

Ventura County Grand Jury 2018 - 2019



Final Report

Drug and Sharps Disposal

May 2, 2019

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Drug and Sharps Disposal

Summary

In 2009, Ventura County Behavioral Health (VCBH) partnered with the Ventura County Sheriff’s Office (VCSO) to increase collection and proper disposal of unused and expired medications.

Based on an article in the Thousand Oaks Acorn reporting a 2016 incident where a VCSO senior deputy was caught stealing drugs on site from a law enforcement drug disposal bin, the 2018-2019 Ventura County Grand Jury (Grand Jury) opened an investigation into drug disposal bins at law enforcement agencies in Ventura County (County).

The Grand Jury found that County residents are generally poorly informed about the existing drug disposal bin program(s) and drug disposal procedures in the County. The Grand Jury also found discrepancy between the amount and type of drugs VCBH reports being collected and the amount and type of drugs VCSO actually collects.

On September 30, 2018, SB 212 Solid Waste: Pharmaceuticals and Sharps Waste Stewardship was signed into law in California (State). The bill calls for manufacturers or distributors (stewards) of pharmaceuticals to fund collection and disposal programs for drugs and sharps and implement the bill’s provisions by January 1, 2021.

To increase the effectiveness of Ventura County’s current drug disposal program(s), the Grand Jury recommends that the Board of Supervisors (BOS) develop a uniform coordinated program for drug and sharps disposal that is compliant with SB 212.

The Grand Jury also recommends that all law enforcement agencies update their websites and other forms of communication to better inform the public about their existing drug-disposal programs.

Background

The abuse of prescription medications is an increasing local and national public epidemic that puts all lives at risk. Research over the past decade indicates both prescription and over the counter (OTC) medications require secure disposal measures to prevent accidental poisonings, as well as land and water pollution. Additionally, there is growing research to demonstrate that unsecured drugs and a lack of safe disposal options are partly to blame for the opioid crisis in our nation.

In Ventura County, VCBH, in collaboration with the VCSO, has established a countywide program to facilitate the collection of unused drugs at most law enforcement facilities.

Unsafe disposal of sharps can result in accidental infection or injury. At this time, Ventura County does not have a program for the general public to safely dispose of sharps.

A number of counties in California have adopted and implemented ordinances to address safe drug and sharps disposal. These ordinances are based on an Extended Producer Responsibility (EPR) model. This model places responsibility on medication manufacturers for funding the safe disposal of their products. (Att-02)

Methodology

The Grand Jury conducted website research regarding drug bin disposal programs in the County. The Grand Jury interviewed local law enforcement agencies for information on their drug bin disposal sites. During on-site visits to all six Ventura County Sheriff's substations and the five city police departments, the Grand Jury verified drug bin availability, accessibility and procedures. The Grand Jury organized its findings into a table. (Att-01)

Following the passage of SB 212, the Grand Jury expanded its research of current drug-bin disposal programs to include information on disposal of sharps (hypodermic needles, pen needles, intravenous needles, lancets and other devices that are used to break the skin of people and animals).

The Grand Jury examined California regulations regarding safe drug and sharps disposal and how those regulations are implemented in other counties throughout the State. The Grand Jury also reviewed publications from the California Product Stewardship Council (CPSC), which has helped more than a dozen counties to obtain stewardships for drug disposal ordinances. The Grand Jury organized eight of these ordinances into a table. (Att-02)

The Grand Jury looked at publications from the MED-Project LLC, which operates stewardship plans on behalf of drug companies. The mission of MED-Project is to implement an accessible, convenient and comprehensive program for the collection of household-generated pharmaceutical waste. (Ref-11, Ref-12) (Att-02)

