

.....  
(Original Signature of Member)

115TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Controlled Substances Act to authorize the employees of a hospice program to handle controlled substances in the residence of a deceased hospice patient to assist in disposal.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Mr. WALBERG introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Controlled Substances Act to authorize the employees of a hospice program to handle controlled substances in the residence of a deceased hospice patient to assist in disposal.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Safe Disposal of Un-  
5       used Medication Act”.

1   **SEC. 2. DISPOSAL OF CONTROLLED SUBSTANCES OF A DE-**  
2                           **CEASED HOSPICE PATIENT BY EMPLOYEES**  
3                           **OF A HOSPICE PROGRAM.**

4           (a) IN GENERAL.—Subsection (g) of section 302 of  
5 the Controlled Substances Act (21 U.S.C. 822) is amend-  
6 ed by adding at the end the following:

7           “(5)(A) In the case of a person receiving hospice care,  
8 an employee of a qualified hospice program, acting within  
9 the scope of employment, may handle, in the person’s  
10 place of residence, any controlled substance that was law-  
11 fully dispensed to the person, for the purpose of assisting  
12 in the disposal of the controlled substance after the per-  
13 son’s death.

14           “(B) In this paragraph:

15                   “(i) The terms ‘hospice care’ and ‘hospice pro-  
16 gram’ have the meanings give to those terms in sec-  
17 tion 1861(dd) of the Social Security Act.

18                   “(ii) The term ‘employee of a hospice program’  
19 means a person (including a physician or nurse)  
20 who—

21                           “(I) is employed by, or pursuant to ar-  
22 rangements made by, a hospice program; and

23                           “(II) is licensed or certified to perform  
24 such employment in accordance with applicable  
25 State law.

1           “(iii) The term ‘qualified hospice program’  
2       means a hospice program that—

3           “(I) has written policies and procedures for  
4       assisting in the disposal of the controlled sub-  
5       stances of a person receiving hospice care after  
6       the person’s death; and

7           “(II) at the time when the controlled sub-  
8       stances are first ordered—

9           “(aa) provides a copy of the written  
10       policies and procedures to the patient or  
11       patient representative and family;

12           “(bb) discusses the policies and proce-  
13       dures with the patient or representative  
14       and the family in a language and manner  
15       that they understand to ensure that these  
16       parties are educated regarding the safe  
17       disposal of controlled substances; and

18           “(cc) documents in the patient’s clin-  
19       ical record that the written policies and  
20       procedures were provided and discussed.”.

21       (b) NO REGISTRATION REQUIRED.—Subsection (c)  
22       of section 302 of the Controlled Substances Act (21  
23       U.S.C. 822) is amended by adding at the end the fol-  
24       lowing:

1           “(4) An employee of a hospice program for the  
2           purpose of assisting in the disposal of a controlled  
3           substance in accordance with subsection (g)(5).”.