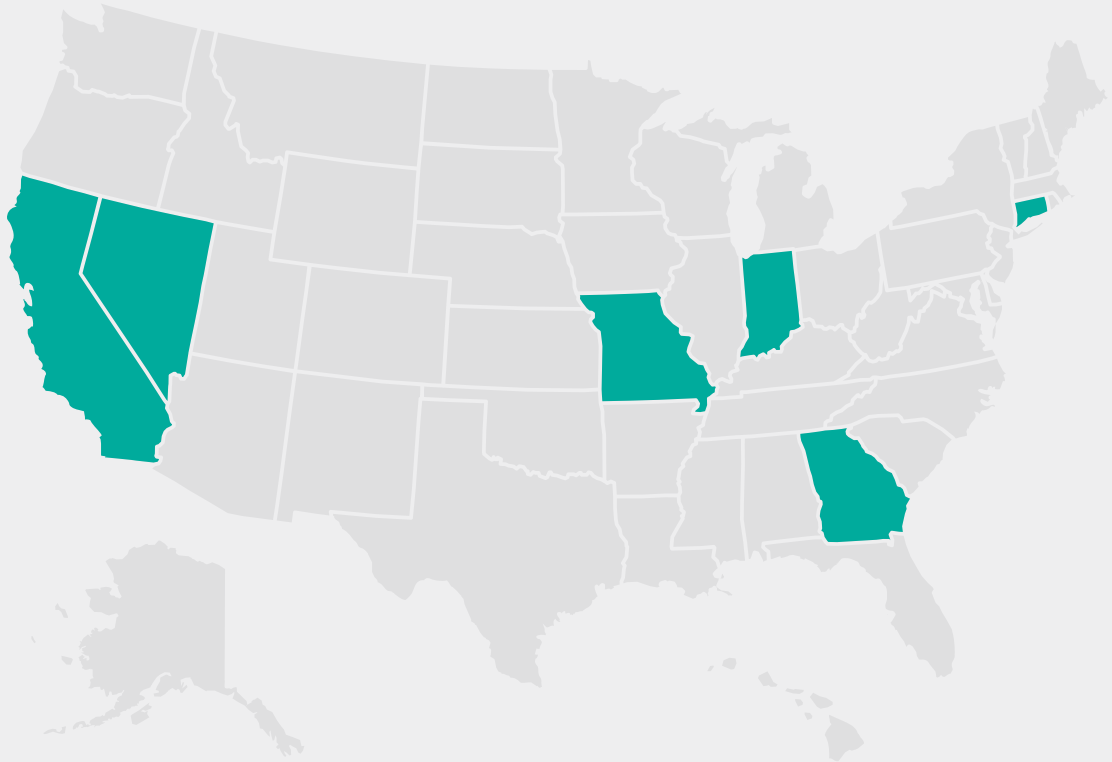
STATE REGULATORY VARIATIONS
Overview for MedDrop Customers



Click on the green state to see regulations.

Introduction and Disclaimer

- The US Drug Enforcement Administration (DEA) has regulations governing the *Disposal of Controlled Substances Collected From Ultimate Users and Other Non-Registrants* at 21 CFR Part 1317, Subpart B.
- Those regulations must be reviewed in their entirety and adhered to by any and all MedDrop customers.
- In addition to DEA's regulations, many states and localities have enacted laws and regulations that govern the collection of drugs from individuals for purposes of destruction.
- Some state and local requirements may go above and beyond what DEA requires.
- It is the solely the responsibility of the collector (the kiosk host location) to understand and comply with all applicable DEA, state and local laws.
- This document, which summarizes key state laws for collectors that may be different from DEA's regulations, was developed for our customers' convenience.
- The purpose of this document is to help you identify potentially applicable regulations that may require your further review or attention.
- This document is not intended to be exhaustive, and is not a substitute for reviewing the regulations or seeking legal advice.
- This document does not address Extended Producer Responsibility (EPR) programs, which may be subject to additional requirements.

