

1 **CONCURRENT RESOLUTION URGING THE UNITED**
2 **STATES DRUG ENFORCEMENT ADMINISTRATION TO**
3 **APPROVE A PHARMACEUTICAL DROP BOX PILOT**
4 **PROGRAM**

5 2019 GENERAL SESSION

6 STATE OF UTAH

7 **Chief Sponsor: Brad M. Daw**

8 Senate Sponsor: Evan J. Vickers

10 **LONG TITLE**

11 **General Description:**

12 This concurrent resolution highlights the devastating impact of the opioid epidemic and
13 urges the United States Drug Enforcement Administration to approve a pilot program
14 for pharmaceutical drop boxes.

15 **Highlighted Provisions:**

16 This resolution:

- 17 ▶ highlights the impact of the opioid epidemic on the state of Utah;
- 18 ▶ describes previous actions to place law enforcement-controlled pharmaceutical drop
19 boxes in local pharmacies; and
- 20 ▶ urges the United States Drug Enforcement Administration to approve a pilot
21 program for pharmaceutical drop boxes that are controlled by local law enforcement
22 agencies.

23 **Special Clauses:**

24 None

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

27 WHEREAS, the state of Utah is committed to fostering a safe and drug-free
28 environment for all of its citizens;

29 WHEREAS, the United States Drug Enforcement Administration designated the state

30 of Utah as an official DEA 360 strategy area in the fall of 2017 to combat opioid addiction and
31 overdose deaths in the state;

32 WHEREAS, Utah ranks 4th highest in the nation for drug overdose deaths, with 23
33 individuals dying each month from a prescription opioid overdose in 2016;

34 WHEREAS, from 2000 to 2015, Utah experienced a nearly 400% increase in deaths
35 from the misuse and abuse of opioids, and the problem is continuing to grow;

36 WHEREAS, most individuals who misuse prescription drugs have access to the drugs
37 from a friend or relative, not a local drug dealer;

38 WHEREAS, Utah currently has over 150 drop boxes based in local law enforcement
39 offices around the state;

40 WHEREAS, Utahns have advised members of the newly formed Attorney General's
41 Opioid Task Force that people would be more likely to drop off unused pharmaceutical drugs
42 in a drop box if the boxes are placed in local pharmacies;

43 WHEREAS, even though drop boxes are allowed in pharmacies, Utah pharmacists have
44 repeatedly informed the Opioid Task Force that federal regulations governing the placement
45 and maintenance of drop boxes are too onerous;

46 WHEREAS, Utah is a geographically large state with a substantial portion of the
47 population living in rural areas, and some citizens must drive over 20 miles to place their
48 unused drugs in a designated drop box;

49 WHEREAS, in a letter sent to the United States Drug Enforcement Administration on
50 May 31, 2017, the Utah Attorney General requested a waiver from existing regulations to
51 operate a one-year pilot program that would allow law enforcement agencies to place and
52 operate pharmaceutical drop boxes in local pharmacies;

53 WHEREAS, the United States Drug Enforcement Administration's response dated
54 September 6, 2017, to the Utah Attorney General's request merely reiterated existing
55 regulations and failed to address the pilot program;

56 WHEREAS, all of the pharmaceutical drop boxes in the pilot program would be
57 completely owned and operated by a local law enforcement entity, and all boxes would be

58 installed in conjunction with in-store security camera and facility alarm systems;

59 WHEREAS, local law enforcement officers would be solely responsible for emptying
60 and securing the disposed drugs until the drugs could be properly destroyed;

61 WHEREAS, drugs placed in the secure drop boxes would be considered abandoned
62 property and would be destroyed in accordance with applicable state and federal law;

63 WHEREAS, drop boxes in the pilot program would not be placed in pharmacies that
64 are already registered as Collectors with the United States Drug Enforcement Administration;
65 and

66 WHEREAS, the pilot program would allow the Opioid Task Force to evaluate whether
67 a significant increase in the number of take-back locations could reduce rates of prescription
68 drug misuse, overdose, and death:

69 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
70 Governor concurring therein, requests that the United States Drug Enforcement Administration
71 respond to the Utah Attorney General's request for a pilot program to allow local law
72 enforcement agencies to place and operate pharmaceutical drop boxes in local pharmacies.

73 BE IT FURTHER RESOLVED that the Legislature and the Governor join the Utah
74 Attorney General to call on the United States Drug Enforcement Administration to act quickly
75 to support the state of Utah in its efforts to address the opioid epidemic by approving the
76 pharmaceutical drop box pilot program.

77 BE IT FURTHER RESOLVED that a copy of this resolution be delivered to the United
78 States Attorney General, the United States Attorney for the District of Utah, and the
79 Administrator of the United States Drug Enforcement Administration.