



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 2, 2023

The Honorable Joseline A. Peña-Melnyk
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: HB 517 Drug Manufacturers – Drug Take-Back Programs (Take it Back Maryland Act) - Letter of Information

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of information on House Bill (HB) 517 - Drug Manufacturers – Drug Take-Back Programs (Take it Back Maryland Act). HB 517 requires any manufacturer that sells or distributes drugs in Maryland to either operate a drug take-back program, enter into an agreement with a drug take back organization, or enter into an agreement with MDH to operate a drug take-back program on behalf of the manufacturer.

Two states, Washington and Oregon, have implemented drug manufacturer-funded programs similar to what is proposed in HB517. In each state, the responsible state agency contracts with two operators who implement the program according to plans approved by the agency.

Currently in Maryland, drug take back opportunities are offered through initiatives that are comprehensively listed on the MD 2-1-1 website. Similar information is posted on MDH and MDEs' websites. These opportunities include multiple drug take back days each year led by the federal Drug Enforcement Agency, local disposal kiosks and boxes maintained by authorized pharmacies, and information about how to request a free medication disposal bag.

Launching such a program in Maryland will be complex and require coordination, planning, and infrastructure to ensure successful implementation. The steps to launch a program will include: (1) detailing agency operations and responsibilities, (2) defining which drugs are covered under the program, (3) establishing a fee structure and payment mechanism from potentially hundreds of drug manufacturers, (4) communicating with drug manufacturers, (5) soliciting and procuring the services of program operators, and (6) reviewing and approving program plans to ensure appropriate mechanisms for drug collection, security, transportation, and disposal. After launch, State agency operations will include monitoring, enforcing, and evaluation.

If you have any questions please contact Megan Peter, Acting Director, Office of Governmental Affairs, at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary