



Rep. Jack McGuire

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LRB095 01301 CMK 35490 a

1 AMENDMENT TO HOUSE BILL 2277

2 AMENDMENT NO. _____. Amend House Bill 2277 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Prescription Drug Disposal Act.

6 Section 5. Definitions. For purposes of this article:

7 (a) "Agency" means the Illinois Environmental Protection
8 Agency.

9 (b) "Consumer" means an individual purchaser or owner of a
10 drug. "Consumer" does not include a business, corporation,
11 limited partnership, or any entity involved in a wholesale
12 transaction between a distributor and retailer.

13 (c) "Drug" means any of the following:

14 (1) Articles recognized in the official United States
15 Pharmacopoeia, or any supplement thereof, the official
16 National Formulary, or any supplement thereof, or the

1 official Homeopathic Pharmacopoeia of the United States,
2 or any supplement thereof.

3 (2) Articles intended for use in the diagnosis, cure,
4 mitigation, treatment, or prevention of disease in humans
5 or other animals.

6 (3) Articles, excluding food, intended to affect the
7 structure or any function of the body of humans or other
8 animals.

9 (4) Articles intended for use as a component of any
10 article specified in items (1), (2), or (3) of this
11 subsection.

12 (d) "Pharmacy" or "authorized pharmacy" means any pharmacy
13 registered in this State under the Pharmacy Practice Act of
14 1987.

15 (e) "Sale" includes, but is not limited to, transactions
16 conducted through sales outlets, catalogs, the Internet, or any
17 other similar electronic means. "Sale" does not include any
18 sale that is a wholesale transaction involving a distributor or
19 retailer.

20 Section 10. Prescription Drug Disposal Pilot Program. To
21 reduce the improper disposal of prescription drugs in this
22 State, the Agency, in collaboration with the Department of
23 Public Health and the Department of Financial and Professional
24 Regulation, shall implement a Prescription Drug Disposal Pilot
25 Program through which prescription drugs may be disposed of by

1 safe and environmentally sound methods. The pilot program shall
2 be conducted for a period of at least one year in at least 2
3 counties in the State.

4 Section 15. Collection and disposal.

5 (a) Beginning July 1, 2008 and continuing through July 1,
6 2009, every authorized pharmacy or retailer that contains an
7 authorized pharmacy located in a county that is participating
8 in the pilot program shall have in place a system for safe and
9 secure acceptance and collection of drugs for proper disposal.

10 (b) A system for safe and secure acceptance and collection
11 of drugs for proper disposal shall, at a minimum, include all
12 of the following elements:

13 (1) The take-back, at no cost to the consumer, of any
14 drug of a type or brand that the retailer sold or had sold.

15 (2) A conspicuous notice to consumers that shall
16 include informational materials, including, but not
17 limited to, Internet website links or a telephone number,
18 placed on the invoice or purchase order, or packaged with
19 the drug, that provides information necessary to access
20 additional information about the opportunities and
21 locations for no-cost drug recycling.

22 (3) Information about drug return opportunities
23 provided by the retailer that encourages consumers to use
24 those opportunities. This information may include, but is
25 not limited to, one or more of the following:

1 (A) Signage that is prominently displayed and
2 easily visible to the consumer.

3 (B) Written materials provided to the consumer at
4 the time of purchase or delivery, or both.

5 (C) Reference to the drug take-back opportunity in
6 that retailer's advertising or other promotional
7 materials, or both.

8 (D) Direct communications with the consumer at the
9 time of purchase.

10 (c) Any retailer or pharmacy with an independent
11 prescription drug disposal program that is consistent with the
12 pilot program and is in place on or before July 1, 2008 and
13 remains in effect through July 1, 2009 shall be deemed in
14 compliance with this Act.".