

1 SENATE JOINT MEMORIAL 23

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 REQUESTING THE PRESCRIPTION DRUG MISUSE AND OVERDOSE PREVENTION
12 AND PAIN MANAGEMENT ADVISORY COUNCIL TO CONVENE A WORKING GROUP
13 OF STAKEHOLDERS TO ANALYZE AND MAKE RECOMMENDATIONS RELATING TO
14 THE STATE'S OPTIONS FOR ESTABLISHING AN UNUSED PRESCRIPTION
15 DRUG RECOVERY PROGRAM.

16
17 WHEREAS, the federal centers for disease control and
18 prevention reports that drug overdose was the leading cause of
19 injury death in 2012; and

20 WHEREAS, the drug overdose death rate more than doubled
21 from 1999 through 2013; and

22 WHEREAS, according to a 2013 report by the trust for
23 America's health, New Mexico in 2013 had the second-highest
24 drug overdose mortality rate in the United States, with twenty-
25 three and eight-tenths per one hundred thousand people dying

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1 from drug overdose; and

2 WHEREAS, the federal centers for disease control and
3 prevention reports that of the twenty-two thousand seven
4 hundred sixty-seven deaths relating to pharmaceutical overdose
5 in 2013, sixteen thousand two hundred thirty-five, or seventy-
6 one and three-tenths percent, of these deaths involved opioid
7 analgesics, also called opioid pain relievers or prescription
8 painkillers, and six thousand nine hundred seventy-three, or
9 thirty and six-tenths percent, of these deaths involved
10 benzodiazepines, with some deaths involving more than one type
11 of drug; and

12 WHEREAS, in 2011, drug misuse and abuse caused about two
13 million five hundred thousand emergency department visits, and
14 of these, more than one million four hundred thousand emergency
15 department visits were related to pharmaceuticals; and

16 WHEREAS, the foundation for a drug-free world reports that
17 every day in the United States, two thousand five hundred
18 youths ages twelve to seventeen abuse a prescription pain
19 reliever for the first time; and

20 WHEREAS, the federal centers for disease control and
21 prevention reports that, among children under age six,
22 pharmaceuticals account for about forty percent of all
23 exposures reported to poison centers; and

24 WHEREAS, the United States drug enforcement administration
25 reports that seventy percent of youths get their prescription

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1 drugs through family and friends from sources such as unsecured
2 medicine cabinets, yet few parents report safeguarding
3 prescription medications; and

4 WHEREAS, the United States drug enforcement administration
5 reports that once prescription drugs are dispensed, they are
6 frequently diverted to people who use them without a
7 prescription; and

8 WHEREAS, according to the 2010 national survey on drug use
9 and health, very few prescription drugs involved in overdoses
10 were obtained via pharmacy theft, indicating that the great
11 majority of prescription drugs involved in overdoses were
12 obtained by prescription fills; and

13 WHEREAS, more than three out of four people who misuse
14 prescription painkillers use drugs that were prescribed to
15 someone else; and

16 WHEREAS, the United States drug enforcement administration
17 has implemented a national take-back initiative, whose
18 "national prescription drug take-back days" provide a venue for
19 people who want to dispose of unwanted and unused prescription
20 drugs, yet these national take-back days are held infrequently
21 and are difficult to access for people in rural and frontier
22 areas; and

23 WHEREAS, as of October 9, 2014, the United States drug
24 enforcement administration has issued regulations allowing
25 authorized manufacturers, distributors, reverse distributors,

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1 narcotic treatment programs, hospitals and clinics with an
2 on-site pharmacy and retail pharmacies to collect
3 pharmaceutical controlled substances from the individuals for
4 whom they were prescribed by voluntarily administering
5 mail-back programs and maintaining collection receptacles; and

6 WHEREAS, the new United States drug enforcement
7 administration regulations have expanded the entities to which
8 people who have been prescribed prescription drugs that they
9 have not used may transfer unused, unwanted or expired
10 pharmaceutical controlled substances for the purpose of
11 disposal, as well as the methods by which pharmaceutical
12 controlled substances may be collected, allowing specified
13 entities to voluntarily administer any of the authorized
14 collection methods in accordance with these regulations; and

15 WHEREAS, while new federal law allows greater opportunity
16 for drug disposal, there are risks and expenses for the
17 entities that elect to receive unused drugs;

18 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
19 STATE OF NEW MEXICO that the prescription drug misuse and
20 overdose prevention and pain management advisory council be
21 requested to convene a prescription drug recovery task force to
22 study the opportunities and challenges that the new federal
23 regulations afford for local unused prescription drug recovery
24 to remove the threat that unused prescription drugs will end up
25 in the wrong hands; and

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1 BE IT FURTHER RESOLVED that the prescription drug misuse
2 and overdose prevention and pain management advisory council be
3 requested to invite to participate in the prescription drug
4 recovery task force as wide a group of stakeholders as
5 possible, including representatives from the board of pharmacy,
6 the department of health, the New Mexico pharmacists
7 association, retail pharmacies, hospital and clinical
8 pharmacies, law enforcement, substance use treatment programs,
9 health care providers, the drug policy alliance, drug
10 manufacturers and others whom the board of pharmacy deems to
11 have expertise in addressing the opportunities and challenges;
12 and

13 BE IT FURTHER RESOLVED that the prescription drug recovery
14 task force be requested to meet during the 2015 interim and, by
15 November 1, 2015, compile a report of its recommendations for
16 presentation to the governor and the legislative health and
17 human services committee; and

18 BE IT FURTHER RESOLVED that copies of this memorial be
19 transmitted to the governor; the chair and vice chair of the
20 legislative health and human services committee; the chair of
21 the prescription drug misuse and overdose prevention and pain
22 management advisory council; the chair of the board of
23 pharmacy; the secretary of health; the secretary of public
24 safety; the executive directors of the New Mexico pharmacists
25 association, the New Mexico hospital association, the New

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1 Mexico primary care association, the drug policy alliance, the
2 New Mexico medical society, the New Mexico osteopathic medical
3 association and the New Mexico nurses association; and the
4 chair and chief executive officer of the pharmaceutical
5 research and manufacturers of America.

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