



Ohio Revised Code

Section 4729.69 Establishment and administration of drug take-back program.

Effective: September 29, 2013

Legislation: House Bill 59 - 130th General Assembly

(A) The state board of pharmacy, in collaboration with the director of mental health and addiction services and attorney general, shall establish and administer a drug take-back program under which drugs are collected from the community for the purpose of destruction or disposal of the drugs.

(B) The program shall be established and administered in such a manner that it does both of the following:

(1) Complies with any state or federal laws regarding the collection, destruction, or disposal of drugs;

(2) Maintains the confidentiality of individuals who submit or otherwise provide drugs under the program.

(C) In consultation with the director of mental health and addiction services and attorney general, the board shall adopt rules governing the program. The rules shall be adopted in accordance with Chapter 119. of the Revised Code. In adopting the rules, the board shall specify all of the following:

(1) The entities that may participate;

(2) Guidelines and responsibilities for accepting drugs by participating entities;

(3) Drugs that may be collected;

(4) Record-keeping requirements;

(5) Proper methods to destroy unused drugs;

(6) Privacy protocols and security standards;



- (7) Drug transportation procedures;
- (8) The schedule, duration, and frequency of the collections of drugs, except that the first collection shall occur not later than one year after May 20, 2011;
- (9) Any other standards and procedures the board considers necessary for purposes of governing the program.
- (D) In accordance with state and federal law, the board may adopt rules to allow an entity participating in the program to return any unused drugs to the pharmacy that originally dispensed the drug. The rules shall include procedures to be followed to maintain the confidentiality of the person for whom the drug was dispensed.
- (E) Rules adopted under this section may not do any of the following:
- (1) Require any entity to establish, fund, or operate a drug take-back program;
 - (2) Establish any new licensing requirement or fee to participate in the program;
 - (3) Require any entity to compile data on drugs collected.
- (F) The board may compile data on the amount and type of drugs collected under the program. For purposes of this division, the board may cooperate with a public or private entity in obtaining assistance in the compilation of data. An entity providing the assistance shall not be reimbursed under the program for any costs incurred in providing the assistance.
- (G) If the board compiles data under division (F) of this section, the board shall submit a report to the governor and, in accordance with section 101.68 of the Revised Code, the general assembly. The report, to the extent possible, shall include the following information:
- (1) Total weight of drugs collected, both with and without packaging;



- (2) The weight of controlled substances;
- (3) The amount of all of the following as a per cent of total drugs collected:
 - (a) Controlled substances;
 - (b) Brand name drugs;
 - (c) Generic drugs;
 - (d) Prescription drugs;
 - (e) Non-prescription drugs.
- (4) The amount of vitamins, herbal supplements, and personal care products collected;
- (5) If provided by the person who submitted or otherwise donated drugs to the program, the reasons why the drugs were returned or unused.
- (H) No entity is required to participate in a drug take-back program established under this section, and no entity shall be subject to civil liability or professional disciplinary action for declining to participate.
- (I) The board may accept grants, gifts, or donations for purposes of the program. Money received under this division shall be deposited into the drug take-back program fund established under section 109.90 of the Revised Code.