

Marin: Drug firms must pay for pill disposal



Pills are collected by Marin County Sheriff's personnel in San Rafael as part of the U.S. Drug Enforcement Administration's National Prescription Drug Take-Back Day in 2011. IJ photo — Alan Dep

By Nels Johnson

July 29, 2015

Marin County officials launched a new front in the war on prescription drug abuse Tuesday, saying pharmaceutical firms should pay for the safe disposal of old pills and medications.

The Board of Supervisors wants to expand a project enabling people to safely dispose of old pills — while requiring pharmaceutical companies to foot the bill for the entire program.

An ordinance requiring drug companies to participate in an “approved drug stewardship collection program for collection and disposal of home generated medications” drew board support and was scheduled for adoption Aug. 11.

The proposal was hailed by a long line of drug abuse, health, environmental, waste management, pharmacy, medical and police representatives. A spokeswoman for the California Retailers Association pledged cooperation.

The board agreed with Supervisor Katie Rice, who called the measure a model of collaboration, and Supervisor Steve Kinsey, who said it was an example of “excellence ... in public policy” that was developed after consensus on a local as well as national issue. The county board tentatively approved it on a 4-0 vote in the absence of Supervisor Kate Sears, who recused herself from the discussion, saying she is a stockholder in drug firms.

The program, pressed by Rice, is based on the idea of “extended producer responsibility,” which makes those who make products responsible for their costs including disposal. Drug firms would have to provide for disposal or contract with an approved disposal program.

County health officer Dr. Matthew Willis said unused medications “are causing harm to human and environmental health” and triggering a “staggering public health impact” from misuse and abuse. They pose “significant environmental consequences” when flushed down the toilet or tossed in the garbage, he added.

“The proposed ordinance will require pharmaceutical manufacturers to manage and fund a comprehensive program to collect and dispose of county residents’ unwanted prescription and over-the-counter drugs,” he said in a report to the county board. After a one-time \$40,000 health department allocation, “the program will become self-sufficient

as fees will be charged to the pharmaceutical producers for ongoing program activities.” Fees will be established “soon,” he added.

Willis said an estimated 21 million doses of controlled substances were prescribed in Marin last year. He added a total of just 75 pounds or about 10 percent of unused prescription medications was collected during a periodic drop-off disposal program at 16 sites across the county last year.

“The question is, ‘What happens to that gap?’” he said. Others suggested the other pills are dumped in the garbage or toilet to pollute landfill and waterways or remain in medicine cabinets available for abuse by family members and others.

Drug abuse resulted in 27 unintentional poisoning deaths in both 2012 and 2013 — up from nine in 2009, 15 in 2010 and 13 in 2011. Non-fatal opiate-related visits to Marin emergency rooms rose from 198 in 2006 to 471 in 2012.

“The epidemic has even spread to our children, where 17 percent of 11th-graders in Marin report having used prescription pain killers recreationally,” county officials declared earlier this year in a “prescription drug abuse awareness” proclamation.

Those supporting the move included speakers representing the Marin County Pharmacists Association, Alcohol Justice, the California Alliance of Retired Americans, Ross Valley Healthy Community Collaborative, Marin County Board of Education, Marin County Sanitary Service, Watershed Alliance, Novato Blue Ribbon Coalition for Youth, the county Alcohol and Other Drugs Advisory Board and local police represented by Mill Valley Chief Angel Bernal. Angie Manetti, director of government affairs for the California Retailers Association, pledged to work with the county on the matter.

The ordinance “will require any pharmaceutical company that sells medicines in Marin to design and pay for a prescription drug take back system that is free, convenient, and easily accessible to all residents,” according to Dr. Willis. Under the system envisioned by the county, drug firms would pay for a project that includes 25 disposal sites, a mail-in program accommodating those who cannot travel to the sites, and an educational campaign.

The program would function the way almost all product stewardship programs do — for products that have ‘end of life impact’ like batteries, electronics, mattresses and paint, Willis noted earlier this year.

“The law dictates the ‘what’ — a safe and convenient take-back system for the products sold in our area,” Willis added, saying the drug industry would have flexibility in designing how it meets the requirement. Firms might designate a nonprofit group to put the plan to work, he noted.

The program is part of a broad community-based “RxSafe Marin” movement involving education, enforcement and treatment of drug abuse.

Supervisor Rice, who has spearheaded support for the program, lauded it as a “role model in outside regional collaboration and cooperation,” but noted an important “treatment” aspect to combat abuse still requires attention. Supervisor Damon Connolly joined Kinsey in urging “anything we can do” to curb prescription of pain killers in the first place.

Similar programs forcing drug firms to pay for disposal have been adopted in Alameda, San Mateo and Santa Clara counties, as well as San Francisco.

Alameda County became the first in the nation three years ago to require drug companies to pay for safe disposal programs. Drug companies filed suit but lost in lower courts, and the U.S. Supreme Court earlier this year refused to hear the case, forcing the firms to cooperate.