

NORTH DAKOTA ATTORNEY GENERAL

Wayne Stenehjem



▣ Prescription Drug Take Back Program

- ND Attorney General Wayne Stenehjem

History of Prescription Take-Back

- In December of 2009, NDAG Stenehjem created the Prescription Drug Take Back Pilot Program to manage the disposal of unwanted medications.

History of prescription take-back

- ▣ Citizens are disposing of their unwanted prescription medications by:
 - Throwing them away in the trash.
 - Dumping them down the drain.
 - Or holding onto them.

Drug disposal no easy task

Getting rid of pharmaceuticals in Minn. complicated process

By Stephanie Hemphill
Minnesota Public Radio

DULUTH, Minn. — Researchers have long been finding residues from pharmaceuticals and personal-care products in our lakes and rivers. Some of them are endocrine disruptors and can cause fish to develop both male and female characteristics.

Traces of pharmaceuticals are even showing up in some cities' drinking-water supplies, though not in Minnesota. No one knows yet whether these drugs are having a significant impact on human health, but biologists are clearly worried.

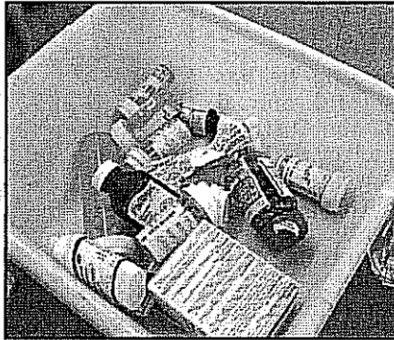
The Western Lake Superior Sanitary District in Duluth has been organizing special medicine collection events. One day in late January, a steady stream of drivers pulled up at the Household Hazardous Waste Facility. Each driver handed over out-of-date pills, old cough medicine; drugs that someone stopped taking.

They know these drugs should not be flushed down the toilet.

The standard advice these days is to dilute the medicine with something unpleasant like kitty litter or vinegar, stash it in a nondescript container like a yogurt tub, wrap that with duct tape, and throw it in the trash.

That would work if the trash were going to an incinerator. These compounds are easily destroyed in a good fire, but Duluth's trash goes to a landfill. The sanitary district's Environmental Program Coordinator, Gina Temple-Rhodes, said that as rainwater leaches through the landfill, it picks up some of the chemicals in the medicines.

"The leachate is collected, and usually ends up at a wastewater treatment plant, so the leachate is not



Associated Press

Researchers have long been finding residues from pharmaceuticals and personal-care products in our lakes and rivers. Some of them are endocrine disruptors and can cause fish to develop both male and female characteristics.

going to contaminate the surrounding area," Temple-Rhodes said. "But it does come to a wastewater treatment plant and then we are back at square one."

Square one means the chemicals are released from the treatment plant into rivers and lakes.

Researchers are looking for ways to capture some of the chemicals, but the systems would be very expensive. So, the sanitary district is trying to slow the flow of the chemicals at the source.

But there's a complication, and this is where police get involved. At the collection event, pharmacist Barry Snyder sorted through the pills to separate out the controlled substances — drugs that are strictly regulated

because of their potential for abuse.

"Most of the controls that we're seeing are either pain medications or medications used for attention deficit disorder — Ritalin, that sort of thing," Snyder said.

Snyder gives the controlled substances to a sheriff's deputy on site. According to federal law, only law enforcement officers are allowed to possess these types of drugs.

Some law enforcement agencies are getting into the old-medicine collection business themselves. In Chisago County, the sheriff's office collects 5 pounds of medicines every day.

The program was started to address the environmental concerns from discarded medicines, but the sheriff's office said it's also helping to keep dangerous drugs out of the hands of potential abusers.

But here is another complication: All these drugs — the controlled substances and the ordinary things like aspirin — have to be taken all the way to Illinois to be burned. That's because in Minnesota, medicines are classified as hazardous waste, and we don't have a hazardous waste incinerator in the state.

A bill to be introduced at the Minnesota legislature this session is designed to untangle some of those complexities. DFL Rep. Paul Gardner of Shoreview said his measure would also help pay for disposing of old medicines.

