

How to Destroy Drugs

One of the most common questions received by the Board staff from pharmacists is *How do I destroy drugs?* The answer to this question may vary depending upon several factors: (1) whether the drugs are stock drugs in a pharmacy or drugs dispensed to a patient in a nursing home; (2) whether the stock drugs are dangerous drugs or controlled substances; and (3) whether the stock controlled drugs are in a Class A (Community) Pharmacy or a Class C (Institutional) Pharmacy.

The procedures for destroying drugs are described below. Please note that these procedures are divided into two main categories which relate to the type of drugs being destroyed: (1) dispensed drugs and (2) stock drugs.

Destruction of Dispensed Drugs

These procedures are set forth in Board Rule 303.1 and apply to drugs that have been: dispensed to patients in nursing homes and certain types of licensed health care facilities and institutions; and drugs previously dispensed to a patient and returned to the pharmacy by the patient or the patient's agent. **A consultant pharmacist may not destroy controlled substances unless allowed to do so by federal laws or rules of the Drug Enforcement Administration.**

Destruction of dispensed drugs becomes necessary when drugs are discontinued, become outdated, or when nursing home patients are discharged from the nursing home or expire. These procedures do not apply to bulk or stock drugs belonging to a pharmacy or drugs that are supplied pursuant to a medication order to inpatients of a hospital by the hospital's pharmacy.

Drugs Dispensed to Patients in Healthcare Facilities or Institutions

- (1) *Inventory of Drugs.* The drugs to be destroyed must be inventoried and such inventory verified by the consultant pharmacist. Controlled substances and dangerous drugs must be listed on separate forms. Each page of the inventory form must be consecutively numbered. The inventory must contain the following information:
 - name and address of the facility or institution;
 - name and pharmacist license number of the consultant pharmacist;
 - date of destruction (if destroyed by the consultant pharmacist) or the date of packaging and sealing of the container (if destroyed by a waste disposal service);
 - date the prescription was dispensed;
 - unique identification number assigned to the prescription by the dispensing pharmacy;
 - name of the dispensing pharmacy;
 - name, strength, and quantity of the drug;
 - signature of the consultant pharmacist who destroyed the drugs or who packaged and sealed the container for destruction by a waste disposal service;
 - method of destruction; and
 - signature of the witness(es).
- (2) *Consultant Pharmacist.* A consultant pharmacist is defined as a pharmacist licensed in Texas in good standing with the Texas State Board of Pharmacy, who has a written agreement or contract with the nursing home (or other institution) specifying services, approximate time required and remuneration. A consultant pharmacist must have direct, immediate supervision of all pharmaceutical services within the nursing home or institution which concern the receiving and storing of drugs, and the destroying of dispensed drugs. A consultant pharmacist must maintain a permanent record of service and consultation at the nursing home or institution. Such record must be made available to any official witness who participates in the destruction of dangerous drugs or controlled substances in the nursing home or institution.
- (3) *Authorized Witnesses.* The following persons may serve as official witnesses:
 - a commissioned peace officer;
 - an agent of the Texas State Board of Pharmacy;
 - an authorized agent of the Texas Department of Human Services or Texas Department of State Health Services; or
 - any two individuals working in the following capacities at the facility:
 - facility administrator;
 - director of nursing;
 - acting director of nursing; or

- licensed nurse.

- (4) *Drug Destruction.* The actual destruction of the dispensed drugs may be performed by the consultant pharmacist or by a waste disposal service.

Destruction by the Consultant Pharmacist.

- (a) *Methods of Destruction.* In the presence of an authorized witness(es), drugs must be destroyed in a manner to render drugs unfit for human consumption and disposed of in compliance with all applicable state and federal requirements.
- (b) *Destruction Site.* The drugs may be destroyed in the nursing home or off-site. If the actual destruction of the drugs is conducted at a location other than the nursing home or institution, the consultant pharmacist **AND** the authorized witness(es) must transport the drugs from the nursing home or institution to the alternative site.

Destruction by a Waste Disposal Service.