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CALIFORNIA

PRE- IMPLEMENTATION	IMPLEMENTATION		DOCUMENTATION	
Registration	**Signage**	**Liner Handling**	**Monitoring**	**Recordkeeping**
Only California-licensed pharmacies, hospitals/clinics with onsite pharmacies, and drug distributors who are registered with the DEA as collectors and licensed in good standing with the board may host a pharmaceutical take-back receptacle.	Collection receptacles must be marked with the host location's name and phone number.	No CA-specific requirements identified.	No CA-specific requirements identified.	Collector records must include invoices for work performed by vendors (Stericycle). Records must be kept for at least 3 years.
Notification	**Policies & Procedures**	**Liner Storage**	**Reporting**	
30-day notification to state Board of Pharmacy required prior to starting or stopping collection activities.	No CA-specific requirements identified.	Storage of full inner liners limited to 14 days.	Any tampering, damage or theft of a removed liner shall be reported to the Board in writing within 14 days.	

See **16 CCR § 1776 et seq.**, Prescription Drug Take-Back Services

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CONNECTICUT

PRE- IMPLEMENTATION	IMPLEMENTATION		DOCUMENTATION	
Registration	**Signage**	**Liner Handling**	**Monitoring**	**Recordkeeping**
Registration with the Department of Consumer Protection is required to engage in collection activities.	Collection receptacles must be marked with a prohibition on leaving drugs in the vicinity of the collection receptacle.	Only pharmacy employees, one of which must be a licensed pharmacist, may install, remove and seal inner liners.	All of the collection receptacle access points and the sealing of inner liners shall be continuously monitored by video camera.	Any loss, theft, serious damage or destruction of a collection receptacle or its contents shall be reported within 72 hours to the Drug Control Division.
Notification	**Policies & Procedures**	**Liner Storage**	**Reporting**	
Any authorized collector that intends to discontinue its use of a collection receptacle shall notify the director of the Drug Control Division in writing 30 days prior to discontinuing collection activities.	No CT-specific requirements identified.	No CT-specific requirements identified.	Records shall be maintained for 3 years.	

See **Conn. State Agencies § 20-576a-1 et seq.**, Return of Prescription Drugs to Pharmacies

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GEORGIA

PRE- IMPLEMENTATION	IMPLEMENTATION		DOCUMENTATION	
Registration	**Signage**	**Liner Handling**	**Monitoring**	**Reporting**
Authorized Collectors must be currently licensed by the Georgia Board of Pharmacy.	Display a sign stating that non-controlled and controlled drugs in Schedule II, III, IV, or V can be accepted.	Only licensed employees of the collector (pharmacy) may remove and seal inner liners.	No GA-specific requirements identified.	No GA-specific requirements identified.
Notification	**Policies & Procedures**	**Liner Storage**	**Recordkeeping**	
30-day notification to Georgia Drugs and Narcotics Agency required prior to beginning collection activities.	No GA-specific requirements identified.	Storage of full inner liners limited to 3 days	The collector's log shall indicate any inner liners that were damaged or rendered not usable. The collector's log shall include the name and signature of common carrier (UPS) that physically removes the inner liners. The collector must have a copy of its reverse distributor's (Stericycle) Georgia Board of Pharmacy permit.	

See **Ga. Comp. R. & Regs. 480-50-.01 et seq.**, Drug Disposal and Authorized Collectors

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INDIANA

Continue

PRE- IMPLEMENTATION	IMPLEMENTATION	
Registration	**Signage**	**Liner Handling**
The individual responsible for managing the program must have an active and in good standing license issued by the Indiana professional licensing agency.	If an entity engaged in a drug take back program chooses to limit those drugs which are acceptable for return under that program, such limitations shall be clearly and conspicuously placed on or near the drug receptacle in plain view of the patient/ customer returning prescription drugs.	One of the two witnesses for inner liner installation and removal must be a licensed pharmacist.
Notification	**Policies & Procedures**	**Liner Storage**
An entity that runs a take back program is required to provide a notice to consumers and/or patients a copy of their privacy policy and how they protect consumers' private health information from being disclosed.	Collectors are required to maintain documented policies and procedures that addresses all of the requirements in the state's regulations.	Destruction must occur at least on a quarterly basis to ensure drugs are not stored indefinitely and do not pose a threat to public health and safety. Whatever contents are removed must be secured in an area separate from merchandise or prescriptions available for sale to customers or patients. Any additional storage area shall also only be accessible to the personnel named in this article and specified in the entity's policies and procedures. Additionally, if an entity maintains additional storage space, this process and space shall be addressed in their policies and procedures (for example, referenced as "Overflow Policy").