Facts

- FA-01.** In 2009, VCBH's Alcohol and Drug Program (ADP), in collaboration with the VCSO, established a countywide drug disposal program. The program encourages residents to safely dispose of unused or expired medications in secure, confidential disposal bins at law enforcement facilities. Through proclamations in 2012 and 2017, the BOS has supported the drug disposal program. (Ref-13)
- FA-02.** In fiscal year 2014-2015, 18% of 769 County adult residents surveyed by VCBH used drug disposal bins. (Ref-14)
- FA-03.** In 2017, according to VCBH, the use of drug disposal bins by County adult residents remained static at 18%. (Ref-15)
- FA-04.** In response to the escalating opioid epidemic, the Ventura County Rx-Abuse & Heroin Prevention Workgroup (Workgroup) was established in 2012. A goal of the Workgroup, which is composed of numerous agencies, is "to increase community awareness of the risks of opioid misuse and engage support for safe and secure disposal." The Workgroup does not include Ventura County Animal Services. (Ref-16)

- FA-05.** Another of the Workgroup’s goals, put forward in a 2017 presentation entitled “Reducing Supply, Saving Lives, Reducing Demand,” is to “multiply the number and convenience of Rx disposal sites.” (Ref-16)
- FA-06.** From 2014 to 2019 the number of drug disposal sites at law enforcement facilities in Ventura County has been reduced from ten to nine. (Ref-17) (Att-01)
- FA-07.** According to the Workgroup’s 2017 presentation, “Since 2009 over 16 tons of Rx drugs have been collected and destroyed by the Ventura County Rx-Abuse and Heroin Workgroup partners in the Ventura County Sheriff’s Office.” (Ref-16)
- FA-08.** VCSO has standard operating procedures for drop-off bin collection. The bins are designed to allow staff to empty and weigh the entire assortment of miscellaneous pharmaceuticals with minimal handling. Prescription drugs are not separated from OTC drugs, such as cold and flu remedies and vitamins. (Att-03)
- FA-09.** The VCBH website provides a link to a list of some, but not all, law enforcement agencies that have drug disposal bins and refers the public to “call your local police department for safe, confidential drop-off bins.” (Ref-18)
- FA-10.** Phone inquiries by the Grand Jury to local police and Sheriff’s departments resulted in contradictory information. (Att-01)
- FA-11.** A Grand Jury visit to the Santa Paula Police Department revealed no drug disposal bin.
- FA-12.** A Grand Jury visit to the Ojai Police Department revealed that its drug disposal bin had been over-filled by pharmacies and doctors offices and had therefore been removed from the lobby. Access to the bin required staff assistance.
- FA-13.** A Grand Jury visit to the Oxnard Police Department revealed that proof of city residency is required to dispose of drugs.
- FA-14.** A Grand Jury visit to the Simi Valley Police Department revealed that an appointment is necessary to drop off drugs. Information regarding sharps disposal was inconsistent.
- FA-15.** A study conducted by Pennsylvania School of Veterinary Medicine from January 2007 through December 2017 concluded that the increase in opioid prescriptions for pets during that period paralleled a rise in similar prescriptions for people. (Ref-19)
- FA-16.** All nine drug disposal sites in Ventura County accept pet medications; however, there is no public information specific to veterinarians or pet owners on safe storage and disposal of prescriptions for pets.
- FA-17.** Disposing of used medical sharps in the trash, recycling bin, or flushing them down the toilet is illegal in California, according to the State Health and Safety Code. These disposal methods pose serious health risks to

children, sanitation staff, water treatment facility operators and the public. (Ref-20)

- FA-18.** An estimated one million Californians inject medications, and 936 million needles are used by self-injectors in California each year. A 2018 study by Environmental Research and Education Foundation and the Solid Waste Association of North America found that 95% of self-injectors improperly dispose of sharps. (Ref-10)
- FA-19.** A Grand Jury visit to the six Sheriff’s substations revealed that all have drug drop-off bins, but none have bins for sharps disposal.
- FA-20.** A Grand Jury visit to city police departments revealed that all except Ventura and Santa Paula have drug drop-off bins. Only the Port Hueneme Police Department has a bin for sharps disposal. (Att-01)
- FA-21.** A number of counties in California have already developed ordinances requiring pharmaceutical companies to establish and pay for a local drug collection program based on the EPR model. (Ref-03, Ref-04, Ref-05, Ref-06, Ref-07, Ref-08, Ref-09)
- FA-22.** In a sampling of eight counties with drug disposal programs based on the EPR model, the Grand Jury found it took up to two years for the counties to write and implement their ordinances. (Att-02)

