

1 **REDUCING PRESCRIPTION DRUG MISUSE**

2 **RESOLUTION**

3 2010 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Patricia W. Jones**

6 House Sponsor: Trisha S. Beck

8 **LONG TITLE**

9 **General Description:**

10 This concurrent resolution of the Legislature and the Governor urges consumers,
11 doctors, pharmacists, health insurers, employers, government agencies, parents, and
12 Utahns generally to take specific steps to reduce prescription drug misuse and
13 addiction.

14 **Highlighted Provisions:**

15 This resolution:

- 16 ▶ urges various groups to take specific steps to:
- 17 • improve the effectiveness of education and risk assessment before a prescription
 - 18 is issued;
 - 19 • improve the effectiveness of disposal and monitoring of use after a prescription
 - 20 is issued; and
 - 21 • increase the availability and use of treatment programs.

22 **Special Clauses:**

23 None

25 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

26 WHEREAS, the retention and storage of an unused portion of a drug prescription
27 increases the likelihood that the drug will fall into the hands of someone other than the



28 intended patient through theft or other means and be misused;

29 WHEREAS, misuse of prescription drugs can lead to dependency, addiction, and death;

30 WHEREAS, addiction to prescription drugs can be just as devastating to individuals,
31 families, and communities as addiction to illicit drugs;

32 WHEREAS, Utah deaths from prescription misuse are on the rise, increasing from 50
33 deaths in 1999 to over 300 deaths in 2007;

34 WHEREAS, more effective education and assessment of risk before a prescription is
35 issued and more effective disposal and monitoring of use after the prescription is issued could
36 do much to help individuals avoid both the unintentional and intentional misuse of prescription
37 drugs;

38 WHEREAS, greater availability and use of treatment programs could reduce deaths due
39 to prescription drug addiction; and

40 WHEREAS, doctors, pharmacists, health insurers, employers, government agencies,
41 family members, and others are each in a position to improve education, risk assessment,
42 disposal, monitoring, or treatment:

43 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the State of Utah, the
44 Governor concurring therein, urge individuals, as consumers of prescription drugs to assume
45 the primary responsibility for the proper use, safe storage, and disposal of any drug prescribed
46 to them, to encourage their doctors and pharmacists to provide adequate instruction on how to
47 fulfill those responsibilities, and to ensure that their doctors are aware of all other medications
48 and substances with which a prescribed drug might interact.

49 BE IT FURTHER RESOLVED that the Legislature and the Governor urge individuals
50 to clean out their medicine cabinets ~~§~~→ **[soon and often] routinely, and at least annually,** ←~~§~~ and
50a that they properly dispose of the unused
51 portions of any drug prescriptions, in accordance with guidelines published by the federal
52 Office of National Drug Control Policy at
53 http://www.whitehousedrugpolicy.gov/publications/pdf/prescrip_disposal.pdf, by taking the
54 drugs to a community drop-off site or hazardous waste collection event listed at
55 http://www.medicationsdisposal.utah.gov/disposal_locations_events.htm#hhhww, flushing the
56 drugs down the sink or toilet ~~§~~→ **only** ←~~§~~ when specifically instructed to do so on the prescription
56a drug
57 label, or by removing personal information from the drug container, mixing the unused drugs
58 with an undesirable substance like cat litter, and disposing of the mixture in a sealed container,

59 along with the original container, in the trash.

60 BE IT FURTHER RESOLVED that the Legislature and the Governor urge doctors, as
61 prescribers of prescription drugs, to take whatever time is necessary when a drug is prescribed
62 to ensure that the patient understands how to safely use the drug, including the potential for
63 dangerous interactions with other medications and substances, how to safely store and dispose
64 of any unused portion of the prescription, including how to protect family members and others
65 from any unintentional or intentional misuse of the drug, how to recognize and report to the
66 prescriber any signs of dependency or addiction, and the legal prohibitions on sharing or selling
67 any portion of the prescription.

68 BE IT FURTHER RESOLVED that the Legislature and the Governor urge doctors to
69 assess each patient's risk for misuse, dependency, or addiction before prescribing a drug, to use
70 the Division of Occupational and Professional Licensing's controlled substance database
71 whenever appropriate to assess patient risk, and where risk is significant, to use medication
72 management agreements when appropriate to educate patients, promote compliance with
73 prescribing orders, and reduce the risk of misuse and addiction.

74 BE IT FURTHER RESOLVED that the Legislature and the Governor urge pharmacists,
75 as dispensers of prescription drugs, to encourage patients at the time of dispensing to receive
76 verbal instructions from the pharmacist on how to safely use the prescribed drug, including the
77 potential for dangerous interactions with other medications and substances, how to safely store
78 and dispose of any unused portion of the prescription, including how to protect family
79 members and others from any unintentional or intentional misuse of the drug, how to recognize
80 any signs of dependency or addiction and the importance of reporting those signs to the
81 prescriber, and the legal prohibitions on sharing or selling any portion of the prescription.

82 BE IT FURTHER RESOLVED that the Legislature and the Governor urge pharmacists
83 to use as frequently as possible the Division of Occupational and Professional Licensing's
84 controlled substance database to reduce the risk of misuse and addiction, and to ensure that
85 prescribers are aware of any concerns pharmacists may have about particular patients.

