

**South Carolina General Assembly**  
122nd Session, 2017-2018

**A76, R112, H3817**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bedingfield, Fry, Henderson, Huggins, Johnson, Hewitt, Crawford, Duckworth, Arrington, Allison, Tallon, Hamilton, Elliott, Jordan, B. Newton, Martin, G.M. Smith, Yow, D.C. Moss, Wheeler, Erickson, V.S. Moss, Long, G.R. Smith, Magnuson, Bradley, Weeks, Taylor, Putnam, Cogswell, Collins, King and Henegan

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Introduced in the House on February 22, 2017

Introduced in the Senate on April 4, 2017

Last Amended on May 2, 2017

Passed by the General Assembly on May 10, 2017

Governor's Action: May 19, 2017, Signed

Summary: Pharmacies

**HISTORY OF LEGISLATIVE ACTIONS**

Date	Body	Action Description with journal page number
2/22/2017	House	Introduced and read first time ( <a href="#">House Journal-page 38</a> )
2/22/2017	House	Referred to Committee on <b>Judiciary</b> ( <a href="#">House Journal-page 38</a> )
2/28/2017	House	Member(s) request name added as sponsor: Arrington, Allison, Tallon, Hamilton, Elliott
3/7/2017	House	Member(s) request name added as sponsor: Jordan, B.Newton, Martin, G.M.Smith, Yow, D.C.Moss, Wheeler, Erickson, V.S.Moss, Long, G.R.Smith, Magnuson, Bradley, Weeks, Taylor
3/8/2017	House	Member(s) request name added as sponsor: Putnam, Cogswell, Collins
3/22/2017	House	Member(s) request name added as sponsor: King
3/29/2017	House	Committee report: Favorable <b>Judiciary</b> ( <a href="#">House Journal-page 42</a> )
3/30/2017	House	Member(s) request name added as sponsor: Henegan
3/30/2017	House	Read second time ( <a href="#">House Journal-page 42</a> )
3/30/2017	House	Roll call Yeas-103 Nays-0 ( <a href="#">House Journal-page 43</a> )
3/30/2017	House	Unanimous consent for third reading on next legislative day ( <a href="#">House Journal-page 44</a> )
3/31/2017	House	Read third time and sent to Senate ( <a href="#">House Journal-page 4</a> )
4/4/2017	Senate	Introduced and read first time ( <a href="#">Senate Journal-page 9</a> )
4/4/2017	Senate	Referred to Committee on <b>Medical Affairs</b> ( <a href="#">Senate Journal-page 9</a> )
4/25/2017	Senate	Committee report: Favorable with amendment <b>Medical Affairs</b> ( <a href="#">Senate Journal-page 17</a> )
5/2/2017	Senate	Committee Amendment Adopted ( <a href="#">Senate Journal-page 40</a> )
5/3/2017		Scrivener's error corrected
5/4/2017	Senate	Read second time ( <a href="#">Senate Journal-page 20</a> )
5/4/2017	Senate	Roll call Ayes-41 Nays-0 ( <a href="#">Senate Journal-page 20</a> )
5/8/2017	Senate	Read third time and returned to House with amendments ( <a href="#">Senate Journal-page 16</a> )
5/10/2017	House	Concurred in Senate amendment and enrolled ( <a href="#">House Journal-page 28</a> )
5/10/2017	House	Roll call Yeas-104 Nays-0 ( <a href="#">House Journal-page 29</a> )
5/15/2017		Ratified R 112

5/19/2017	Signed By Governor
5/25/2017	Effective date 5/19/17
5/31/2017	Act No. 76

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## **VERSIONS OF THIS BILL**

[2/22/2017](#)

[3/29/2017](#)

[4/25/2017](#)

[5/2/2017](#)

[5/3/2017](#)

(A76, R112, H3817)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-362 SO AS TO ALLOW PHARMACIES AND OTHER ENTITIES TO REGISTER AS A COLLECTOR TO RECEIVE CONTROLLED SUBSTANCES AS PART OF LAW ENFORCEMENT CONTROLLED SUBSTANCE TAKE-BACK EVENTS AND OPERATE CONTROLLED SUBSTANCE MAIL-BACK PROGRAMS AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO FACILITATE AND ENCOURAGE REGISTRATION AND PARTICIPATION.**

Whereas, unused medicines in the home are a problem contributing to substance abuse and overdose. According to a 2016 National Survey on Drug Use and Health, the majority of the nearly six and one-half million Americans who abused controlled prescription drugs in 2015, including the almost four million who abused prescription painkillers, obtained those drugs from friends and family, including from a home medicine cabinet; and

Whereas, four out of five new heroin users began with painkillers. Almost thirty thousand people, seventy-eight people a day, died from overdosing on these controlled substances or heroin in 2014, according to the Centers for Disease Control and Prevention; and

Whereas, take-back events and mail-back programs offer a safe, simple, and anonymous way to keep dangerous prescription drugs out of the wrong hands and prevent substance abuse; and

Whereas, in 2014, federal regulations were promulgated that make the disposal of controlled prescription drugs easier for patients and their caregivers, and pave the way for pharmacies, hospitals, and clinics to partner with law enforcement to increase the collection of these medications as part of take-back events and mail-back programs. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**Controlled substance take-back events and mail-back programs, collectors**

SECTION 1. Article 3, Chapter 53, Title 44 of the 1976 Code is amended by adding:

“Section 44-53-362. (A) A controlled substance manufacturer, distributor, or reverse distributor; a narcotic treatment program; a hospital or clinic with an onsite pharmacy; or a retail pharmacy operating in the State may apply to be registered as a collector by the federal Drug Enforcement Administration, pursuant to 21 C.F.R. 1317.40, to receive Schedule II, III, IV, and V controlled substances from an ultimate user, or a person entitled to dispose of an ultimate user decedent’s property, as part of law enforcement take-back events or collector mail-back programs. A collector must comply with any state and federal requirements to ensure the safe disposal of controlled substances and to prevent diversion of collected controlled substances, including as provided in 21 C.F.R. Part 1317.

(B) The Department of Health and Environmental Control shall develop guidance for pharmacies and other entities qualified to register as a collector to encourage participation. The department shall coordinate with law enforcement, health care providers, and the U.S. Drug Enforcement Administration to encourage registration as a collector and to promote public awareness of controlled substance take-back events and mail-back programs.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 15<sup>th</sup> day of May, 2017.

Approved the 19<sup>th</sup> day of May, 2017.