



MARYLAND Department of Health

Larry Hogan, Governor · Boyd Rutherford, Lt. Governor · Dennis Schrader, Secretary

MARYLAND BOARD OF PHARMACY

4201 Patterson Avenue, Baltimore, Maryland 21215-2299

Mitra Gavvani, Board President • Deena Speights-Napata, Executive Director

December 29, 2017

The Honorable Larry Hogan
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 Hogan, 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 distinct from other Maryland drug take back programs that only drop off and dispose of prescription drugs and is intended to provide a mechanism for dispensing to needy individuals or for the disposal of prescription drugs. This Program has been established for approximately 11 years. The Board of Pharmacy receives and approves applications for repositories and drop-off sites. Applications are for the establishment of a repository and/or acceptance of dispensed medications to identified Maryland applicants and for the disposal of drugs that do not meet the criteria of the Program. This Program is strictly voluntary and any pharmacy permit holder in good standing with the Board may participate.

Recent changes in federal regulations required the Board to revise COMAR 10.34.33. These revisions became effective May 9, 2016 and incorporated by reference the Secure and Responsible Drug Disposal Act of 2010, 21 U.S.C. 822. The Act allows for the collection of medications, including controlled substances. This Act and federal regulations establish parameters for controlled substance diversion prevention and encourages the development of methods for collecting and destroying pharmaceutical controlled substances. The Board’s regulation, COMAR 10.34.33, now complies with the federal regulations.

The benefits of participating in the Prescription Drug Repository Program are many, including:

- Providing support to needy patients and attracting new patients from the community who may be eligible for prescriptions through your Prescription Drug Repository Program;
- Ensuring the ability of patients to purchase prescribed drugs;

- Ensuring that drug treatment plans are followed by needy patients;
- Avoiding the unnecessary waste of unopened or otherwise non-tampered with prescription drugs that are not used by the patient for whom they were originally prescribed;
- Supporting protection of the environment from the improper disposal of prescription medications; and
- Potentially attracting new patients to your pharmacy.

Health care practitioners determine whether their patients are in need of donated drug assistance and therefore eligible to receive donated prescription drugs from a Repository by simply indicating *eligible for Prescription Drug Repository Program* on the patient's prescription and directing their patient to a designated Maryland Repository. Repositories may not have all of the drugs prescribed for a patient in their inventory, but the prescription can still be filled by the pharmacy where the Repository is located.

The Board has recently discussed adding incentives for pharmacies involved with the Program including promoting these pharmacies in the Board's newsletter or providing a financial incentive to the pharmacies that do participate in the Program. Unfortunately, there is no funding available for the Prescription Drug Repository Program. Additionally, a repository may charge a fee of not more than \$10 for each prescription drug or medical supply dispensed under the Program. See the Code of Maryland Regulations (COMAR) 10.34.33.06

The process is simple and the need is great. The more Drop-Off Sites and Repositories that are approved, the more needy Maryland patients will have access to inexpensive medications, and fewer medications will be flushed or disposed of improperly.

Should you have any questions or additional concerns, please feel free to contact Brian Logan, Legislation and Regulations Liaison, at (410)764-5057.

Respectfully,



Deera Speights-Napata
Executive Director
Maryland Board of Pharmacy