

115TH CONGRESS
2D SESSION

H. R. 5628

To establish a demonstration program under which the Drug Enforcement Administration provides grants to certain States to enable those States to increase participation in drug take-back programs.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2018

Mr. MCKINLEY (for himself, Mr. TONKO, Mr. MARINO, and Mr. CICILLINE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To establish a demonstration program under which the Drug Enforcement Administration provides grants to certain States to enable those States to increase participation in drug take-back programs.

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 “Access to Increased
5 Drug Disposal Act of 2018”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

1 (1) the term “Attorney General” means the At-
2 torney General, acting through the Assistant Attor-
3 ney General for the Office of Justice Programs;

4 (2) the term “authorized collector” means a
5 narcotic treatment program, a hospital or clinic with
6 an on-site pharmacy, a retail pharmacy, or a reverse
7 distributor that is authorized as a collector under
8 section 1317.40 of title 21, Code of Federal Regula-
9 tions (or any successor regulation);

10 (3) the term “covered grant” means a grant
11 awarded under section 3; and

12 (4) the term “eligible collector” means a person
13 who is eligible to be an authorized collector.

14 **SEC. 3. AUTHORITY TO MAKE GRANTS.**

15 The Attorney General shall award grants to States
16 to enable States to increase the participation of eligible
17 collectors as authorized collectors.

18 **SEC. 4. APPLICATION.**

19 A State desiring a covered grant shall submit to the
20 Attorney General an application that, at a minimum—

21 (1) identifies the single State agency that over-
22 sees pharmaceutical care and will be responsible for
23 complying with the requirements of the grant;

24 (2) details a plan to increase participation rates
25 of eligible collectors as authorized collectors; and

1 (3) describes how the State will select eligible
2 collectors to be served under the grant.

3 **SEC. 5. USE OF GRANT FUNDS.**

4 A State that receives a covered grant, and any sub-
5 recipient of the grant, may use the grant amounts only
6 for the costs of installation, maintenance, training, pur-
7 chasing, and disposal of controlled substances associated
8 with the participation of eligible collectors as authorized
9 collectors.

10 **SEC. 6. ELIGIBILITY FOR GRANT.**

11 The Attorney General shall award a covered grant to
12 States and strongly consider States in the lowest quartile
13 of States based on the participation rate of eligible collec-
14 tors as authorized collectors, as determined by the Attor-
15 ney General, as well as States in the highest quartile of
16 overdose rates based on the most recent data from the
17 Centers for Disease Control and Prevention.

18 **SEC. 7. DURATION OF GRANTS.**

19 The Attorney General shall determine the period of
20 years for which a covered grant is made to a State.

21 **SEC. 8. ACCOUNTABILITY AND OVERSIGHT.**

22 A State that receives a covered grant shall submit
23 to the Attorney General a report, at such time and in such
24 manner as the Attorney General may reasonably require,
25 that—

1 (1) lists the ultimate recipients of the grant
2 amounts;

3 (2) describes the activities undertaken by the
4 State using the grant amounts; and

5 (3) contains performance measures relating to
6 the effectiveness of the grant, including changes in
7 the participation rate of eligible collectors as author-
8 ized collectors.

9 **SEC. 9. DURATION OF PROGRAM.**

10 The Attorney General may award covered grants for
11 each of the first 5 fiscal years beginning after the date
12 of enactment of this Act.

13 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated to the Attor-
15 ney General such sums as may be necessary to carry out
16 this Act.

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