



STATE OF MARYLAND

DHMH

Department of Health and Mental Hygiene

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor –  
Joshua M. Sharpshein, MD, Secretary

MARYLAND BOARD OF PHARMACY

4201 Patterson Avenue • Baltimore, Maryland 21215-2299

Lenna Israbian-Jamgochian, Board President – LaVerne G. Naesaa, Executive Director

January 1, 2015

The Honorable Martin O'Malley  
Office of the Governor  
State House  
Annapolis, MD 21401-1925

The Honorable Thomas V. Mike Miller, Jr.  
President of Senate  
State House, H-107  
Annapolis, MD 21401 – 1991

The Honorable Michael Erin Busch  
Speaker of House of Delegates  
State House, H-101  
Annapolis, MD 21401 – 1991

**Re: Annual Report on the Operation of the Prescription Drug Repository Program,  
Health-General Article, § 15-609(b)(3), Annotated Code of Maryland**

Dear Governor O'Malley, President Miller and Speaker Busch:

In accordance with Health-General Article, § 15-609(b)(3), Annotated Code of Maryland, the Maryland Board of Pharmacy (the "Board") respectfully submits this report on the Prescription Drug Repository Program (the "Program").

The Program is intended to provide a mechanism for the acceptance of prescription drugs and medical supplies donated by individuals and entities for the purpose of dispensing to needy individuals or for the purpose of disposal. The Program has been established for approximately eight years. A total of 42 pharmacies have been approved to be repositories and/or drop-off sites. The site locations are in Baltimore City, Baltimore County, the Eastern Shore and Southern Maryland to also include Frederick, Harford, Cecil, Anne Arundel and Montgomery Counties. Participation in the Program initially expanded once the program allowed pharmacies that only dispose of customer's unwanted or expired prescription drugs to register with the program.

With the recent promulgation of federal regulations to implement the Secure and Responsible Drug Disposal Act of 2010, the Board plans to revise COMAR 10.34.33 in 2015 to allow for the collection of medications, including controlled dangerous substances under federal requirements, for disposal. The Board voted at the November 19, 2014 Public Board Meeting to continue to allow drop-off sites/repositories to collect non-controlled dangerous substances under the current repository standards and to continue the program. The Board will incorporate by reference the federal regulations for disposal of controlled substances located in 21 CFR PARTS 1300, 1301, 1304, 1305, 1307, and 1317.

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The federal regulations expand the options available to collect controlled dangerous substances for disposal. Authorized manufacturers, distributors, reverse distributors, narcotic treatment programs, hospitals/clinics with an on-site pharmacy, and retail pharmacies will be allowed to voluntarily administer mail-back programs and maintain collection receptacles for controlled dangerous substances. It will allow hospitals and retail pharmacies to maintain collection receptacles at long-term care facilities.

The goal of the Secure and Responsible Drug Disposal Act of 2010 and federal regulations is to set parameters for controlled substance diversion prevention that will encourage public and private entities to develop a variety of methods for collecting and destroying pharmaceutical controlled substances in a secure, convenient, and responsible manner. Also, consistent with the Disposal Act's goal to decrease the amount of pharmaceutical controlled substances introduced into the environment, particularly into the water, these regulations provide individuals with various additional options to dispose of their unwanted or unused pharmaceutical controlled substances beyond discarding or flushing the substances. As a result of these regulations, the DEA hopes that the supply of unused pharmaceutical controlled substances in the home will decrease, thereby reducing the risk of diversion or harm.

Allowing Maryland pharmacies participating in the Program to collect controlled dangerous substances will provide a convenient place for consumers to dispose of controlled dangerous substances, keeping them out of the community at large.

Should you have questions or additional concerns, please feel free to contact Anna D. Jeffers, Legislation and Regulations Manager, at (410) 764-4794.

Respectfully,



LaVerne G. Naesea  
Executive Director

cc: The Honorable Joan Carter Conway  
The Honorable Donald B. Elliott  
The Honorable Peter A. Hammen  
The Honorable David D. Rudolph  
Sarah Albert, Department of Legislative Services, MSAR#5841  
Linda Bethman, Board Counsel, Maryland Board of Pharmacy  
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Thomas Kim, Deputy Secretary of Operations, DHMH  
Christi Megna, Assistant Director, Office of Governmental Affairs

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Simon Powell, Department of Legislative Services  
Allison Taylor, Director, Office of Governmental Affairs  
Drew Vetter, Governor's Legislative Office

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<sup>i</sup> [http://www.deadiversion.usdoj.gov/fed\\_regs/rules/2014/2014-20926.pdf](http://www.deadiversion.usdoj.gov/fed_regs/rules/2014/2014-20926.pdf)