

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

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10 **LONG TITLE**

11 **Committee Note:**

12       The Health and Human Services Interim Committee recommended this bill.

13 **General Description:**

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

17 **Highlighted Provisions:**

18       This resolution:

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

25 **Special Clauses:**

26       None

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

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

31       WHEREAS, the United States Drug Enforcement Administration designated the state  
32 of Utah as an official DEA 360 strategy area in the fall of 2017 to combat opioid addiction and  
33 overdose deaths in the state;

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

36       WHEREAS, from 2000 to 2015, Utah experienced a nearly 400% increase in deaths

37 from the misuse and abuse of opioids, and the problem is continuing to grow;

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

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

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

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

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

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

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

58 WHEREAS, all of the pharmaceutical drop boxes in the pilot program would be

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59 completely owned and operated by a local law enforcement entity, and all boxes would be  
60 installed in conjunction with in-store security camera and facility alarm systems;

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

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

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

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

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

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

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