

2007 -- H 5850 SUBSTITUTE A

LC02346/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO HEALTH AND SAFETY - UTILIZATION OF UNUSED PRESCRIPTION
DRUGS ACT

Introduced By: Representatives Sullivan, O'Neill, Jackson, Costantino, and Corvese

Date Introduced: March 01, 2007

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-25.4-4 of the General Laws in Chapter 23-25.4 entitled
2 "Utilization of Unused Prescription Drugs Act" is hereby amended to read as follows:

3 **23-25.4-4. Program established.** -- (a) The department of health and the board of
4 pharmacy shall jointly develop and implement a pilot program consistent with public health and
5 safety through which unused prescription drugs, other than prescription drugs defined as
6 controlled substances in section 21-28-1.02, may be transferred from nursing facilities, ~~or~~ assisted
7 living residences, [residential care facilities or community health organizations](#) that centrally store
8 prescription drugs and are licensed at the M1 licensure level by the department of health to
9 charitable clinics for the purpose of re-dispensing the medication to Rhode Island residents who
10 are medically indigent.

11 (b) The pilot program shall conform to the requirements established in rules promulgated
12 by the state department of health and the board of pharmacy. The pilot program shall remain in
13 effect until January 1, ~~2007~~ [2009](#).

14 (c) The state department of health and the board of pharmacy shall review and evaluate
15 the pilot program and shall submit a report and any recommendations to the governor, the speaker
16 of the house of representatives, and the president of the senate on or before January 1, ~~2007~~ [2009](#).

17 (d) Beginning ~~January 1, 2006~~ [April 1, 2007](#), the department of health and the board of
18 pharmacy shall implement statewide a program consistent with public health and safety through

1 which unused prescription drugs, other than prescription drugs defined as controlled substances in
2 section 21-28-1.02, may be transferred from nursing facilities or assisted living residences to
3 charitable clinics for the purpose of re-dispensing the unused prescription drugs.

4 (e) The department of health and the board of pharmacy shall promulgate rules and
5 establish procedures necessary to implement the program established pursuant to this chapter.

6 (f) The board of pharmacy shall provide technical assistance to entities who may wish to
7 participate in the program.

8 (g) The department of health shall be required to provide written notification to all
9 eligible nursing homes, assisted living facilities, residential care facilities and community health
10 organizations and to post a sign clearly and conspicuously in each facility to notify its residents of
11 the program.

12 SECTION 2. Chapter 23-25.4 of the General Laws entitled "Utilization of Unused
13 Prescription Drugs Act" is hereby amended by adding thereto the following section:

14 **23-25.4-9. Establishment of oversight commission on utilization of unused**
15 **prescription drugs -- Membership. --** (a) There is hereby established a commission on the
16 utilization of prescription drugs to oversee the development and implementation of the pilot
17 program for the utilization of unused prescription drugs as established pursuant to this chapter.

18 (b) The commission shall consist of five (5) members to be appointed by the speaker of
19 the house, not more than three (3) from the same political party. Any vacancy on the
20 commission, occurring for any reason prior to the expiration of the term, shall be filled for the
21 unexpired term by the appointing authority in the same manner as the original appointment.

22 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO HEALTH AND SAFETY - UTILIZATION OF UNUSED PRESCRIPTION
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1 This act would extend to April 1, 2007 the date on which the department of health is
2 required to implement a statewide program consistent with the utilization of unused prescription
3 drugs act.

4 This act would also require the department of health to notify nursing home residents of
5 this statewide program, which allows utilization of certain unused prescription drugs. It would
6 also create a house oversight commission to oversee the development and implementation of the
7 pilot program.

8 This act would take effect upon passage.

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