

# HOUSE BILL 570

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3lr2093

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By: **Delegate Bagnall**

Introduced and read first time: February 3, 2023

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Prescription Opioids – Deactivation Systems**

3 FOR the purpose of prohibiting the dispensing of prescription opioids unless the dispenser  
4 provides a personal use pharmaceutical disposal system to the ultimate user at no  
5 cost; authorizing the Maryland Department of Health to provide personal use  
6 pharmaceutical disposal systems to certain pharmacies; and generally relating to  
7 dispensing prescription opioid drug deactivation systems.

8 BY adding to

9 Article – Health – General

10 Section 24–2201 through 24–2203 to be under the new subtitle “Subtitle 22. Opioid  
11 Drug Deactivation Systems”

12 Annotated Code of Maryland

13 (2019 Replacement Volume and 2022 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
15 That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 **SUBTITLE 22. OPIOID DRUG DEACTIVATION SYSTEMS.**

18 **24–2201.**

19 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
20 INDICATED.

21 (B) “PERSONAL USE PHARMACEUTICAL DISPOSAL SYSTEM” MEANS A  
22 PORTABLE PRODUCT DESIGNED FOR USE BY AN ULTIMATE USER FOR THE PURPOSE

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 OF ALLOWING THE ULTIMATE USER TO DEACTIVATE THE PRESCRIBED OPIOID TO A  
2 NONRETRIEVABLE CONDITION OR STATE.

3 (C) "ULTIMATE USER" MEANS AN INDIVIDUAL WHO HAS LAWFULLY  
4 OBTAINED AND POSSESSES A PRESCRIBED OPIOID FOR PERSONAL USE OR FOR THE  
5 USE BY A MEMBER OF THE INDIVIDUAL'S HOUSEHOLD.

6 24-2202.

7 AN OPIOID PRESCRIPTION MAY NOT BE DISPENSED IN THE STATE UNLESS THE  
8 DISPENSER PROVIDES A PERSONAL USE PHARMACEUTICAL DISPOSAL SYSTEM TO  
9 THE ULTIMATE USER AT NO COST.

10 24-2203.

11 (A) THE DEPARTMENT MAY PROVIDE PERSONAL USE PHARMACEUTICAL  
12 DISPOSAL SYSTEMS TO EACH PHARMACY IN THE STATE.

13 (B) A PHARMACY THAT RECEIVES PERSONAL PHARMACEUTICAL DISPOSAL  
14 SYSTEMS UNDER SUBSECTION (A) OF THIS SECTION SHALL DISTRIBUTE THE  
15 PERSONAL PHARMACEUTICAL DISPOSAL SYSTEMS IN ACCORDANCE WITH § 24-2202  
16 OF THIS SUBTITLE.

17 (C) THE DEPARTMENT MAY PROCURE PERSONAL USE PHARMACEUTICAL  
18 DISPOSAL SYSTEMS:

19 (1) THROUGH DONATION BY A MANUFACTURER OF PERSONAL USE  
20 PHARMACEUTICAL SYSTEMS; AND

21 (2) WITH FUNDING FROM THE OPIOID RESTITUTION FUND  
22 ESTABLISHED UNDER § 7-331 OF THE STATE FINANCE AND PROCUREMENT  
23 ARTICLE.

24 (D) THE DEPARTMENT MAY DEVELOP PROCEDURES TO CARRY OUT THIS  
25 SECTION.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2023.