

SENATE BILL 1253

By Reeves

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 63 and Title 68, relative to the disposal of  
controlled substances and prescription drugs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 10, Part 3, is amended by  
adding the following as a new section:

The board shall promulgate rules to set forth guidelines for a pharmacy to accept,  
or facilitate the disposal of, unused controlled substances and prescription drugs. The  
rules must be promulgated in accordance with the Uniform Administrative Procedures  
Act, compiled in title 4, chapter 5, and must:

- (1) Set forth:
  - (A) The responsibilities of the pharmacy that is accepting the  
unused controlled substance or prescription drug;
  - (B) Details concerning record keeping of the controlled  
substances and prescription drugs collected;
  - (C) The proper methods to destroy unused controlled substances  
and prescription drugs;
  - (D) Privacy protocols;
  - (E) Security standards; and
  - (F) Proper transportation procedures;
- (2) Require a participating pharmacy to provide to each patient or  
consumer, as applicable, education concerning the dangers presented by  
unused or expired controlled substances or prescription drugs; and

(3) Provide on-site, for purchase or at no cost to the patient, at least one (1) consumer method for the disposal of unused or expired controlled substances or prescription drugs. The consumer method of disposal described under this subdivision (3) must:

(A) Change the physical integrity of the drug formulation so that the applicable controlled substance or prescription drug is no longer recognizable or usable as a therapeutic dose for which it was originally prescribed or dispensed; or

(B) Chemically render the active ingredient of the controlled substance or prescription drug unusable by creating abuse deterrent properties that make normal routes of administration more difficult and less beneficial.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new section:

The board, in consultation with the board of pharmacy, shall promulgate rules to set forth guidelines for a facility to accept, or facilitate the disposal of, unused controlled substances and prescription drugs. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and must:

(1) Set forth:

(A) The responsibilities of the facility that is accepting the unused controlled substance or prescription drug;

(B) Details concerning record keeping of the controlled substances and prescription drugs collected;

(C) The proper methods to destroy unused controlled substances and prescription drugs;

- (D) Privacy protocols;
- (E) Security standards; and
- (F) Proper transportation procedures;

(2) Require a participating facility to provide to each patient or consumer, as applicable, education concerning the dangers presented by unused or expired controlled substances or prescription drugs; and

(3) Provide on-site, for purchase or at no cost to the patient, at least one (1) consumer method for the disposal of unused or expired controlled substances or prescription drugs. The consumer method of disposal described under this subdivision (3) must:

(A) Change the physical integrity of the drug formulation so that the applicable controlled substance or prescription drug is no longer recognizable or usable as a therapeutic dose for which it was originally prescribed or dispensed; or

(B) Chemically render the active ingredient of the controlled substance or prescription drug unusable by creating abuse deterrent properties that make normal routes of administration more difficult and less beneficial.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.