

TO: Representative Thomas Weatherston, Chairman,
Assembly Committee on Aging and Long-Term Care

Members
Assembly Committee on Aging and Long-Term Care

FROM: Peg Breuer, RPh

DATE: September 5, 2017

SUBJECT: Assembly Bill 444

Thank you for the opportunity to provide testimony in favor of Assembly Bill 444. My name is Peg Breuer and I am a pharmacist at Neuhauser Pharmacy in Madison.

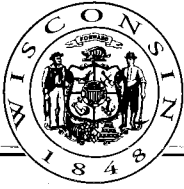
Assembly Bill 444 would allow employees at a hospice facility to properly dispose of a deceased patient's controlled substances through a drug disposal program. Currently, hospice facility staff may only dispose of non-controlled prescription drugs. As such, many times when a patient passes away, their controlled substance medications are given to a loved one who is tasked with the disposal.

The death of a loved one is a stressful and busy time in life, and family members who are given controlled substances often do not know where to dispose of these medications. With all of the stress and tasks that must be completed after a loved one passes away, many family members choose to either flush the drugs, which can contaminate the water supply, or decide to dispose of the drugs at a later time. Unfortunately, having controlled substances around the house, even with the intent of disposing them at a later time, can lead to diversion, misuse, and abuse.

Some family members come into their local pharmacy, expecting to be able to dispose of the medications there. However, because of federal laws and regulations relating to the disposal of controlled substances, many pharmacies, including where I work, do not accept controlled substances for disposal. We direct the grieving family member to another location where they can legally drop off the controlled substances. Sending the family members to other locations only exacerbates the confusion of disposing of these medications at an already stressful time.

By allowing a personal representative of a deceased patient to authorize the hospice staff to dispose of these controlled substances in the same manner non-controlled drugs are disposed, this provision will save grieving family members from the confusing situation of dealing with leftover meds, while also mitigating the risk of diverted medications.

Thank you again for the opportunity to provide testimony.



State Senator Sheila Harsdorf

Date: September 5, 2017
To: Assembly Committee on Aging and Long-Term Care
Fr: Senator Sheila Harsdorf
Re: Assembly Bill 444 - hospice staff transferring the controlled substances of deceased persons to drug disposal programs

Dear Chair Weatherston and Committee members:

Thank you for holding a public hearing on Assembly Bill 444. While I am unable to testify today, I appreciate the opportunity to share my testimony and the importance of passing this legislation.

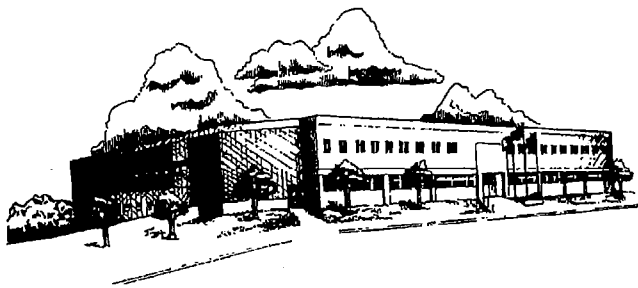
The Legislature has made significant progress in passing a variety of bills addressing various aspects of prevention and treatment of drug addictions. Given these efforts, a constituent of mine brought to my attention the need for proper drug disposal when someone passes on while in hospice. Unused drugs, often opioids and other pain killers left in the possession of the family, may not be properly disposed of potentially leaving them available for misuse or abuse.

Assembly Bill 444 would limit the availability of unsecured drugs and opioids by authorizing hospice staff to, with written consent from a personal representative, trustee, or estate beneficiary, take any controlled substances in possession of a deceased hospice patient to a drug disposal program.

In Wisconsin, more than two-thirds of people who have abused prescription painkillers got them illegally through someone they know, or even when browsing through a friend's medicine cabinet. By ensuring that hospice staff properly dispose of these drugs when a patient dies, we will help prevent the drugs from falling into the wrong person's hands where they may be used to start or feed an addiction.

Additionally, if a family does not know how to properly dispose of these controlled substances they often end up going down the drain, which can contaminate our water supply.

Again, thank you for holding a public hearing on AB 444 and I urge your support.



**ST. CROIX COUNTY
WISCONSIN**

Office of the Medical Examiner
ST. CROIX COUNTY GOVERNMENT CENTER
1101 Carmichael Road
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Phone: (715)381-4358 Fax (715)381-4371
Patty Schachtner, Medical Examiner

August 31, 2017

Dear Members of the Assembly Committee on Aging and Long Term Care:

Thank you for holding a hearing on Assembly Bill 444. This is a bill that I asked Senator Harsdorf to draft because, as the senator and I have discussed many times, access to powerful opioids is a major contributor when dealing with addiction to these drugs.

