

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Safe Pharmaceutical Disposal Act is amended
5 by changing Sections 5 and 10 as follows:

6 (210 ILCS 150/5)

7 Sec. 5. Definitions. In this Act:

8 "Health care institution" means any public or private
9 institution or agency licensed or certified by State law to
10 provide health care. The term includes hospitals, nursing
11 homes, residential health care facilities, home health care
12 agencies, hospice programs operating in this State,
13 institutions, facilities, or agencies that provide services to
14 persons with mental health illnesses, and institutions,
15 facilities, or agencies that provide services for persons with
16 developmental disabilities.

17 "Law enforcement agency" means any federal, State, or local
18 law enforcement agency, including a State's Attorney and the
19 Attorney General.

20 "Nurse" means an advanced practice nurse, registered
21 nurse, or licensed practical nurse licensed under the Nurse
22 Practice Act.

23 "Public wastewater collection system" means any wastewater

1 collection system regulated by the Environmental Protection
2 Agency.

3 "Unused medication" means any unopened, expired, or excess
4 (including medication unused as a result of the death of the
5 patient) medication that has been dispensed for patient or
6 resident care and that is in a liquid or solid form. The term
7 includes, but is not limited to, suspensions, pills, tablets,
8 capsules, and caplets. For long-term care facilities licensed
9 under the Nursing Home Care Act, "unused medication" does not
10 include any Schedule II controlled substance under federal law
11 in any form, until such time as the federal Drug Enforcement
12 Administration adopts regulations that permit these facilities
13 to dispose of controlled substances in a manner consistent with
14 this Act.

15 (Source: P.A. 99-648, eff. 1-1-17; 100-345, eff. 8-25-17.)

16 (210 ILCS 150/10)

17 Sec. 10. Disposal of unused medications prohibited.

18 (a) Except for medications contained in intraperitoneal
19 solutions, intravenous fluids, syringes, or transdermal
20 patches, no health care institution, nor any employee, staff
21 person, contractor, or other person acting under the direction
22 or supervision of a health care institution, may discharge,
23 dispose of, flush, pour, or empty any unused medication into a
24 public wastewater collection system or septic system.

25 (b) A violation of this Section is a petty offense subject

1 to a fine of \$500. Fines collected under this Act from
2 facilities licensed under the Nursing Home Care Act shall be
3 deposited into the Long Term Care Monitor/Receiver Fund. Fines
4 collected from all other health care institutions under this
5 Act shall be deposited into the Environmental Protection Trust
6 Fund.

7 (Source: P.A. 96-221, eff. 1-1-10.)