

Comparison of HR 1191 and HR 1359 (March 2009)

BILL:	HR 1191 Safe Drug Disposal Act	HR 1359 Secure & Reliable Drug Disposal Act
PURPOSE:	Amends CSA to facilitate take-back; removes flushing recommendation from FDA-approved product labels	Amends CSA to facilitate take-back
QUICK COMPARISON:	1) Includes wider range of parties that need drug disposal solutions 2) More prescriptive; criteria for DEA to follow in setting regulations (cost-effective, environmentally-sound, etc.) 3) Requires states to pass laws 4) Can include drugs that are not controlled substances 5) Addresses flushing recommendation	1) Does not include full range of people that may need disposal solution 2) Leaves all aspects of the "solution" to DEA in developing regulations 3) States do not have a specific role; no legislation required 4) Refers only to controlled substances 5) Does not address flushing recommendation
GENERAL APPROACH:	1) Requires DEA to establish 5 model programs; states then pass laws to access those programs (or an alternative). Sets criteria for programs: <ul style="list-style-type: none"> - Cost-effective - Environmentally-sound - Convenient - Not relying on law enforcement - Safe Can include other drugs (besides controlled substances). 2) Requires FDA to remove flushing recommendation from existing labels; cannot include in future labels.	Ultimate user may deliver controlled substance to another person for disposal if a) that person is authorized, and b) disposal takes place according to regulations. Regulations may authorize long-term care facilities to dispose of controlled substances in a specific manner.
WOULD APPLY TO:	Ultimate users (patients) and caretakers (any person taking care of an individual or animal; in institution or residence, professional or family member)	Ultimate users (patients), long-term care facilities
STATUS:	Referred to House Committee on Energy & Commerce and House Committee on Judiciary; on 3/16 referred to Subcommittee on Commercial & Administrative Law	Referred to House Committee on Energy & Commerce and House Committee on Judiciary
SPONSOR:	Congressman Jay Inslee, (D-WA) and 10 co-sponsors, including Congressman Jim Moran (D-VA)	Congressman Bart Stupak (D-MI) and Congressman Lamar Smith (R-TX); ranking member of House Committee on Judiciary