AMENDED IN ASSEMBLY AUGUST 31, 2009

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 *California* 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, *or its successor agency,* a plan ~~for~~ *that describes how the manufacturer supports* the safe collection and proper disposal of *the* waste devices ~~containing specified elements~~. The bill would require the manufacturer and the

board*, or its successor or agency,* to post and maintain the ~~plan~~ *plans* 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:

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

Article 3.3. Home-Generated Sharps Waste Collection

47115. A pharmaceutical manufacturer that sells or distributes a medication in California that is usually intended to be self-injected at home through the use of a hypodermic needle, pen needle, intravenous needle, or any other similar device, shall, on or before July 1, 2010, and annually ~~thereafter, submit a plan to the board. The plan shall describe what actions, if any, the manufacturer is undertaking to support the safe collection and proper disposal of the devices with respect to those medications that are not covered under Medicare Part B.~~ *thereafter, submit to the board, or its successor agency, a plan that describes how the manufacturer supports the safe collection and proper disposal of the waste devices.*

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

(a) Provide for the safe collection and proper disposal of the waste devices ~~specified in Section 47115~~.

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

(c) Support efforts by retailers, pharmaceutical distributors, manufacturers of injection devices, and other partners, including local governments, health care organizations, public health officers, solid waste service providers, and other groups with interest in protecting public health and safety through the safe collection and proper disposal of waste devices ~~specified in Section 47115~~.

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

(b) The board, *or its successor agency,* shall post and maintain copies of the plans submitted by the manufacturers pursuant to Section 47115 on its Internet Web site.

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