Conclusions

- C-01.** The Grand Jury concluded that among the County law enforcement facilities that have drug disposal bins, there is a lack of information and consistency in public guidance regarding disposal of all medications, particularly for pet owners. (FA-09, FA-10, FA-11, FA-12, FA-13, FA-14, FA-15, FA-16) (Att-01)
- C-02.** The Grand Jury concluded that the BOS has not yet addressed the issue regarding the disposal of sharps waste, a requirement of SB 212, when it becomes effective January 1, 2021. (FA-01, FA-17, FA-18, FA-19, FA-20) (Att-01)
- C-03.** Based on recent surveys, the Grand Jury concluded that VCBH has made no progress in increasing public awareness and use of drug disposal bins. (FA-02, FA-03)
- C-04.** The Grand Jury concluded that VCBH and the Rx-Abuse & Heroin Prevention Workgroup have failed to increase the number and convenience of drug disposal bins. (FA-04, FA-05, FA-06)
- C-05.** The Grand Jury concluded that VCBH’s assertion that more than 16 tons of prescription drugs have been collected since 2009 is misleading. This is because VCSO’s procedures for drug collection do not allow for the separation of prescription drugs from over-the-counter drugs prior to weighing. (FA-07, FA-08) (Att-03)
- C-06.** The Grand Jury concluded that drug disposal ordinances already in effect in many counties throughout the State provide for safe disposal of

unwanted, unused or expired medicines and sharps. Any of these ordinances could serve as a model for Ventura County. (FA-21, FA-22) (Att-02)

- C-07.** The Grand Jury concluded that although not specifically mandated until January 2021 by SB 212, a manufacturer-funded collection and disposal program for unused drugs and sharps would significantly increase the effectiveness of the County's current drug disposal program. The program would also reduce the risks to public safety, health and the environment. (FA-01, FA-02, FA-03, FA-04, FA-06, FA-08, FA-09, FA-10, FA-11, FA-12, FA-13, FA-14, FA-15, FA-16, FA-17, FA-18, FA-19, FA-20, FA-21, FA-22) (Att-01, Att-02)

Recommendations

- R-01.** The Grand Jury recommends that the BOS consider adopting the EPR model for drug and sharps waste disposal throughout the County in order to develop a uniform program that can be used by all County law enforcement agencies and departments. (C-01, C-02, C-03, C-04, C-05, C-06, C-07)
- R-02.** The Grand Jury recommends that the Ventura County Animal Services be included in the process of developing and implementing any future drug and sharps disposal program. (C-01, C-02, C-03, C-04, C-05, C-06, C-07)
- R-03.** The Grand Jury recommends that all law enforcement agencies update their websites and other sources of public information. Information should include, but not be limited to, guidance regarding the availability of disposal bins for drugs and sharps, accessibility requirements to the bins and directions for disposal. (C-01)
- R-04.** The Grand Jury recommends that VCBH revise its methodology and reporting of prescription and over-the-counter drugs collected and destroyed to eliminate misleading results. (C-05)

Responses

Responses Required From:

- Ventura County Board of Supervisors (C-01, C-02, C-03, C-04, C-05, C-06, C-07) (R-01)
- Ventura County Sheriff (C-01) (R-01, R-03)
- City Council, City of Port Hueneme (C-01) (R-03)
- City Council, City of Santa Paula (C-01) (R-03)
- City Council, City of Oxnard (C-01) (R-03)
- City Council, City of Simi Valley (C-01) (R-03)
- City Council, City of Ojai (C-01) (R-03)
- City Council, City of Ventura (C-01) (R-03)
- City Council, City of Camarillo (C-01) (R-03)

City Council, City of Thousand Oaks (C-01) (R-03)

City Council, City of Moorpark (C-01) (R-03)

City Council, City of Fillmore (C-01) (R-03)

Responses Requested From:

Director, Ventura County Behavioral Health (C-03, C-04, C-05) (R-04)

