



Health and Government Operations
Committee
Subcommittees

Health Occupations and Long-Term Care

Public Health and
Minority Health Disparities

THE MARYLAND HOUSE OF DELEGATES
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HB570 Public Health – Prescription Opioids – Deactivation Systems

Madame Chair, Madame Vice Chair, and members of the Health and Government Operations Committee. Thank you for the opportunity to speak to you about House Bill 570.

Maryland remains in the midst of an opioid epidemic. In a recent study, the federal Substance Abuse and Mental Health Services Administration revealed that 9.2 million people across America misused opioid prescriptions in 2021; strikingly, 88% of those who misused were enabled to do so by accessing what remained of a personal prescription, or the prescription of a friend or relative.¹ “Secondhand use” of opioid prescriptions, where an opioid is prescribed by a provider and later left unattended and accessible if completed before depletion, is a gateway to opioid abuse and addiction.

Many methods exist to combat misuse and abuse of unused prescription opioids, one of which is proper and safe deactivation or disposal. There exist methods by which leftover prescription opioids may be rendered unusable – according to the FDA, these methods are preferable to simply throwing drugs down the drain because they entirely eliminate accessibility to those drugs.² To encourage more people to properly deactivate or dispose of opioids in this manner, many jurisdictions offer drug takeback programs. Takeback programs offer a location (typically a police station or a pharmacy) to drop-off unused prescriptions, which a responsible organization will then dispose of.³ While takeback programs are a promising idea on paper, recent data suggest that they are largely ineffective. Despite takeback locations being within 5 miles of 70% of the American populous, the US Government Accountability Office estimates that up to three in every four patients prescribed opioids do not properly dispose of them⁴, allowing them to remain in easily-accessible places after a prescription has transpired. House Bill 570 proposes a simple solution to this issue: put proper disposal methods directly into the homes of Marylanders who are prescribed opioids.

House Bill 570 stipulates that the State will provide a method of rendering an opioid unusable at home alongside opioid prescriptions. Enabling Marylanders to render opioids unusable in a home setting will have a positive impact on opioid abuse rates across the State by reducing the amount of excess prescriptions left to sit in accessible areas. Moreover, the bill stipulates that these systems should be disbursed at no cost to the distributor or user of a prescription. This is made possible by sourcing funds for disposal units from the Opioid Restitution Fund, which the Office of the Attorney General has indicated is applicable to methods of opioid disposal.

¹ <https://www.samhsa.gov/data/sites/default/files/reports/rpt39443/2021NSDUHFFRRev010323.pdf>, Page 23

² <https://www.fda.gov/drugs/safe-disposal-medicines/disposal-unused-medicines-what-you-should-know>

³ <https://www.fda.gov/drugs/disposal-unused-medicines-what-you-should-know/drug-disposal-drug-take-back-locations>

⁴ <https://www.gao.gov/products/gao-19-650>

The bill as it was introduced is heavily inspired by legislation introduced recently in New York.⁵ We have received input from stakeholders concerning several facets of the bill, including the neutrality of the language used to describe the deactivation or disposal systems, the legal mechanism by which opioid deactivation or disposal systems are distributed, and whether the requirement of opioid deactivation or disposal will apply to care settings which involve long-term opioid prescriptions. We have submitted amendments to address these concerns, and will continue to work with our stakeholders to ensure the bill comes to a posture for which all parties are amenable.

Under House Bill 570, people prescribed opioids will be given access to the tools they need to help combat the opioid crisis from their own home. I respectfully request a favorable report on House Bill 570.

⁵ <https://www.nysenate.gov/legislation/bills/2021/s7605>