"What I have in the bill is a product stewardship system similar to what we have for electronic wastes," Gardner said. "You'd be able to bring in your old drugs to a venue your county chooses, and the costs for that would be covered mostly by the pharmaceutical companies."

History of prescription take-back

- ▣ Statistical Information
- ▣ 2009 Youth Risk Behavior Survey
- ▣ Abused Prescription Drugs
 - 15% High School Students.
 - 6.3% of Middle School Students.
 - 5.6% of High School Students have abused Prescription Drugs ten or more times.

Research on take-back programs

- Any person may dispose of unwanted drugs through the Drug Enforcement Agency (DEA) through the following:
 - Request assistance from DEA Special Agent in Charge (SAC)
 - If registrant: DEA form 41
 - If not a registrant: letter to SAC.
 - Name; address; Name and quantity of drug; How they obtained the drug; Name, address, registration number of person that possessed the drug prior to the applicant.

Research on take-back programs

- Any person may dispose of unwanted drugs through the Drug Enforcement Agency (DEA) through the following: cont.
 - The DEA SAC shall authorize and instruct the applicant to dispose by:
 - Transfer to a person registered under the ACT and authorized to possess;
 - Drop off a closest DEA office;
 - Destroy in the presence of a DEA official
 - Other means as determined by SAC.

Research on take-back programs

- Any person may dispose of unwanted drugs through the Drug Enforcement Agency (DEA) through the following: cont.
 - DEA requirements for disposal of controlled substances “shall not be construed as affecting or altering in any way the disposal of controlled substances through procedures in laws and regulations adopted by an State.

Issues on take-back programs

- ND Attorney General does not have the authority to deputize pharmacists allowing them to fall under the DEA “law enforcement exception.”
- The HIPAA privacy rule does not prohibit or impose burdens on citizens returning unused controlled substances.

Options for take-back programs

- Participating Sheriffs deputize pharmacists for the limited purpose of collecting substances for the Drug Take-Back Program.
- Place secure collection containers at law enforcement facilities.
- Establish a Voluntary Pilot Drug Take-Back Program.
- Legislation would allow more flexibility in a Drug Take-Back Program.

History of prescription take-back

- 12/08/09: Bismarck, ND roll-out program
- 12/09/09: Fargo, ND roll-out program
- 03/02/10: AG Stenehjem presented at National Association of Attorneys General (NAAG)
- 04/17/10: Alltru's "Here for Life Expo" in Grand Forks, ND
- 11/01/10: Full roll-out to current 22 locations

History of prescription take-back

- Take Back Program provides disposal units for people to dispose of their unused medications.
- The disposal units are similar to sharps containers in hospitals.

Prescription Drug Equipment



Prescription Drug Equipment cont.

