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MEMO



Senate of Pennsylvania

December 9, 2010

TO: ALL SENATORS

FROM: Stewart J. Greenleaf

Stewart

SUBJECT: Cosponsorship -- **Unused Prescription Drugs**

I am reintroducing **Senate Bill 76**, permitting the distribution of unused prescriptions drugs to residents who are medically indigent.

I viewed a report about nursing homes discarding unused medicine either because a patient switches prescriptions, is discharged, or passes away. A 2001 study published in the Journal of Family Medicine estimated that annually \$1 billion in medicine prescribed to the elderly is thrown away. Several states (i.e., Oklahoma, Louisiana, and Ohio) have passed laws allowing unused drugs to be recovered from long term care facilities for distribution primarily to the uninsured and poor.

Under this legislation, the Department of Health, the State Board of Pharmacy, and the Pennsylvania Health Care Cost Containment Council (PHC4) shall jointly develop and implement a pilot program consistent with public health and safety through which unused prescription drugs, other than controlled substances, may be transferred from nursing facilities to pharmacies for the purpose of distributing them to people who have no health insurance or who otherwise lack reasonable means to purchase prescribed medications. The resident of a nursing facility or the representative or guardian of a resident may donate unused prescription drugs for dispensation to residents who are medically indigent.

The department, in conjunction with the Pharmacy Board and the PHC4, shall promulgate rules and establish procedures necessary to implement the program. The rules and procedures shall protect the privacy of the individual for whom the medication was originally prescribed and ensure the safe storage and transfer of the drugs. No physician, pharmacist or other health care professional shall be subject to liability for participation in the program when acting within the scope of the practice permitted by their license and in good faith compliance with the rules.

The State Board of Medicine and the State Board of Osteopathic Medicine, along with the department, the Pharmacy Board and the PHC4, shall review and evaluate the program no later than 18 months after its implementation and submit a report and any recommendations to the Governor and certain members of the General Assembly.

The rising cost of prescription drugs has become an issue of imminent concern in our state and across the nation. The effects of escalating drug prices have placed increasing monetary strains on many Commonwealth citizens, particularly senior citizens and working families – those who can least afford these prices. A drug recycling program can go a long way in helping the uninsured receive the medications they need, thus avoiding medical conditions that may require emergency room visits or extended hospital stays.

If you would like to cosponsor this legislation, please contact Pat Snively of my office by e-mailing her at psnively@pasen.gov.