- (a) *Waste Disposal Service.* The waste disposal service must be in compliance with applicable rules relating to waste disposal of the Texas Commission on Environmental Quality and United States Environmental Protection Agency (EPA).
- (b) *Sealing Shipment Container.* In the presence of an authorized witness(es), the consultant pharmacist must seal the drugs container and place tamper resistant tape on the container so that any attempt to open the container will result in breaking of the tape. The consultant pharmacist's signature must be placed over this tape seal.
- (c) *Security of Shipment Container and Transfer to Waste Disposal Service.* The sealed container must be maintained in a secure area at the facility or institution until transferred to the waste disposal service by the consultant pharmacist, facility administrator, director of nursing, or acting director of nursing. A record of the transfer must be maintained which contains:
- date of the transfer;
 - signature of the person who transferred the drugs to the waste disposal service;
 - name and address of the waste disposal service; and
 - signature of the employee of the waste disposal service who receives the container.
- (d) *Proof of Destruction.* The waste disposal service must provide the facility with proof of destruction of the sealed container which contains the following information:
- date of destruction;
 - location of the destruction; and
 - method of destruction.
- The proof of destruction from the waste disposal service must be attached to the inventory of drugs and maintained by the consultant pharmacist.
- (5) *Record Retention.* All required inventories and records must be maintained by the consultant pharmacist at the health care facility or institution for two (2) years from the date of destruction. Do NOT mail copies to the Texas State Board of Pharmacy or the Texas Department of State Health Services.

Previously Dispensed Drugs Returned to a Pharmacy

A pharmacist licensed by the Board is authorized to destroy dangerous drugs which have been previously dispensed to a patient and returned to the pharmacy. A pharmacist may not accept controlled substances that have been previously dispensed to a patient unless allowed by federal laws of the Drug Enforcement Administration. The following procedures should be followed when destroying drugs.

Dangerous Drugs other than Nalbuphine (e.g., Nubain)

- (1) *Record of Destruction.* A record of the drugs destroyed should be maintained by the pharmacy for two years. This record must contain the following information:
- (a) name and address of the dispensing pharmacy;
 - (b) prescription number;
 - (c) name and strength of the drug;
 - (d) date of the destruction; and
 - (e) signature of the pharmacist destroying the drug.
- (2) *Methods of Destruction.* Drugs should be destroyed in a manner to render drugs unfit for human consumption and disposed of in compliance with all applicable state and federal requirements.

Destruction of Stock Prescription Drugs

These procedures apply to stock prescription drugs belonging to the pharmacy (drugs that are packaged in an original manufacturer's container or have been prepackaged by the pharmacy for internal distribution).

Stock Dangerous Drugs

Dangerous drugs are prescription drugs which are not classified as controlled substances.

- (1) Pharmacists licensed by the Texas State Board of Pharmacy may destroy stock dangerous drugs if the drugs are destroyed in a manner to render the drugs unfit for human consumption (i.e., destroyed beyond reclamation) and disposed of in compliance with all applicable state and federal requirements. Records of destruction are not required except for Nalbuphine (e.g., Nubain).
- (2) Any brand of Nalbuphine (e.g., Nubain) must be inventoried prior to destruction and the destruction must be witnessed by another licensed pharmacist or commissioned peace officer. Records for destruction of these drugs must be maintained 2 years from the date of destruction.

Stock Controlled Substances

Class A and Class C Pharmacies

DEA will no longer accept outdated or unwanted controlled substances for destruction, except in unusual or extenuating circumstances. DEA offers the following alternatives for destroying controlled substances.

- (1) Controlled substances may be personally delivered to an Environmental Protection Agency (EPA) approved incinerator. DEA must be notified 14 days in advance of the proposed destruction including the disposal site. Two responsible individuals from the pharmacy must accompany the controlled substances to the disposal site and actually witness their being rendered irretrievable. DEA Form 41 must be completed and forwarded to the attention of the appropriate DEA Divisional Office.
- (2) Pharmacies may send (distribute) the unwanted controlled substances to a DEA registered disposal firm for destruction. Note that this constitutes a distribution by the pharmacy to another DEA registrant and must be documented through invoices and DEA Schedule II Order Forms (222). **Do not use** a DEA Form 41 to transfer possession of the controlled substances to the DEA registered disposal firm. Procedures for the distribution of controlled substances to another DEA registrant are outlined in this Section under the heading "*Distribution of Controlled Substances and Dangerous Drugs to Doctors or Pharmacies.*" Do not return controlled substances to a disposal firm unless they are DEA registered.

The following firms are registered by DEA for disposal of controlled substances at the time of publication of this reference. A current list of firms registered by DEA for disposal of controlled substances may be obtained by contacting one of the DEA Divisional Offices on the following pages.

If extenuating circumstances should arise concerning the destruction of unwanted or outdated controlled substances, contact a DEA Divisional Office for instructions. **DO NOT SEND THE CONTROLLED SUBSTANCES TO DEA.** Controlled substances received by the DEA Divisional Offices without DEA approval will not be accepted and will be returned to the sender. Regardless of the procedure followed, all federal, state, and local requirements for the handling of controlled substances and for waste disposal must be followed.