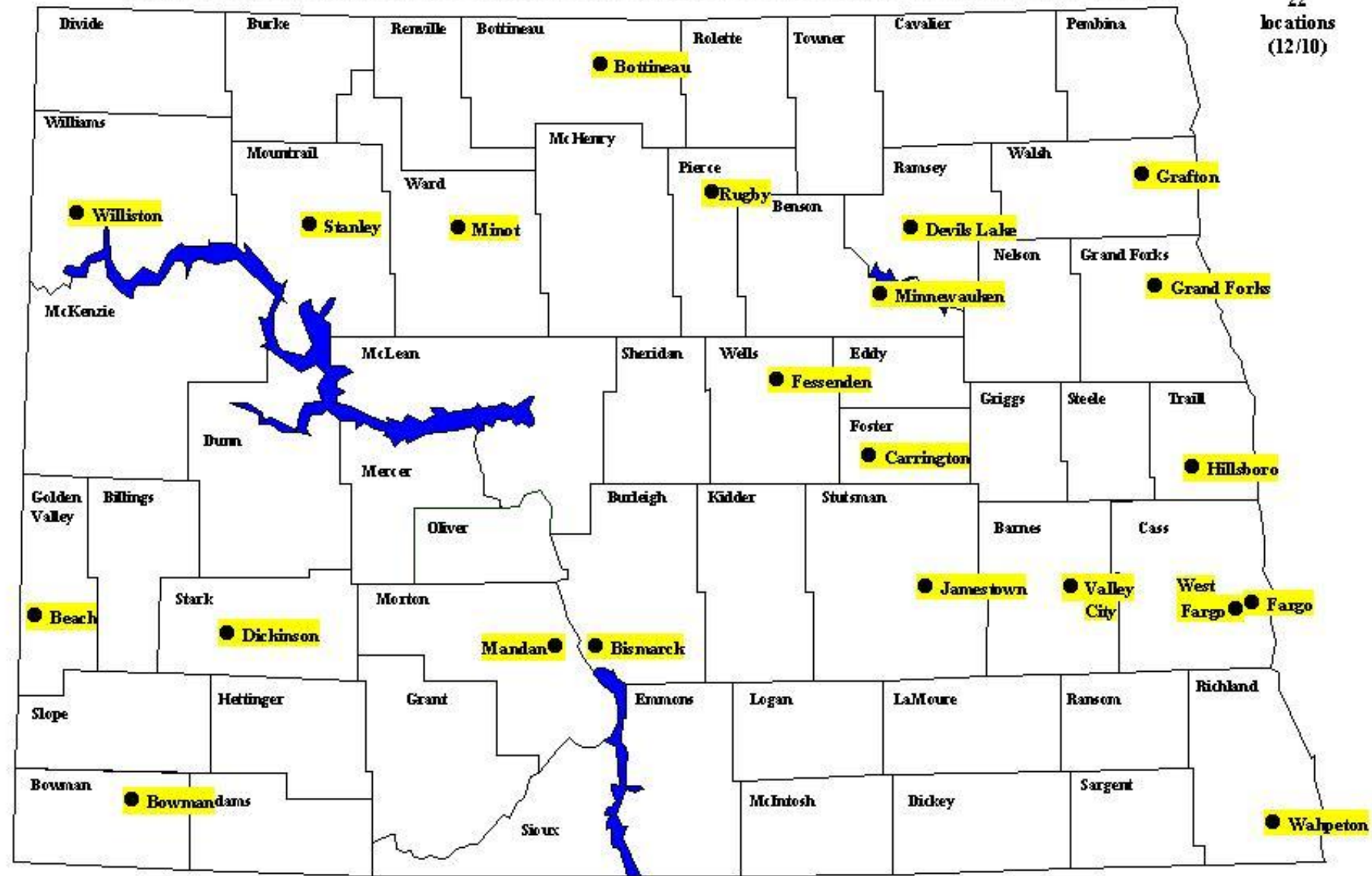


History of prescription take-back

- Located in the lobby of law enforcement agencies.
- Currently in:
 - 22 locations across the State of North Dakota as of 01/01/11.

ATTORNEY GENERAL'S PRESCRIPTION DRUG TAKE-BACK PROGRAM

22
Locations
(12/10)



Process for turn-back program

- Law enforcement agencies provide the disposal units.
- Municipal, County, State and/or Federal agents can oversee the collection of the disposal units for emptying. The pills turned in are recorded on log sheets.
- Law enforcement agents properly dispose of the prescription drugs (incinerated).

WHAT:	Prescription Drug “Take Back” Disposal Program
WHO:	For the benefit of community residents
WHERE:	Lobby of local Law Enforcement centers
WHEN:	From 12/01/09 to present
WHY :	To get commonly abused prescription drugs – such as pain and anti-anxiety medications – off the streets and out of our schools. Examples: Oxycontin, Fentanyl, Valium, and Codeine
HOW:	Place unused and unwanted medications and controlled substances in the secured container located at the law enforcement center – no questions asked. No cost to the community.
WHAT ELSE:	<p>The Take Back containers are not just for prescription medications – people can dispose of over the counter medications also.</p> <p>The local pharmacy may be a participating member of a companion program (the “Take Away” program) run through the Pharmacists Association. Participating pharmacies provide a container for disposal of unused and unwanted medications that are NOT controlled substances. Contact your local pharmacy for more information on this program.</p>

