



A5086-A/S2713 (Gunther/Kennedy)

AN ACT to amend the public health law, in relation to requiring a personal use pharmaceutical disposal system be provided at the time of dispensing an opioid prescription

The New York State Association of County Health Officials (NYSACHO) supports the above-referenced legislation requiring a personal use pharmaceutical disposal system, also known as at-home deactivation and disposal system, to be provided at the time of dispensing an opioid prescription. These disposal systems offer a prevention tool that can help reduce substance misuse and overdose deaths in the state. Safe at-home medication deactivation and disposal may reduce the overall number of drugs available for diversion and potential misuse or abuse, and ultimately save lives.

Leftover prescription drugs fuel the opioid crisis throughout New York State. According to the latest public data available from 2018, counties throughout New York continue to dispense opioid prescriptions – albeit at a lower rate than most of the country – at a dispense rate of 31.9 for every 100 people¹. However, in 2021, New York City drug overdose deaths rose by 17% from the previous year. More than 5,700 New Yorkers died by overdose in 2021, up 7% from the previous year, including over 1,800 opioid-related deaths². Requiring at-home deactivation and disposal systems at the point of dispensing would supplement efforts already underway with the Attorney General’s \$1.6 billion Opioid Settlement Fund and Take Back Act Programming operated by NYS Departments of Health and Environmental Conservation. It offers a critical tool in fighting the opioid epidemic by addressing the issue of disposal at the time of dispensing.

Local health departments and providers properly educate patients on how to safely dispose of their unwanted and unused medications. Studies that examined the effect of providing patient education on the rate of disposing of unused postoperative opioids found that disposal rates increased by 15 to 30% compared to patients who did not receive any additional education³. Additionally, those that received a deactivation and disposal pouch along with education increased disposal rates to over 50% of the study population⁴. Sharing medications is a common practice that can lead to dangerous consequences, especially among youth populations. Keeping opioids and other prescriptions in the home beyond the time they are needed or wanted poses risks of accidental use, intentional misuse, health risks, safety risks, and environmental damage.

The opioid epidemic remains a national health emergency, with nearly 108,000 overdose deaths recorded in the U.S. last year, including 5,700 New Yorkers⁵. For the reasons stated above, NYSACHO supports this legislation and recommends passage of the bill to help address avoidable overdoses and deaths from opioid use.

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¹ <https://www.cdc.gov/drugoverdose/rxrate-maps/state2020.html>

² <https://citylimits.org/2022/05/11/overdose-deaths-in-new-york-city-increased-by-17-last-year-cdc-estimates/>

³ <https://jamanetwork.com/journals/jamapediatrics/fullarticle/2735686>

⁴ <https://labblog.uofmhealth.org/rounds/getting-leftover-surgery-opioids-out-of-harms-way-its-bag>

⁵ https://www.cdc.gov/nchs/pressroom/nchs_press_releases/2022/202205.htm#:~:text=Provisional%20data%20from%20CDC's%20National,93%2C655%20deaths%20estimated%20in%202020.