

## Board Policy Explains Compliance of Medication Take Back Program

### If DEA Regulations are “STRICTLY FOLLOWED”

Recent changes in federal regulations allow licensed retail pharmacies, hospital pharmacies, manufacturers, wholesalers, distributors, and reverse distributors that have a valid DEA registration to accept returns of unused legend drugs from end-users. These registrants may do so by modifying their DEA registration to serve as collectors of unused legend drugs, and by further complying with all DEA regulations pertaining to this activity.

Therefore, any retail pharmacy, hospital pharmacy, manufacturer, wholesaler, distributor, or reverse distributor that is licensed by the Board and complies with all applicable DEA regulations pertaining to drug disposal **MAY accept returns of unused legend drugs pursuant to DEA rules.**

**If DEA regulations are not strictly followed**, Board of Pharmacy Rule 1140-03-.04(8) will apply. Rule 1140-03-.04(8) prohibits pharmacy practice sites, pharmacists, pharmacist interns, technicians, or any other place involved in the compounding and dispensing of prescription drugs and devices (except institutional pharmacies pursuant to Rule 1140-04-.10) from accepting returns of any order that has been taken from the premises of that pharmacy practice site or any other place of business.

DEA resources pertaining to drug disposal, including a complete text of the applicable DEA rules, are available at:

[Diversion Control Division | Drug Disposal Information \(usdoj.gov\)](https://www.usdoj.gov/diversion-control/division-10/Drug-Disposal/Drug-Disposal-Information)

Please contact the Board of Pharmacy with any questions about this policy.