

Hearing Examines Drug Disposal

Senator Probes Issue Of Controlled Drugs In Nursing Facilities

A Senate hearing on June 30 examined prescription drug waste and disposal issues, namely how consumers can effectively, safely, and legally get rid of unwanted or unused drugs that when left in the home can be abused for nonmedical reasons or if flushed down the drain cause undue harm to the environment.

Sen. Herb Kohl (D-Wis.), chairman of the Senate Special Committee on Aging, said federal guidelines for consumers, including residents of long term care facilities, conflict with each other on how to dispose of drugs and need to be clarified.

“We need to provide Americans with better information about what to do with their leftover medications,” Kohl said.



Contradicting guidelines put forth by the Drug Enforcement Administration (DEA), Food and Drug Administration, Environmental Protection Agency, and the U.S. Fish and Wildlife Service “need to be reconciled,” he said.

Besides the environment, hearing

witness R. Gil Kerlikowske, the nation’s “drug czar,” said statistics show that dangerous prescription drugs are being abused at a higher rate than ever. “Most distressingly, more than 26,000 Americans died from unintentional drug overdoses in 2006, and prescription drugs—particularly opioid painkillers—are considered a major contributor to the total number of drug deaths,”

he said.

Long term care providers have a number of concerns with drug-related regulations as enforced by DEA, with disposal issues among them. In a statement to the committee, the American Health Care Association (AHCA) and National Center for Assisted Living (NCAL) said that “ensuring prescription drugs are appropriately disposed of affects not only our patients’ and residents’ immediate environment, but the environment we all share.”

The groups said they are tracking several bills introduced in the 111th Congress that would amend the Controlled Substances Act to make it easier for patients to dispose of unused controlled substances by participating in drug take-back programs or delivering them to entities authorized by law to dispose of them.

AHCA/NCAL particularly noted the congressional findings in Sen. Amy Klobuchar’s (D-Minn.) recently introduced Secure and Responsible Drug Disposal Act of 2010 (S 3397), observing that “long term care facilities face a distinct set of obstacles to the safe disposal of controlled substances due to the increased volume of controlled substances they handle.”

AHCA/NCAL also noted that the inconsistencies for waste and disposal are apparent at the state level as well ➤

Bill Would Boost Medicaid Funds

Nursing facilities that care for a high percentage of Medicare and Medicaid residents would be eligible for supplemental Medicaid funds totaling \$6 billion over four years under legislation introduced by Rep. Kathy Castor (D-Fla.).

The legislation would take effect in 2011, distributing payments to states over the next four years. It would require states to submit their final Medicaid rates and rate-setting methodology to the Centers for Medicare & Medicaid Services for annual review.

The bill came at a time when many states were getting ready to begin a new fiscal year on July 1 without the hoped-for assistance from Congress in the form of an extended Federal Medical Assistance Percentage (FMAP) enhancement.

The bill is similar to a provision of the House-passed version of health care reform that would have provided \$6 billion in supplemental Medicaid funding.

Bruce Yarwood, president and chief executive officer of the American Health Care Association (AHCA), praised Castor for her “commitment to those who require this level of care and service and for those who care for these individuals.”

The Nursing Home Patient and Medicaid Assistance Act of 2010 (HR 5457) would bring “greater stability to the long term care workforce that is critical to providing quality long term care and services,” Yarwood said. The bill would “help to offset a cycle where funding cuts lead to cuts in staffing, which increase individual work loads that then contribute to increased turnover.”

Long term care facilities employ nearly 3 million workers and contribute indirectly to the employment of 4.4 million workers, according to AHCA. In 2009, the long term care sector added 50,000 jobs to the economy.

—Lynn Wagner