

## Proposed Secure Medicine Return Ordinance Feedback

	How feedback submitted	By whom	Comments	In favor / against	Issue/concerns	Response
1	Web submission	Karen Johnson	I think this is a great idea. I know personally we hold on to medicines we no longer need and hope we don't miss the drop off date at the sheriff's office. My concern, however, is that the pharmaceutical companies will just add the cost to them of providing this program by increasing the price of prescription medicine. It won't wind up being a "free" program to us at all.	IN FAVOR	Cost passed on from drug companies to public	Unfortunately, it is very likely that drug companies will pass the cost of this program on to consumers as has happened with other programs such as electronics recycling. These regulations are in place in King and Snohomish Counties, and are under consideration in Pierce County as well. Because of the huge volume of prescriptions filled in these counties and state-wide, it is expected that the cost increase would be less than 1 cent per subscription. Prescription drug coverage would also make the impact of this small increase to Kitsap residents negligible. The Kitsap Public Health Board believes that the benefits of this program outweigh the possibility of a small increase in prescription costs.
2	Web submission	anonymous	Concern: proposed drug take back needs to happen and soon. I work where people constantly come and ask if we take drug for disposal and we don't. I send them to the Kitsap County Sheriff's office which is the only place that does. Even Group Health no longer takes back their own drugs for disposal because of the expense and the laws. this also should be something the pharmaceutical company should have to pay for since not only is it their problem but they get enough money from their prescriptions that this would not be a huge expense for them	IN FAVOR	n/a	n/a
3	Web submission	Steve and Kate Shaughnessy	We support the proposed secure prescription drop off ordinance. Thanks!	IN FAVOR	n/a	n/a
4	Web submission	Dr. Chris Bock, DMD	I'm fully in favor of the proposed new regulation.	IN FAVOR	n/a	n/a

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5	Email	Doug Washburn, Kitsap County Dept. of Human Services	We highly support you on this and our prevention coalition folks lead by Laura have been watching with great enthusiasm as you move forward. Thanks.	IN FAVOR	n/a	n/a
6	11/10 listening session	Doug Washburn, Kitsap County Dept. of Human Services	n/a	IN FAVOR	n/a	n/a
7	Web submission	Susan Woolley	<p>This year I dropped off unused medications for myself and my 94 year old mother at the sheriff's office. I had been saving them in a plastic bag for about three years, because I could never make it to the previous "take back" events due to scheduling conflicts on the weekend, or due to simply not hearing about it in time. I believe this project is potentially valuable for the following reasons:</p> <ul style="list-style-type: none"> <li>*Removes unused prescription drugs from senior's homes, where misuse or overdose might occur due to simple confusion.</li> <li>*Hopefully assisted living facilities would promote and facilitate "take back" day.</li> <li>*Removes unused meds from home medicine cabinets where teens, housekeepers, contractors might access them</li> <li>*Keeps them out of the watershed. My guess is that a lot of people are still flushing or putting in household garbage.</li> <li>*Prevents access to meds which could be used to overdose for an individual having a mental health crisis. Contrary to popular stereotypes, people will use anything in an attempt to overdose, not just sedatives or opiates, so removing unused prescription pharmaceuticals would curtail access to meds most likely to have a small margin of</li> </ul>	IN FAVOR	No concerns but has implementation ideas/suggestions.	<p>Outreach has been done in the community about the proposed ordinance, and additional outreach will be done if the ordinance passes. The regulations require pharmaceutical manufacturers to develop and pay for a coordinated secure medicine return system in Kitsap County which includes outreach in the community to generate awareness of the program. Most manufacturers will combine their resources and hire a company to coordinate the system. This is already in process in King and Snohomish Counties.</p> <p>The Kitsap Public Health District will review all pharmaceutical stewardship plans for the program, and make sure that there is adequate outreach locally – including outreach to assisted living communities.</p> <p>If this ordinance passes, any business or location that meets the Drug Enforcement Agency requirements for drug take-back organizations would be</p>

