senior  
37 Services for reimbursement of losses incurred from providing payment

1 for syringes returned to their place of business in excess of the  
2 deposits accepted on syringes sold. Such reimbursement shall not  
3 include reimbursement for disposal costs or any other costs incurred  
4 by a retailer.

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6 5. The Department of Health and Senior Services shall, pursuant  
7 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1  
8 et seq.), adopt rules and regulations necessary to implement this act.

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10 6. This act shall take effect on the 120th day after enactment.

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13 STATEMENT

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15 The improper disposal of syringes presents a potential threat to the  
16 health of families, sanitation workers, recyclers, the environment, and  
17 the public health in general. Although the State has a comprehensive  
18 system to manage regulated medical waste, this system does not  
19 address improper disposal of syringes by home self-care individuals or  
20 drug users; yet, previous studies have suggested that these populations  
21 significantly contribute to the medical wastes that appear as floatables  
22 in the ocean and on the State's beaches. This bill seeks to provide a  
23 means and an incentive for these populations to properly dispose of  
24 their used syringes.

25 The bill would require individuals purchasing syringes for home  
26 self-care to provide a refundable deposit upon purchase, unless an  
27 individual is currently returning his syringes to a hospital for proper  
28 disposal. The bill also allows any individual to bring used syringes to  
29 a retailer and receive money for the syringes returned. Such retailers  
30 would be required to enter into a contract with a health care facility or  
31 a transporter of medical waste registered with the State to provide for  
32 proper disposal of syringes returned to their place of business.  
33 Retailers would also have the ability to apply to the Department of  
34 Health and Senior Services for reimbursement of losses incurred from  
35 paying such refunds.

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40 Provides system for proper disposal of syringes.