This bill is another tool to help all of us do our part as citizens to become more educated about not only addiction but also local drug disposal programs. This bill only makes sense. I am so pleased to offer you any support you need for this bill.

Respectfully,

Patty Schachtner, CME



JOAN BALLWEG

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WISCONSIN STATE REPRESENTATIVE

41ST ASSEMBLY DISTRICT

Assembly Bill 444: Hospices Transferring Controlled Substances to Drug Disposal Programs
Testimony of State Representative Joan Ballweg
Assembly Committee on Aging and Long-Term Care
September 5th, 2017

Thank you, Chair Weatherston, and members of the Committee on Aging and Long-Term Care for holding this public hearing on AB 444.

Wisconsin has been battling a heroin and opioid epidemic unlike anything the state has ever seen. We have responded with the HOPE Agenda, the Attorney General has been a leader at tackling this problem, and local governments have taken many steps to address this. In Wisconsin, more than two-thirds of people who have abused prescription painkillers got them illegally through someone they know, or even when browsing through a friend's medicine cabinet. AB 444 comes at the request of a county medical examiner and provides another common sense solution to properly dispose of controlled substances.

Federal Drug Enforcement Administration regulations prohibit hospice staff from disposing of controlled substances on behalf of the patients unless there is a state law that explicitly allows this to occur. Currently, the controlled substances are treated as the decedent's property. After the patient passes on, if the family does not know how to properly dispose of the controlled substances, there is the possibility that they can end up in the wrong hands and contribute to the ongoing drug problem or they can be flushed down the drain and contaminate the water supply.

AB 444 authorizes hospice staff to, with the written consent of a personal representative, trustee, or estate beneficiary, to take any controlled substances from the home of a hospice patient to a drug disposal program. State law requires that each hospice must have a medical director who must ensure that "a system is established and maintained to document the disposal of controlled drugs" and "a system is established for the disposal of controlled drugs." I believe AB 444 provides a necessary measure of certainty that controlled substances are properly disposed of, and it takes away one more thing for a grieving family to worry about.

The Pharmacy Society of Wisconsin, Wisconsin Public Health Association, Wisconsin Association of Local Health Departments and Boards, and the Municipal Environmental Group-Wastewater Division, registered in support this bill.

Thank you for your consideration of AB 444. I am happy to answer any questions that you may have.

THE HOPE WISCONSIN

The Hospice Organization and
Palliative Experts of Wisconsin

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September 5, 2017

To: Members of the Committee
Assembly Aging and Long Term Care

From: Melanie G. Ramey
CEO
The HOPE of Wisconsin

As the state organization of hospice and palliative care programs we are in support of AB 444. Often hospice staffs are asked to dispose of drugs by the families of patients for whom they have been caring. Often the family members are elderly and are not conversant with where and how they should dispose of left over medications. An important component of this bill is that it is optional for the hospice. There may well be occasions when because of time constraints, distance or other issues that hospice staff would be unable to comply with a request and hospices will have policies covering any such instances.

We are very aware of the possibility of diversion of drugs especially opioids and agree they should be disposed of promptly. It is not our practice to leave many controlled substance drugs in the home. We make every effort to minimize the possibility of drugs being available for diversion. However, it is also true that some of the opioid drugs are the only ones that will control the excruciating pain present with some conditions. It is most important that they continue to be available for use with hospice patients.



**Municipal Environmental Group -
Wastewater Division (MEG)**

TO: Rep. Thomas Weatherston, Chairman, Assembly Committee on Aging and Long-Term Care
Members, Assembly Committee on Aging and Long-Term Care

FROM: Paul G. Kent and Liz Stephens
Municipal Environmental Group – Wastewater Division

DATE: September 5, 2017

RE: Support for Assembly Bill 444

The Municipal Environmental Group – Wastewater Division (“MEG”) is a statewide association representing more than 100 municipal wastewater treatment facilities. For 25 years, MEG has been active in the development of policies that promote safe and effective wastewater management activities.

MEG supports Assembly Bill 444 (“AB 444”) and appreciates the efforts that its author, Rep. Joan Ballweg, is seeking to promote to ensure the safety of Wisconsin’s water resources. AB 444 is an important step in reducing the amount of pharmaceuticals in our water resources and, resultantly, MEG encourages the adoption of this legislation.

Wastewater treatment plants are currently unable to remove pharmaceuticals from wastewater during the treatment process because they are not designed to do so. As a result, reducing sources of pharmaceuticals to the water system is currently the best way to confront this challenge. Encouraging the safe and proper disposal of pharmaceuticals, as AB 444 does, will begin to address this growing problem and will assist in reducing the amount of pharmaceuticals in our water resources.

In light of the foregoing, MEG respectfully requests that the Committee support AB 444. In addition, MEG remains willing to work with this Committee and the Legislature to address the issue of pharmaceuticals in our water systems.