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			<p>safety and most likely to create kidney damage or other long term health problems.</p> <p>Suggestions:          Consider doing the take-back in <b>libraries</b>, once/month, staffed by vetted volunteers or health care professionals. Law enforcement in Kitsap is stretched as it is. Or, would the pharmacies be willing to release staff one day a month for this as community service?</p> <p>Consider enlisting aid of health care organizations such as Franciscan to have take-back containers available one day a month at all clinics so that people could turn in their meds to front desk staff as they arrive for their PCP appointments. Thank you.</p>			<p>allowed to participate – at no cost. The DEA requires that a take back location:</p> <ul style="list-style-type: none"> <li>• Be a registered pharmacy with the Washington State Pharmacy Assurance Commission.</li> <li>• Amend registration with the Drug Enforcement Administration (DEA) to become a collector.</li> <li>• Authorize two employees to maintain keys to the secure drop-box.</li> <li>• Lock the drop-box when the site is closed.</li> <li>• Manage and maintain required documentation</li> </ul> <p>So unfortunately, while convenient, the library would not qualify because it does not meet the DEA criteria.</p> <p>We encourage people to reach out to their pharmacies or medical facilities that do qualify under the DEA rules and encourage them to participate.</p>
8	Web submission	Heather Carrell	<p>Please support this proposal so medicines are not dumped into septic systems, sewage systems, landfills, and our streams and ocean.</p>	IN FAVOR	None	n/a
9	Web submission	Robin Villiers-Furze	<p>I believe the pharmaceutical companies SHOULD provide convenient drop off locations (any pharmacy) and they should pick up disposal charges, including needles.</p> <p>We currently have to pay, at Fred Meyer, for needle returns. By charging and inconvenient drop off locations, it encourages people to just throw drugs and bio hazard waste into landfill.</p>	IN FAVOR	Concerned about disposal of sharps.	<p>Sharps disposal is not included in this proposed ordinance. However, free disposal for syringes and needles (known as "sharps") is available. Sharps can take sharps to one of the following drop-off facilities listed on <a href="#">Kitsap County's website</a> free of charge. Before dropping them off at one of these facilities, the sharps should be placed in a manufactured sharps</p>

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						<p>container or a 2-liter PET plastic pop bottle (such as a plastic pop bottle or juice container). Manufactured sharps containers can also be purchased at most pharmacies. The lid must fit tightly and should be taped shut for added safety. If a plastic pop bottle or other container is used, it should be labeled with the warning: "SHARPS, DO NOT RECYCLE." This is a <a href="#">short tutorial video</a> on properly disposing of household sharps.</p> <p>The Health District also has <a href="#">information on the website</a> on what to do if discarded sharp are found in public. The District has staff trained and available to handle discarded sharps.</p>
10	Web submission	Denise Hughes, MSN, RN, GMHC	Thank you for taking this step toward making our citizens safer. I am a psychiatric nurse and have clients who have multiple medications with a polypharmacy abuse history. Assisting them to reduce the sheer number of medications is usually one of my goals and when we can do this we often have the problem of disposal. Designated stations in convenient locations would go a long way in helping reduce medication mismanagement by some of our most vulnerable citizens.	IN FAVOR	None	n/a
11	Web submission	Patricia Gordon-Rice	Concern: This is in response to the secure medicine return proposal. This county definitely needs a way to safely dispose of all medications. This is not only to keep medications out of the hands of others but also to keep them out of our landfills and water. I fully support a safe way to do this! However, as someone who	IN FAVOR	Inquired about how to handle illicit drugs.	<p>While the Kitsap Public Health Board recognizes that illicit drug use is a serious issue, this ordinance does NOT address disposal of illicit drugs.</p> <p>The Kitsap Public Health District's Solid &amp; Hazardous Waste staff reached out</p>