Sample log sheet per location

Date Collected:	Quantity Collected:	Collecting Agent:	Disposal Date:
09/01/10	16 pounds 10 ounces	401	12/20/10
10/01/10	23 pounds	423	12/20/10
11/15/10	7 pounds 11 ounces	401	12/20/10
12/21/10	12 pounds 5 ounces	420	
01/01/11	5 pounds 6 ounces	405	

Cost of Prescription Drug Take Back

*** Fully Funded by ND Attorneys General Office**

Description:	Unit Price:	Quantity:	Total Price:
(2) Gallon disposable containers	\$7.50 each	10	\$75.00
(3) Gallon disposable containers	\$ 19.50 each	50	\$975.00
Wall cabinet w/lock for medium Sharp's Away Container	\$42.10 each	25	\$1052.50
(96) Gallon Sharp's Away Container	\$159.00 each	5	\$795.00
Freight Charges			\$261.40
Grand Total (01/01/11)			\$3158.00

Totals on retrieved drugs:

- Total of collected drugs through the Prescription Drug Take-Back Program:
- From 12/01/09 to 01/04/11
- Collected from various sites (22 total)
- **1306 pounds**

ND Board of Pharmacy: Take Away Program

- NDAG Prescription Drug Take-Back Program is designed for the disposal of “narcotic” drugs.
- The North Dakota Board of Pharmacy and the ND Pharmacists Association co-developed a sister program titled, “Take Away.”
 - This program was developed as North Dakota’s patient medication disposal program utilizing community pharmacies.
 - Non-narcotics
 - Default is always NDAG Take-Back containers

ND Board of Pharmacy: Take Away Program

- “Take-Away” program is based upon a cooperative effort of stakeholder groups and legislators that have an interest in proper disposal for unused medications (pharmaceuticals).
- Partnered with Sharps Compliance, Inc., to dispose of the medical waste. The program is intended for patient prescriptions from community pharmacies, as well as skilled nursing and assisted living communities.

Take-Away Program

- Grant funded through the Board of Pharmacy
 - \$38,000.00
- These funds allowed for 232 pharmacies in North Dakota to received a “starter packet” on the program.
 - (1) 20 gallon TakeAway system, (15) envelopes
 - Counter display w/holder; press releases for media
 - Front door window clinger
 - Business plan
- Continued packets are the responsibility of the individual pharmacies.

What are you doing with your unused medications?



TAKEAWAY™
ENVIRONMENTAL RETURN SYSTEM
North Dakota's Medication Disposal Program

An estimated 250 million pounds of unused medications are improperly disposed of each year.¹

Now, you can make a difference by participating in the **TakeAway Program** – the safe, easy method to dispose of unused patient medications.

The **TakeAway Program** offers two convenient methods to choose from:

- 8" x 11" Mailback Envelope
- Pharmacy Drop Box



8" x 11" Mailback Envelope, Pharmacy Drop Box

NORTH DAKOTA **NDPhA**
BOARD OF PHARMACY **NORTH DAKOTA PHARMACISTS ASSOCIATION**

www.nodakpharmacy.com / www.nodakpharmacy.net

¹Associated Press 2008, Tons of Drugs Dumped into Wastewater.



TAKEAWAY™

ENVIRONMENTAL RETURN SYSTEM
North Dakota's Medication Disposal Program



ACCEPTABLE:

Unused or expired medicines prescription (Rx) or over-the-counter (OTC), including:

- pills, tablets, capsules
- ointments
- creams
- lotions
- powders
- inhalers, nebulizer solutions
- liquid medicines ≤ 4 oz.
 - solutions, suspensions
 - liquids must be wrapped in a paper towel and placed in a sealed plastic bag before being placed in a TakeAway™ container

NOT ACCEPTABLE:

Controlled substances (such as):

- Adderall, Vicodin, Demerol, Hydrocodone, MS Contin, Ambien

Any sharps* (such as):

- Syringes
- Lancets

Liquids > 4 oz.*

Thermometers*

Home based care (HBC) or durable medical equipment (DME) supplies (such as):

- Rubbing alcohol, hydrogen peroxide*

**contact household hazardous waste facility*

Products should be left in the packaging the medication was dispensed in. This will provide a means of disposing of the packaging, contain and protect the medication in transit, minimize any exposure and is also one of the requirements of the transporter.