Director, Ventura County Animal Services (R-02)

References

- Ref-01.** Thousand Oaks Acorn, June 30,2016 “Ventura County sheriff’s deputy accused of stealing drugs from prescription drop-off bin”
<https://www.toacorn.com/articles/ventura-county-sheriffs-deputy-accused-of-stealing-drugs-from-prescription-drop-off-bin/>
Accessed April 10, 2019
- Ref-02.** SB 212 Solid Waste: pharmaceutical and sharps waste stewardship
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB212
Accessed April 10, 2019
- Ref-03.** Safe Drug Disposal Ordinance Passes in Contra Costa County
<http://www.contracosta.ca.gov/DocumentCenter/View/43867/2016-12-20-Safe-Drug-Disposal-Ordina>
Accessed April 25, 2019
- Ref-04.** San Mateo County Safe Medicine Disposal Ordinance
<https://www.smchealth.org/general-information/safe-medicine-disposal-ordinance>
Accessed April 25, 2019
- Ref-05.** Marin County Safe Drug Disposal Ordinance
<https://www.marincounty.org/depts/cd/divisions/environmental-health-services/safe-drug-disposal-ordinance>
Accessed April 10, 2019
- Ref-06.** San Francisco Ordinance: Safe Drug Disposal
<https://sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances15/o0031-15.pdf>
Accessed April 10, 2019
- Ref-07.** San Luis Obispo Ordinance No. 2018-1
https://iwma.com/wp-content/uploads/recyclist/userfiles/Ordinance%202018-1_An%20Ordinance%20Establishing%20A%20Product%20Stewardship%20Disposal%20Program%20For%20Home%20Generated%20Used%20Sharps%20and%20Unwanted%20Prescription%20Medicine.pdf

Accessed April 10, 2019

- Ref-08.** Santa Barbara County Environmental Health Services: Extended Producer Responsibility Stewardship Ordinance
<https://www.countyofsb.org/phd/ehs/safe-drug-disposal.sbc>

Accessed April 10, 2019

- Ref-09.** Santa Clara County Safe Drug Disposal Ordinance
<https://www.sccgov.org/sites/rwr/Pages/safemedas.aspx>

Accessed April 10, 2019

- Ref-10.** California Product Stewardship Council
<https://calpsc.org/products/pharmaceuticals/city-county-ordinances-safe-disposal-sharps-pharmaceuticals/>

Accessed April 10, 2019

- Ref-11.** MED-Project
<https://med-project.org/>

Accessed April 10, 2019

- Ref-12.** City and County of San Francisco: A Product Stewardship Plan
https://sfenvironment.org/sites/default/files/fliers/files/sf_med-project_revised_plan_01.31.2018.pdf

Accessed April 10, 2019

- Ref-13.** Ventura County Health Care Agency
<http://www.vchca.org/24-health-care-agency/behavioral-health/93-rx-disposal-bins>

Accessed April 25, 2019

- Ref-14.** Ventura County Community Health Survey FY 14-15
http://www.venturacountylimits.org/resource_documents/VCCHS_Rx_Findings_1Pager_FINAL_FY14.15.1.pdf

Accessed April 10, 2019

- Ref-15.** County of Ventura Behavioral Health: Strategic Prevention Plan 2017-2022
http://www.vchca.org/images/BH/PDFs_Transfer/VC_SPP_2017-2022_REV_FINAL.pdf

Accessed April 10, 2019

- Ref-16.** The Opioid Crisis: Ventura County Responds; A report of the Ventura County Rx Abuse & Heroin Workgroup
http://venturacountyresponds.org/images/opioid-crisis/VCR-Brochure-March2018_FNL-R1.pdf

Accessed April 25, 2019

- Ref-17.** County of Ventura Behavioral Health, "Rx and Heroin Abuse: Taking Action," November 21, 2014

http://www.venturacountylimits.org/resource_documents/PPT%20FOR%20DH%2011-14_%20RX%20SLIDES.pdf