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			<p>has worked in the drug abuse treatment field for over 30 years, I know you also need to find a way for citizens to get rid of street drugs. Currently, there is no way to get rid of them! So what does a person or family member who has/finds heroin, methamphetamines and other street drugs to do with them? You don't hear about this because people are afraid and don't know what to do. This is a big problem as most people give them to another, throw them in the trash or flush them. We really don't want that. Please develop a way for people to securely, anonymously and safely get rid of them! The county needs to take responsibility to rid our county of these drugs. Thank you.</p>			<p>to several other agencies to determine the best course of action in the situation you describe. KPHD recognizes that while the most appropriate and legal response anytime illicit drugs are found is to contact law enforcement, many parents would be too scared to do that.</p> <p>If a parent or family member finds a small amount of illicit drugs, law enforcement recommends that they 1) contact law enforcement and/or 2) destroy the drug by putting it in wet coffee grounds and throwing it in the trash or taking it to a household hazardous waste facility.</p> <p>If someone finds illicit drugs in public (at a park, etc.) or a large quantity of illicit drugs, they should immediately notify law enforcement.</p>
12	Web submission	Alice D Gray	<p>Thank you for this. Please also get this word out to physicians! I was told recently BY A DOCTOR that throwing medications in the trash is okay! Not! I make every effort to dispose of medications properly, and having the facilities to do this makes it so much easier to protect our fragile and precious environment. I take my medications to the Kitsap County Sheriff's Office. Having more locations for proper disposal would be immensely helpful. Thank you.</p>	IN FAVOR	<p>Suggested we do outreach to physicians about regulations.</p>	<p>Outreach has been done to inform medical clinics, pharmacies and physicians about the proposed ordinance, and additional outreach will be done in the medical community if the ordinance passes.</p>

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13	Web submission	Barbara Burns	Kitsap Public Health Board seeks feedback on proposed ordinance requiring pharmaceutical companies to fund local medicine return program. My feedback is YES YES YES, a thousand times YES! If you need me to submit my comments via some other avenue, please let me know. I am happy to do that.	In FAVOR	n/a	n/a
14	Web submission	Janine Rinehart	1. The US Mail should not be used to return drugs. Drug users steal mail all the time and that would be an additional incentive. 2. Does this proposal include needles? If not, it should, both used and unused.	IN FAVOR	1) Concerns about mail theft 2) Concerns about proposal not including needles	1) The mail-order option is intended to serve those that may be home-bound. While there may be a risk of mail theft, the Health District believes the benefit of this program greatly outweighs these risks. 2) This proposal does not include sharps. Please see response to #7 above.
15	Letter of support	Dr. Gary Goldbaum, MD, MPH  Health Officer and Director, Snohomish Health District	Submitted letter of support sent to Dr. Susan Turner. Copy available upon request.	IN FAVOR	n/a	n/a
15	Web submission	Steven and Kathleen Shaughnessy	We support the proposed return program (second statement of support submitted).	IN FAVOR	n/a	n/a
16	Web submission	Barbara Meyers	I strongly support a program to provide a pick up location for unused medications. Having to drive to Silverdale to the Sheriff's office is inconvenient. I believe the best alternative would be return unused medications to businesses that fill prescriptions as they already are set up to secure meds that may be of interest for illegal use.	IN FAVOR	n/a	n/a

