

# Disposal of Pharmaceutical Controlled Substances

## Facts about the Drug Enforcement Administration (DEA) Secure and Responsible Drug Disposal Act



OFFERED THROUGH HANYS' OPIOID ADDICTION PREVENTION AND MANAGEMENT COLLABORATIVE

### What are the overall goals of the Secure and Responsible Drug Disposal Act?

The goal of the Disposal Act (which amended the Controlled Substances Act) is to encourage public and private entities to develop a variety of methods of collection and disposal of pharmaceutical controlled substances in a secure, convenient, and responsible manner.

### Who is an “ultimate user”?

An “ultimate user” is “a person who has lawfully obtained, and who possesses, a controlled substance for his own use or for the use of a member of his household or for an animal owned by him or a member of his household.”

### What are my options for disposing of pharmaceuticals?

DEA’s regulations outline the methods by which pharmaceutical controlled substances may be transferred to authorized collectors for disposal. Ultimate users have expanded options to safely and responsibly dispose of their unused and unwanted, lawfully-possessed pharmaceutical controlled substances: through collection receptacles, mail-back packages, and take-back events.

### Will there still be take-back events every six months?

Law enforcement may continue to conduct take-back events at any time. Any person or community group, registrant or non-registrant, may partner with law enforcement to conduct take-back events. DEA encourages communities to partner with law enforcement to continue to conduct take-back events.

DEA will continue to sponsor nationwide take-back events in the spring and fall.

### How can I find a collection receptacle location near me?

Members of the public may call DEA’s Registration Call Center at (800) 882-9539 to find a collection receptacle location near them.

### Can I dispose of a friend or family member’s pharmaceutical controlled substances for them?

You may dispose of a member of your household’s unused or unwanted pharmaceutical controlled substances. But, if they are not a member of your household, you may not dispose of their

pharmaceutical controlled substances on their behalf. Only ultimate users may dispose of pharmaceutical controlled substances.

**Exceptions:**

- If someone dies while in lawful possession of pharmaceutical controlled substances, any person lawfully entitled to dispose of the decedent's property may dispose of the pharmaceutical controlled substances; and
- a long-term care facility may dispose of a current or former resident's pharmaceutical controlled substances.

**Can I dispose of illicit drugs through a collection receptacle, mail-back package, or take-back event? How can I safely and securely dispose of my unwanted marijuana?**

No. Persons may not dispose of illicit drugs (e.g., schedule I controlled substances such as marijuana, heroin, LSD) through any of the three disposal methods.

Persons may not dispose of any controlled substances that they do not legally possess. This includes schedules II-V controlled substances that are illegally obtained and possessed.

**Can I dispose of my insulin syringes through one of the disposal methods? What about my child's asthma inhaler?**

No. Persons may not dispose of any dangerous, hazardous, or non-compliant items in a collection receptacle or a mail-back package. This includes medical sharps and needles (e.g., insulin syringes and injectables).

Carefully review the authorized collector's instructions for what is and is not acceptable to place into the collection receptacle or mail-back package. If you have any questions, you should ask an employee of the authorized collector.

**Can my pharmacy or other collector force me to give personal information, like my name, my prescription information, or my physician information?**

No. A collector may not force anyone to provide any personal information about themselves, their prescription, or their physician.

In order to protect personally identifiable information, DEA encourages persons not to place prescription bottles in collection receptacles or mail-back packages.

**What happens to my pharmaceuticals after I dispose of them? Can they be sold, given away, re-packaged, or re-dispensed for use by another patient? Can they be otherwise recycled?**

Pharmaceutical controlled substances transferred from ultimate users to authorized collectors via either collection receptacles or mail-back programs shall be securely stored or transferred until rendered non-retrievable. They may not be re-sold, donated, repackaged, or re-dispensed. Currently, the most common method of rendering pharmaceutical controlled substances non-retrievable is incineration.



**HANYS' OPIOID ADDICTION PREVENTION AND MANAGEMENT COLLABORATIVE**

*The Opioid Addiction Prevention and Management Collaborative includes education, networking opportunities, and resources designed to support New York healthcare providers' efforts to prevent opioid addiction, treat this as a chronic condition, and advance the community dialogue while appropriately managing patients with pain.*

*The resources and information are provided to assist HANYS members in advancing and refining their own campaigns to address this crisis within their facilities and beyond.*