



Date: January 31, 2012

To: Members, Assembly Environment and Solid Waste Committee

From: Randy Minniear, Senior Vice President, Government Relations & Policy
Jessica M. Cohen, Director, Government Relations & Policy
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Cc: Mishael Azam, Senate Democratic Office
Thea M. Sheridan, Senate Republican Office
Carrie Anne Calvo-Hahn, Office of Legislative Services

Re: **A-733 - Prohibits health care institutions from discharging medications into sewer or septic systems**

On behalf of our nearly 400 hospital, post-acute and business members, NJHA would like to offer its comments on **A-733**, sponsored by Assemblyman Eustace (D-Paramus). This legislation would prohibit healthcare institutions from discharging medications into sewer or septic systems.

The discharging of medication into the public wastewater or sewage system is a practice that we all must work together to eliminate. The harmful effect that these chemicals can have on the environment is difficult to measure. However, the disposing of unused medication is an issue that goes beyond the effects that the medication can have on the environment. A substantial amount of medication is wasted everyday using proper disposal procedures, while many uninsured patients go without the same medication to treat their conditions.

At the urging of Sen. Turner (D-Trenton) and the Senate Health, Human Services and Senior Citizens committee, NJHA has been participating on a taskforce that is studying how to facilitate the reuse of unexpired medication. Specifically, the taskforce has looked at other states that have established repositories that are charged with collecting unused medication and repackaging it in a safe and effective way to redistribute to indigent patients. This idea, combined with the piece of legislation before this committee, should move together through the legislative process in order to provide a comprehensive solution to this problem.

In addition, some of our facilities have raised questions about the disposal of non-hazardous pharmaceuticals (as determined by federal standards), such as cough syrup, saline or other benign solutions in IV bags. According to the original wording of this legislation, these liquids would now be required to be separately packed and disposed. This could be costly and time consuming for many facilities that already follow federal guidelines with respect to disposing hazardous materials. We respectfully request that the committee adopt the amendments that were approved in the Senate Environment and Energy Committee on Jan. 30, 2012 that would exempt these liquids from the requirements set forth in the bill.

Furthermore, it is our understanding that the penalties associated with the improper disposal could be as much as \$50,000 per incident, per day according to *N.J.S.A. 58:10A-10e*. We would also respectfully request that the penalties be reduced to reflect other penalties associated with the regulation of healthcare facilities.

Thank you for allowing us to comment on **A-733**. We look forward to working with the sponsor on this piece of legislation moving forward. Please do not hesitate to contact us at (609) 275-4251 if you have any questions or concerns.