86 BE IT FURTHER RESOLVED that the Legislature and the Governor urge health
87 insurers, as managers of prescription drug plans, to structure contracts with doctors and
88 pharmacists in ways that encourage providers to educate patients on the safe use, storage, and
89 disposal of prescription drugs, and to evaluate prescription drug purchasing patterns of insureds

90 and the prescribing and dispensing patterns of providers and, as appropriate, alert insured,
 91 doctors, pharmacists, or the Division of Occupational and Professional Licensing of any
 92 concerns about misuse or addiction.

93 BE IT FURTHER RESOLVED that the Legislature and the Governor urge employers,
 94 as payers for health insurance, to encourage health insurers to offer health plans that include
 95 coverage for the diagnosis and treatment of prescription drug addiction, to offer their
 96 employees health insurance or employee assistance programs that help pay for the diagnosis
 97 and treatment of prescription drug addiction, and to encourage employees suspected of
 98 prescription drug addiction to seek professional help.

99 BE IT FURTHER RESOLVED that the Legislature and the Governor urge the Division
 100 of Occupational and Professional Licensing, as a regulator of prescription drug prescribers, to
 101 enhance its capacity to analyze the controlled substance database and alert doctors and
 102 pharmacists of patients that may be addicted to or misusing prescription drugs, and to continue
 103 developing the controlled substance database so that eventually the database is updated
 104 immediately when a drug is dispensed and doctors and pharmacists have 24-hour access to the
 105 information.

106 BE IT FURTHER RESOLVED that the Legislature and the Governor urge the Division
 107 of Occupational and Professional Licensing, as division resources permit, to survey doctors,
 108 pharmacists, and patients to determine whether ~~Ŝ→ [doctors and pharmacists are adequately~~
 109 ~~instructing]~~ ~~←Ŝ~~ patients ~~Ŝ→ are receiving appropriate instructions~~ ~~←Ŝ~~ on the safe use, storage,
 109a and disposal of prescription drugs, potential drug
 110 interactions, ~~Ŝ→ and~~ ~~←Ŝ~~ the signs and reporting of dependency and addiction, and ~~Ŝ→ [the legal~~
 110a ~~prohibitions on]~~ ~~whether patients are being cautioned about~~ ~~←Ŝ~~
 111 sharing and selling prescription drugs ~~Ŝ→ [, whether doctors are assessing each patient's risk for~~
 112 ~~misuse, dependency, or addiction before prescribing a drug, whether doctors are using~~
 113 ~~medication management agreements when appropriate, whether doctors and pharmacists are~~
 114 ~~using the controlled substance database whenever appropriate to assess patient risk, and~~
 115 ~~whether pharmacists are informing prescribers of any concerns they may have about particular~~
 116 ~~patients.]~~ ~~←Ŝ~~

117 BE IT FURTHER RESOLVED that the Legislature and the Governor urge other
 118 federal, state, and local government agencies, as entities created to protect the public, to
 119 continue working on their own and through multi-agency projects like the Utah Prescription
 120 Pain Medication Management and Education Program and the Utah Pharmaceutical Drug

121 Crime Project to reduce prescription drug misuse, addiction, and death, to continue developing
122 campaigns like "Use Only as Directed" and "Clean out the Cabinet" to educate the public about
123 the dangers of prescription drug misuse and to promote the disposal of partially-used
124 prescriptions, to continue developing drop-off sites and other secure and environmentally
125 friendly methods for disposing of unused prescription drugs, and to continue promoting the
126 availability and use of programs that treat prescription drug addiction.

127 BE IT FURTHER RESOLVED that the Legislature and the Governor urge parents, as
128 children's most important source of education and protection, to minimize the availability of
129 prescription drugs in their homes by disposing of partially used prescriptions and properly
130 securing currently used prescriptions, and to provide their children with age-appropriate
131 instruction on the proper use, storage, and disposal of prescription drugs, including legal
132 prohibitions on the sharing and selling of prescription drugs.

133 BE IT FURTHER RESOLVED that the Legislature and the Governor urge each citizen
134 of this state, as responsible individuals concerned for the welfare of others, to encourage one
135 another to use prescription drugs responsibly and to seek treatment for addiction when
136 necessary, and to lend support to school and community education efforts to prevent misuse
137 and addiction.

138 BE IT FURTHER RESOLVED that a copy of the resolution be sent to the Utah
139 Medical Association, the Utah Pharmacists Association, the Utah Food Industry Association,
140 the Utah Retail Merchants Association, the Utah Health Insurance Association, the Employers
141 Council, the ERISA Industry Committee, the National Federation of Independent Business, the
142 Division of Occupational and Professional Licensing, the Utah Department of Human Services,
143 the Utah Department of Health, the Utah Association of Local Health Departments, and the
144 United States Department of Health and Human Services.

Legislative Review Note
as of 1-22-10 2:25 PM

Office of Legislative Research and General Counsel

S.C.R. 2 - Reducing Prescription Drug Misuse Resolution

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