ARIZONA

Environmental Pharmaceuticals, LLC – (480) 659-9611

CALIFORNIA

Far West Returns – (916) 524-6465

Outdate RX, LLC – (909) 335-7071

CONNECTICUT

Clean Harbors of Connecticut Inc. – (860) 583-3696

FLORIDA

Cavu Medical Products & Services LLC DBA Pharmatech Services – (813) 749-7113 Clean

Harbors Florida LLC – (863) 519-6331 PharmaLink – (800) 257-3527

PharmaLink – (800) 257-3527

RX Return Services – (727) 754-7848

Rx Reverse Distributors Inc. – (772) 388-1212

Woodfield Distribution, LLC – (561) 998-3885

GEORGIA

Burke Horton, Inc. D/B/A The Rx Exchange – (678) 306-1866

Danox Environmental Services Inc. – (404) 671-9163 Maximum

Rx Credit MRCI – (770) 985-2136

Return Logistics – (912) 748-5100

Zinvictus, Inc. – (770)-702-0446

ILLINOIS

Pharma Logistics – (847) 837-1224

Pharmaceutical Returns Services – (800) 215-5878 (Collector)

Progressive Returns – (773) 622-9584

Qualanex, LLC – (800) 505-9291

INDIANA

Stericycle Inc. – (317) 860-1200 (Collector)

IOWA

National Pharmaceutical – (515) 252-7722

MICHIGAN

Drug & Laboratory Disposal Inc. – (269) 685-9824 (Collector)

Nortru LLC – (313) 824-5840

U S Industrial Technologies Inc. – (734) 462-4100

MINNESOTA

3M Drug Delivery Systems – (651) 733-2073 E Z
Pharmacy Returns, LLC – (800) 440-0613

NEW JERSEY

Advanced RX Returns D/B/A Omega 2000 RX Returns – (201) 222-3800

NEW YORK

Ark Business Services Inc. Ark RX Returns Solutions – (347) 590-2779
Devos Ltd. DBA Guaranteed Returns – (631) 689-0191
Medwiz Solutions LLC, Returns Division – (845) 624-8080 United
RX Solutions, United Returns, Inc. – (844) 741-9718

NORTH CAROLINA

ALMAC Clinical Services, Inc. ALMAC Clinical Services LLC – (919) 479-8850 Assured
Waste Solutions, LLC – (704) 865-7550
Clean Harbors Reidsville LLC – (336) 342-6106
Pharmaceutical Dimensions – (336) 664-5287

OHIO

Achieva Group Returns, Inc. – (513) 474-9900 Environmental
Enterprises Inc. – (513) 541-1823 (Collector) Heritage Thermal
Services Inc. – (330) 385-7336
Stericycle Inc. – (317) 860-1175

OKLAHOMA

Total Returns – (580) 276-3056

PENNSYLVANIA

Chesapeake Waste Solutions – (717) 653-8882
Complete RX Returns DBA CRX – (570) 706-9589 HDS
Returns LLC – (724) 856-7049
Pharmareturns – (215) 653-7400 ext. 114
Republic Environmental Systems (Pennsylvania), LLC - Stericycle Environmental Solutions – (215) 822-8995 ext. 111
Specialty Disposal Services Inc. SDS – (973) 402-9246

TENNESSEE

Clean Harbors Tennessee LLC – (615) 643-3177 ext. 3177
Medsafe Waste LLC – (615) 431-2966 ext. 103
Pharma-Mate Inc D/B/A Returnco – (706) 250-4831 (Collector) Reliable Pharmaceutical Returns, LLC
– (615) 361-8856 (Collector) Return Solutions – (865) 675-1355 (Collector)

TEXAS

Med-Turn, Inc. – (817) 868-5300 (Collector)
Philip Reclamation Services-Stericycle Environmental Solutions, Inc. – (713) 679-2300
Sharps Compliance, Inc. – (903) 693-2525 (Collector)
Veolia ES Technical Solutions, L.L.C. – (409) 736-2821 (Collector)

UTAH

Clean Harbors Aragonite – (435) 884-8100 (Collector)

National Products Sales, Pharmaceutical Division – (801) 972-4132

WASHINGTON

P.S. Industries Inc. – (206) 749-0739

WISCONSIN

Capital Returns, Inc. DBA Genco Pharmaceutical Services – (414) 967-2800 Veolia

ES Technical Solutions, L.L.C. – (262) 255-6655

