

House Bill 923

By: Representatives Hagan of the 156th, Silcox of the 53rd, Ridley of the 22nd, and Gambill of the 15th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated,
2 relating to pharmacies, so as to require pharmacies to furnish patients with written
3 informational material when dispensing certain prescription drugs; to require pharmacies to
4 provide a means to safely dispose of unused, unwanted, or expired prescription drugs; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to
9 pharmacies, is amended by adding a new Code section to read as follows:

10 "26-4-120.

11 (a) Each pharmacy in this state that dispenses prescription drugs shall, when dispensing
12 to an individual located in this state a Schedule II controlled substance prescription drug
13 and any other prescription drug as may be designated by the board:

14 (1) Provide written informational material:

15 (A) Notifying such individual that when unused, unwanted, or expired prescription
16 drugs are not properly, safely, and promptly disposed of, the following may occur:

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- 17 (i) There is a risk that prescription drugs can be stolen, diverted, abused, misused, or
18 accidentally ingested, which can pose a risk to the health and safety of the patient and
19 other members of the patient's household;
- 20 (ii) Children are particularly at risk of accidentally ingesting unused, unwanted, and
21 expired prescription drugs that have not been properly and effectively disposed of;
- 22 (iii) When prescription drugs are improperly disposed of or flushed down the drain,
23 such drugs can leak into the ecosystem, which can have a potentially adverse or
24 harmful effect on the environment; and
- 25 (iv) When prescription drugs are disposed of in the household trash without such
26 drugs having been rendered unusable and unavailable, they may be diverted or
27 misused; and
- 28 (B) Concerning how to properly, safely, and promptly dispose of unused, unwanted,
29 or expired prescription drugs. Such informational material concerning proper, safe, and
30 prompt disposal may include, but shall not be limited to, information concerning the
31 drug disposal options made available pursuant to paragraph (2) of this subsection. The
32 pharmacist or his or her designee dispensing such prescription drug shall answer any
33 questions such individual may have upon receiving, and in response to, such written
34 informational material; and
- 35 (2) Make available onsite, for purchase, or at no cost to the patient, at least one consumer
36 method for individuals to safely and effectively dispose of unused, unwanted, or expired
37 prescription drugs in the home. Such method or methods shall include, but shall not be
38 limited to, a nonprescription in-home solution or a secured medication collection
39 receptacle or box.
- 40 (b)(1) Each nonprescription in-home solution made available pursuant to paragraph (2)
41 of subsection (a) of this Code section shall:
- 42 (A) Enable the patient to directly and safely discard unused, unwanted, or expired
43 prescription drugs at home when the current state or federally recommended methods

44 or specialized collections are neither available nor convenient or when waiting for any
45 such event will increase the opportunity for household harm, unintended risk, or human
46 exposure;

47 (B) Offer the patient an effective system that alters the physical integrity of the
48 prescription drug's formulation;

49 (C) Render the active ingredient or ingredients unusable for practicable purposes,
50 thereby mitigating the risk of nonmedical use or overdose;

51 (D) Serve as nontoxic, nonhazardous, pose no threat to the patient, and reduce the
52 prescription drug's exposure to the environment; and

53 (E) Act as a deterrent for misuse with simple and effective education.

54 (2) Each secured medication collection receptacle or box shall be made available in
55 accordance with the regulations of the United States Drug Enforcement Administration
56 in 21 C.F.R. Part 1317, as such regulations exist on July 1, 2025. Such receptacle or box
57 shall be marked and identified by prominent signage.

58 (3) The manufacturer of each nonprescription in-home solution or secured medication
59 collection receptacle or box made available shall represent upon request that none of the
60 components or methods of disposal individually, as a blend, as a solution, or as treatment
61 and destruction facility are toxic and that such composition or collection receptacle or
62 box complies with the waste regulations as established by the United States
63 Environmental Protection Agency for municipal household waste disposal.

64 (4) Each manufacturer, supplier, or servicing agent of a commercial collection program
65 that uses secured medication collection receptacles or boxes shall comply with the
66 regulations of the United States Drug Enforcement Administration in 21 C.F.R.
67 Part 1317, as such regulations exist on July 1, 2025. Such manufacturer, supplier, or
68 servicing agent shall ensure that methods of incineration are in accordance with the
69 permitted hazardous waste combustor recommendations as provided by the federal

70 Resource Conservation and Recovery Act of 1976 (P.L. 94-580, 42 U.S.C. Section 6901,
71 et. seq.), as amended.

72 (c) The requirements of subsection (a) of this Code section shall apply regardless of
73 whether such prescription drug order is an initial order, renewal order, or refill of an
74 existing prescription order and regardless of whether the individual picking up such
75 prescribed drug is a new or returning customer of such dispensing pharmacy."

76 **SECTION 2.**

77 All laws and parts of laws in conflict with this Act are repealed.