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17	Letter of support	Dr. Aaron Leavell, superintendent  Bremerton School District	Submitted letter of support sent to Dr. Susan Turner. Copy available upon request.	IN FAVOR	Concerns about mail theft	The mail-order option is intended to serve those that may be home-bound. While there may be a small risk of mail theft, the Health District believes the benefit of this program greatly outweighs this risk. Drugs being sent via mail is not uncommon - mail order pharmacies mail medication every day.
18	11/29 listening session	Laura Hyde  Human Services, Kitsap County	Attended in support of proposed regulations. Dept. of Human Services willing to help with distribution of materials for program when implemented.	IN FAVOR	Wanted to make sure that pick-up frequency at sites would be adequate to ensure that boxes would not get full or overflow.	KPHD will ensure that pick-up frequency is addressed in plan review and that adequate educational materials are available for distribution.
19	Web submission	Thomas J. Shandera, RN, MPH, CIC  Infection Preventionist	<p><b>Programmatic Suggestions</b></p> <ol style="list-style-type: none"> <li>1. Expand <b>Section 3</b> to specifically state how this Ordinance applies on Federal Land such military installations as well as how it applies on Tribal Land.</li> <li>2. Expand <b>Section 7.D.1 &amp; 2</b> to specify how stewardship will be provided in <u>unincorporated</u> portions of the county to meet the “<u>service convenience goal</u>”.</li> <li>3. Expand <b>Section 16.C</b> to include a) environmental monitoring listed in <b>Section 9.C.1-4</b> as well as b) data related to antibiotic resistant organisms identified in water and fish and c) results of reports listed in <b>Section 8.B.4 &amp; 5</b>.</li> <li>4. Sharpen focus on “...individuals with limited English proficiency.” (<b>Section 8.B.3</b>) by using this language each time public education, signage, forms, and public telephone/internet communications are addressed throughout the ordinance (e.g., <b>Section 7.F,G, Section 8.A,B.1,C,D,E</b>).</li> </ol>	IN FAVOR	Programmatic and formatting suggestions.	<p><b>Programmatic Suggestions</b></p> <ol style="list-style-type: none"> <li>1. This ordinance covers all city and county jurisdictions and all residents regardless of where they live.</li> <li>2. Comments related to convenience will be addressed on a case by case basis as part of the plan review process.</li> <li>3. Outside the focus of this regulation. Section 8.B.4 does not appear to be relevant to Section 9C.</li> <li>4. Comments related to convenience and outreach will be addressed on a case by case basis as part of the plan review process.</li> <li>5. Reverse distribution is not a component of this program. Can only be used by Pharmacies and other industry entities prior to being prescribed to consumer. Once a drug has been</li> </ol>

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			<p>5. Address how a producer, a group of producers and a stewardship organization shall report/utilize revenue generated by Reverse Drug Distribution (e.g., <b>Section 10, Section 11.A.8, Section 17.D</b>). For example, should these monies be a line item in a report and should these monies be reinvested exclusively into stewardship activities?</p> <p>6. Clarify <b>Section 1.A</b> compared with <b>Section 1.B</b>. These two section seem to be inconsistent. Section A speaks about "...provisions shall be liberally construed for the accomplishment of these purposes." Section B states in part "...is not intended to impose any duty whatsoever upon the Health District or any of its officers or employees, for whom the implementation or enforcement of this Ordinance shall be discretionary and not mandatory." <i>I suggest breaking Section B into two sentences. Consider placing a period at the end of line 2 after "...within its scope". Then phrase the second sentence such as: The duty upon the Health District, its officers and employees is to implement and enforce this Ordinance.</i></p> <p>7. Clarify <b>Section 4.C.2</b> compared with <b>Section 4.H.1</b>. Section H defines a drug to include "...Articles recognized... in the Homeopathic Pharmacopoeia Convention". However Section C.2 specifically <u>excludes</u> "...homeopathic drugs, products or remedies." <i>I suggest deleting the conflicting language in Section C.2.</i></p> <p>8. Modify <b>Section 5.C</b> to lean proactively when drugs are brought into system after adoption of this Ordinance. <i>I</i></p>		<p>prescribed to consumer it is no longer eligible for reverse distribution.</p> <p>6. Language is required by our legal counsel to protect KPHD against litigation</p> <p>7. The Health District will modify these sections to be consistent. It may not be possible to address homeopathic drugs under this ordinance as they are produced by a different group of producers. "Drugs" are a larger universe than covered drugs. The Ordinance only applies to covered drugs.</p> <p>8. Agree.</p> <p>9. Comments related to convenience or implementation will be addressed on a case by case basis as part of the plan review process.</p> <p>10. Comments related to convenience or implementation will be addressed on a case by case basis as part of the plan review process.</p> <p><b>Readability Suggestions</b></p> <p>11. We will take this recommendation under advisement and modify where intent is not clear.</p> <p>12. Outline and other format inconsistencies will be addressed in editing prior to publishing the final regulation.</p>
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			<p><i>suggest changing the last sentence of the Section from "...within six months of the date of initiating sales..." to read <u>before initiating sales.</u></i></p> <p>9. Expand <b>Section 7.E &amp; F</b> to specify if liquids, ointments/prescription toothpastes and chemotherapeutic agents will be placed in separate containers. As you know, only tablets may be placed in container at Sheriff's office.</p> <p>10. Expand <b>Section 8.B.4 &amp; 5</b> to specify exactly which person or organization is responsible for generating the report and the biennial survey. I further suggest that some standards should be stipulated for the creation and administration of the survey as well as methodology for evaluating effectiveness so that useful, actionable information is obtained.</p> <p><b>Readability Suggestions</b></p> <p>11. Reevaluate <b>Section 4.D</b> and <b>Section 4.O</b> so that the terminology meets common usage and, more importantly, so that the same terms are used consistently throughout the Ordinance.</p> <ol style="list-style-type: none"> <li>a. Common usage would define "covered entity" using language in Section 4.O.</li> <li>b. Common usage would define "person" using language in first sentence of Section 4.D.</li> <li>c. Within this Ordinance, a human being living in Kitsap county is identified by seven various terms, including: resident, covered entity, public,</li> </ol>			
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			<p>individual, customer, consumer, and even person.</p> <p>12. Evaluate <b>Section 15.E.4.b</b> from this point to end of Section 15. I think that the outlining ceases to be consistent. The word "Extension" looks to be the heading for the next subsection, which then impacts the remainder of the section's outline organization.</p>			
20	Letter submitted	Zero Waste Washington	Please see Industry Responsiveness Summary pages 11-13.	IN FAVOR		Please see Industry Responsiveness Summary pages 11-13.
21	Letter submitted	Healthcare Distribution Alliance	Please see Industry Responsiveness Summary pages 11-13.	IN FAVOR		Please see Industry Responsiveness Summary pages 11-13.
22	Letter submitted	Pharmaceutical Research and Manufacturers of America (PhRMA)	Please see Industry Responsiveness Summary pages 11-12.	AGAINST		Please see Industry Responsiveness Summary pages 11-13.