See **856 IAC 7-1-1 et seq.**, Prescription Drug Take Back Programs

INDIANA (continued)

DOCUMENTATION

Monitoring

The storage device and drug receptacle should be monitored in accordance with the security provisions discussed in this article. The level of monitoring should correspond to the location and permanence of the device and should be focused on reasonably preventing diversion, inappropriate access, and harm to patients and/or customers. In no instance should the receptacle used to facilitate a take back program be located outside the facility or be left in an area incapable of being monitored via security cameras or live personnel.

Reporting

No IN-specific requirements identified.

Recordkeeping

Entities that run a take back program must maintain a documented contract that provides for the roles and responsibilities of each party performing services related to transportation, destruction, and security, and that is available for review by the Board of Pharmacy.

Entities that engage in a take back program shall be required to keep a record of the following:

1. Policies and procedures;
2. Personnel involved with or who have access to returned medications;
3. Dates when medications where [sic, were] collected by the party responsible for destruction; and
4. Personnel responsible for destruction, transportation, and security.

This information may be maintained in conjunction or as part of the policies and procedures being utilized by the entity running the take back program.

Model record-keeping logs are available through the state Board of Pharmacy.

Entities that engage in take back programs are required to maintain the relevant records for a period of two (2) years from the date of destruction or delivery/shipment to the party responsible for destruction.

See **856 IAC 7-1-1 et seq.**, Prescription Drug Take Back Programs

MISSOURI

PRE- IMPLEMENTATION	IMPLEMENTATION		DOCUMENTATION	
Registration	**Signage**	**Liner Handling**	**Monitoring**	**Recordkeeping**
Missouri licensed pharmacies may collect medication from the public for destruction.	A sign must be prominently displayed on the outer container of the receptacle indicating that only non-controlled substances may be deposited into the receptacle. If the receptacle is also used to collect controlled substances, the required sign must comply with state and federal controlled substance laws.	Both of the witnesses for inner liner installation and removal must be licensed by the state Board of Pharmacy.	No MO-specific requirements identified.	Pharmacy collectors must report any theft or diversion to the state Board of Pharmacy within 14 days.
Notification	**Policies & Procedures**	**Liner Storage**	**Reporting**	
No MO-specific requirements identified.	Pharmacy collectors must develop and implement written policies and procedures governing their collection activities to include topics as specified in the rules.	Liner storage limited to 30 days.	Pharmacies shall conduct an inventory every twelve (12) months of inner-liners that are present at the pharmacy that are unused or awaiting destruction.	

See **20 Mo. Code of State Regulations 2220-2.095**, Collection of Medication for Destruction

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NEVADA

PRE- IMPLEMENTATION	IMPLEMENTATION		DOCUMENTATION	
Registration	**Signage**	**Liner Handling**	**Monitoring**	**Recordkeeping**
No NV-specific requirements identified.	No NV-specific requirements identified.	No NV-specific requirements identified.	No NV-specific requirements identified.	Any entity that is authorized pursuant to federal law to collect controlled substances and maintains collection receptacles for controlled substances shall provide to the state Board of Pharmacy a copy of each Form DEA-41 submitted to the Drug Enforcement Administration.
Notification	**Policies & Procedures**	**Liner Storage**	**Reporting**	
Any entity that is authorized pursuant to federal law to collect controlled substances and maintains collection receptacles for controlled substances shall provide to the state Board of Pharmacy a written notification that the entity has registered with the Drug Enforcement Administration to obtain authorization to be a collector.	No NV-specific requirements identified.	No NV-specific requirements identified.	No NV-specific requirements identified.	

See **NAC 639.050**, Storage and destruction of certain controlled substances