TakeAway™ can only accept unused medications from patients or patients' caregivers. Inventory from a pharmacy or other healthcare facility is NOT acceptable.

Questions? Check with your pharmacist.

www.nodakpharmacy.com / www.nodakpharmacy.net



	RX TAKE BACK (POLICE DEPTS)	TAKE AWAY (PHARMACISTS)
OTC medicines (pills, capsules, caplets)	■	■
Creams, powders, lotion		■
Liquids-under 4 oz	■	■
Liquids-over 4 oz	■	
Prescription medicines – NOT controlled	■	■
Prescription medicines – CONTROLLED <ul style="list-style-type: none"> What are “controlled” substances? These are the drugs most likely to be abused, such as pain pills, sleep aids, anti-depressants, etc. 	■	
Cost of program paid by	Office of Attorney General	1 st year-ND Board of Pharmacy; thereafter, the participating pharmacy
Drugs disposed of how:	Medicines deposited into secured container located in PD lobby, emptied by law enforcement when full, placed in secured evidence room until collected by BCI agents, then the controlled drugs are logged and everything incinerated with our regular drug incineration	Medicines deposited into box at Pharmacy, sealed at pharmacy when full, and sent by regular mail to facility in Texas for incineration
Available at	Grand Forks, Fargo, West Fargo, Bismarck & Minot. Coming soon to: Dickinson, Valley City, Jamestown & Devils Lake. Projected expansion to additional communities.	Participating pharmacies across the state
What is the main difference between the programs?	Take Back accepts ALL over the counter and prescription medicines (including controlled substances) and liquids of any size.	Take Away cannot accept controlled medicines or liquids over 4 oz.
Why do we need BOTH programs? <ul style="list-style-type: none"> At this time, DEA regulations will not permit a pharmacist to take back unused prescription medicines that are controlled substances. These programs work together because: 	Law enforcement involvement (containers in lobbies, BCI pick up) and proper logging on controlled substances comply with DEA requirements	Because these boxes are not supervised or collected by law enforcement, DEA regulations prohibit collection of controlled substances
Record-keeping	Total amount in weight & amount of each controlled substance; No patient information.	None

What are you doing with your unused medications?

Two options to dispose of unused medications....



Drug Take Back Program

Sponsored by the North Dakota Attorney General

ACCEPTED:

- Unused or expired prescriptions or over-the-counter medicines, including:
- Pills, tablets, caplets
 - Inhalers, nebulizer solutions
 - To safeguard patient confidentiality, REMOVE PRODUCT FROM THE PACKAGING.
 - Liquid medicines - any amount (leave in container).

DISPOSE OF CONTROLLED SUBSTANCES

- Pain relief, including Vicodin, Hydrocodone, Demerol, OxyContin, Fentanyl, etc.;
- Anti-depressants, like Valium, Zoloft, Prozac, etc.;
- Sleep aids, such as Ambien, Lunesta, Sonata, etc.

DEPOSIT MEDICATIONS IN THE TAKE BACK CONTAINER LOCATED AT THE POLICE DEPARTMENT OR SHERIFF'S OFFICE. NO QUESTIONS ASKED!

Questions? Contact the Attorney General's office at 701-328-2210, or go to www.ag.nd.gov

- OR -



ACCEPTED:

- Unused or expired prescriptions or over-the-counter medicines, including:
- Pills, tablets, caplets
 - Ointments, creams, lotions and powders
 - Inhalers, nebulizer solutions
 - Product may be left in original packaging.
 - Liquid medicines \leq 4 oz (leave in container)

NOT ACCEPTED: Controlled substances, such as: Vicodin, Hydrocodone, Valium and others.

Deposit these controlled substances in the TAKE BACK container at participating law enforcement agencies.

MEDICATIONS MAY BE DEPOSITED IN THE DROP BOX AT PARTICIPATING PHARMACIES.

Questions? Check with your pharmacist.

NOT ACCEPTED BY EITHER PROGRAM: Any sharps (such as syringes, lancets), thermometers, glass, home based care (HBC) or durable medical equipment (DME) supplies and pharmacy inventory. Ask your pharmacist where to safely dispose of these items.