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### INDUSTRY RESPONSIVENESS SUMMARY

By whom	Comment/concern	Response
Zero Waste Washington	Zero Waste Washington believes that program creates a safer and more environmentally-sound alternative to home disposal which is currently prohibited in Kitsap County.	n/a
Zero Waste Washington	Appreciated that definitions in ordinance were consistent with other counties which helps avoid confusion.	n/a
Zero Waste Washington	Stressed the importance of adequate pick-up from pharmacies so collection boxes don't get overfilled.	KPHD will ensure that pick-up frequency is addressed in Secure Medicine plan review.
Zero Waste Washington	Requested edit to Section 9, Part C regarding disposal.	District legal counsel believes the current language is appropriately clear. Language is also consistent with other Puget Sound area Local Health Jurisdictions' regulations.
Zero Waste Washington	Requested edit to language in Section 7.D.2 regarding adequate number of collection sites.	District legal counsel believes the current language is appropriately clear. Language is also consistent with other Puget Sound area Local Health Jurisdictions' regulations.
Zero Waste Washington	Requested that stewardship plans be required to include periodic drop-off events if take-back sites are limited.	This will also be addressed as a part of the plan review to ensure we have an adequate number of take-back locations.
Zero Waste Washington	Requested edit to Section 5.D.3 implementation timeline.	District legal counsel believes the current language is appropriately clear. Language is also consistent with other Puget Sound area Local Health Jurisdictions' regulations.
Zero Waste Washington	Requested that Section 7.H. be clarified for the mail-back services.	District legal counsel believes the current language is appropriately clear. Language is also consistent with other Puget Sound area Local Health Jurisdictions' regulations.
Pharmaceutical Research and Manufacturers of America (PhRMA)	The Kitsap County proposed regulation is a carbon copy of the unsuccessful County of Alameda's drug take-back program.	While there have been delays and full implementation has not yet been achieved, the County of Alameda program is currently functioning with more than 30 take-back sites.

