

AMENDED IN ASSEMBLY JULY 1, 2009

AMENDED IN SENATE APRIL 2, 2009

SENATE BILL

No. 486

Introduced by Senator Simitian
(Coauthor: Assembly Member Chesbro)

February 26, 2009

An act to add Article 3.3 (commencing with Section 47115) to Chapter 1 of Part 7 of Division 30 of the Public Resources Code, relating to medical waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 486, as amended, Simitian. Medical waste: sharps waste.

The California Integrated Waste Management Act of 1989 requires a city's or a county's household hazardous waste element to include a program containing specified components for the safe collection, treatment, and disposal of sharps waste generated by households. The act requires the Integrated Waste Management Board, in consultation with specified entities, to develop model programs for the collection and proper disposal of drug waste.

This bill would require, on or before July 1, 2010, and annually thereafter, a pharmaceutical manufacturer that sells or distributes medication that is self-injected at home through the use of hypodermic needles and other similar devices to submit to the board a plan for the safe collection and ~~destruction~~ *proper disposal* of ~~home-generated~~ sharps waste *devices* containing specified elements. The bill would require the manufacturer and the board to post and maintain the plan on their respective Internet Web sites.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SEC. 2.~~

2 ~~SECTION 1.~~ Article 3.3 (commencing with Section 47115) is
3 added to Chapter 1 of Part 7 of Division 30 of the Public Resources
4 Code, to read:

5

6 Article 3.3. Home-Generated Sharps Waste Collection

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8 47115. A pharmaceutical manufacturer that sells or distributes
9 a medication in California that is *usually intended to be*
10 self-injected at home through the use of a hypodermic needle, pen
11 needle, intravenous needle, or any other similar device, shall, on
12 or before July 1, 2010, and ~~annually thereafter, submit to the board~~
13 ~~a plan that describes how the manufacturer supports the safe~~
14 ~~collection and destruction of the home-generated sharps waste, as~~
15 ~~defined in Section 117671 of the Health and Safety Code.~~ *annually*
16 *thereafter, submit a plan to the board. The plan shall describe*
17 *what actions, if any, the manufacturer is undertaking to support*
18 *the safe collection and proper disposal of the devices with respect*
19 *to those medications that are not covered under Medicare Part B.*

20 47115.5. The plan required pursuant to Section 47115 shall
21 include, at a minimum, a description of the actions, *if any*, taken
22 by the manufacturer to do ~~all~~ of the following:

23 (a) Provide for the safe collection and ~~destruction proper~~
24 ~~disposal~~ of the ~~home-generated sharps waste generated by its~~
25 ~~customers.~~ *waste devices specified in Section 47115.*

26 (b) Educate consumers about safe management and collection
27 opportunities.

28 (c) Support efforts by retailers, pharmaceutical distributors,
29 manufacturers of injection devices, and other partners, including
30 local governments, health care organizations, public health officers,
31 solid waste service providers, and other groups with interest in
32 protecting public health and safety through the safe ~~collection and~~
33 ~~destruction of home-generated sharps waste.~~ *collection and proper*
34 *disposal of waste devices specified in Section 47115.*

35 47116. (a) The manufacturer shall post and maintain a copy
36 of the plan required pursuant to Section 47115 on its Internet Web
37 site.

- 1 (b) The board shall post and maintain copies of the plans
- 2 submitted by the manufacturers pursuant to Section 47115 on its
- 3 Internet Web site.

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