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		While there may be similarities to the Alameda program, our regulations were intentionally written to mirror other Western Washington local health jurisdictions' take-back programs for consistency.
PhRMA	Draft regulation only implicates drug manufacturers – does not include requirements for other stakeholders in the drug supply chain.	That is correct. This is a stewardship model that puts the responsibility on drug manufacturers, consistent with other medicine take-back programs in other local health jurisdictions.
PhRMA	Regulations will be difficult to implement; Many complications associated with disposal of unused medicines.	These regulations are intended to mitigate these complications and simplify the process of medicine return in Kitsap County.
PhRMA	It will be difficult to secure community-wide kiosks because the kiosks are visible, making them a target for diversion so pharmacies don't want to participate.  Program will be severely limited because of the rigorous safety standards necessary to comply with the DEA regulations	Participating take-back locations must meet all DEA security requirements. Should the stewardship plan allow for "kiosks" they will be located at supervised locations that meet DEA requirements. Although participation in the program is voluntary, based on feedback from local pharmacies and the fact that many large pharmacy chains are participating in other counties we believe that pharmacies will participate in the program despite any additional DEA requirements. The regulation requires a minimum number of drop-off sites, and the required plan should outline the steps that will be taken to secure at least this minimum number.
PhRMA	Medicine return programs do not address concerns regarding environment or prescription drug abuse.	The impetus of these regulations is to provide a secure and an environmentally sound way to dispose of leftover and/or expired medicines and are a part of a comprehensive approach to address prescription drug abuse.
PhRMA	Program will result in higher prices for prescription and non-prescriptions; this is inconsistent with shared goal of keeping medicines affordable.	The ordinance is intended to follow a product stewardship model that puts the responsibility on drug manufacturers, consistent other stewardship programs for products such as electronics or fluorescent lighting.
PhRMA	Opposed to inclusion of sharps in take-back programs.	n/a – The proposed regulations do not include sharps.
PhRMA	Concerns about diversion that could occur with mail-in option. Drug take-back mailers would be a target. There is no secure way to track	While there may be a risk of mail theft, the Health District believes the benefit of this program greatly outweighs these risks. Drugs being sent via mail is not uncommon - mail order pharmacies currently mail medication every day.

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	medicines sent from the patient to a DEA-compliant facility.	
PhRMA	DEA requires on-site and immediate destruction of mailed-back packages and no certified facility exists in US to do this.	Currently there are well-functioning mail-back programs operating throughout the United States. All program participants are required to comply with all DEA regulations.
PhRMA	Alternative is in-home secure disposal.	Disposal in the solid waste stream is illegal in Kitsap County per KCBH Ordinance 2010-1, <i>Solid Waste Regulations</i>
Healthcare Distribution Alliance (HDA)	Recommending newer technology enabling at-home disposal for end-users with sealable, disposable, biodegradable pouch.	Disposal in the solid waste stream is illegal in Kitsap County per KCBH Ordinance 2010-1, <i>Solid Waste Regulations</i>
HDA	Suggests that we revise definition of “producer” by providing specific exemptions for non-manufacturing entities such as wholesale distributors and wholesalers who re-package medications. HDA would like obligation for take-back and disposal efforts to lie with the original manufacturer of the product – not wholesale distributors. (References San Francisco ordinance)	We believe that wholesaler and repackager exemptions exist within the current language. District legal counsel believes the current language is appropriately clear. Language is also consistent with other Puget Sound area Local Health Jurisdictions’ regulations.
HDA	Request inclusion of a set timeline to ensure companies are able to rectify any violation and correct the violation in a timely manner (such as written notice followed by 30 days to achieve compliance).	The Health District always works to establish reasonable time frames for compliance based on the severity of the violation. In some cases, this can be longer than 30 days.
HDA	Requested review and feedback on the regulations’ right of entry and inspection.	District legal counsel believes the current language is appropriately clear and consistent with other local Board of Health ordinance enforcement language. Reasonable time of inspection is required in the ordinance and all inspections must be performed in accordance with federal and state laws.