Accessed April 10, 2019

- Ref-18.** County of Ventura Behavioral Health, Alcohol & Drug Programs, "Prescription & OTC Drugs: Rx Disposal Sites"
<http://venturacountylimits.org/en/prevention/prescription-otc/rx>

Accessed April 25, 2019

- Ref-19.** CBS News, January 11,2019: Painkiller prescriptions for pets may be contributing to opioid epidemic, study warns
<https://www.cbsnews.com/news/painkiller-use-in-pets-may-be-contributing-to-opioid-epidemic-study-warns/>

Accessed April 25, 2019

- Ref-20.** Health and Safety Code Section 118286(a), Chapter 9
http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=118286

Accessed April 25, 2019

Attachments

- Att-01.** Drug Bin Accessibility and Collection Procedures at Ventura County Law Enforcement Facilities
Att-02. Sampling of Safe Drug Disposal Program Ordinances
Att-03. Ventura County Sheriff's Office, Camarillo Station Standard Operating Procedure

Glossary

| <u>TERM</u> | <u>DEFINITION</u> |
|--|--|
| ADP | Alcohol & Drug Program |
| BOS | Ventura County Board of Supervisors |
| County | County of Ventura |
| CPSC | California Product Stewardship Council |
| Extended Producer Responsibility (EPR) | Also known as Product Stewardship, places a shared responsibility for end-of-life product management on the producers and all other entities involved in the product chain, instead of solely on local government and the end-user |
| Fiscal Year | Ventura County Fiscal Year = July 1 through June 30 |
| Grand Jury | 2018-2019 Ventura County Grand Jury |
| Medication | Prescription drugs (those that a pharmacist dispenses only on the order of a medical practitioner) and over-the-counter drugs (those that consumers can purchase without a prescription) |
| Opioids | Class of drugs that includes heroin, synthetic opioids such as fentanyl, and pain relievers available legally by prescription, such as oxycodone (OxyContin®), hydrocodone (Vicodin®), codeine, morphine and many others |
| Over-the-counter drugs | Medications that consumers can purchase without a prescription |
| Pharmaceutical | Any kind of drug used for medicinal purposes, such as cough syrup or sleeping pills |
| Prescription | An order for medication written by a medical practitioner |
| Rx | A common abbreviation for medical prescriptions |
| Sharps | Hypodermic needles, pen needles, intravenous needles, lancets and other devices that are used to break the skin of people and animals |
| State | State of California |
| VCBH | Ventura County Behavioral Health |
| VCSO | Ventura County Sheriff’s Office |

Attachment 1

Drug Bin Accessibility and Collection Procedures at
Ventura County Law Enforcement Facilities

| City/ Enforcement Agency | Lobby Hrs. on Website | Lobby Hours | Access to Drug Bin | Drugs/ Sharps | Comments |
|------------------------------------|-----------------------------|--|-----------------------|------------------|---|
| Camarillo/VC SO | N | 8 AM – 5 PM Monday – Friday | Lobby | Y/N | |
| Fillmore/VC SO | N | 8 AM – 5 PM Monday – Friday | Lobby | Y/N | |
| Moorpark/VC SO | N | 8 AM – 5 PM Monday – Friday | Lobby | Y/N | |
| Ojai/VC SO | N | 8 AM – 5 PM Monday – Friday | See Comments | Y/N | Staff assistance needed Unsecured disposal “drawer” |
| Thousand Oaks/VC SO | N | 8 AM – 5 PM Monday – Friday | Lobby | Y/N | |
| Headquarters/VC SO | N | 8 AM – 5 PM Monday – Friday | Lobby | Y/N | |
| Oxnard/ Police Department | N | 8 AM - 5 PM Monday – Thursday Every other Friday | See Comments | Y/N | Proof of residency required Information on availability of Drug Bin inconsistent |
| Port Hueneme/ Police Department | N | 7:30 AM - 5:30 PM Monday – Thursday Every other Friday | Lobby | Y/Y | |
| Santa Paula/ Police Department | N/A | N/A | N/A | N/N | |
| Simi Valley/ Police Department | N | 7:30 AM - 5:30 PM Monday – Friday | See Comments | Y/Y | Appointment needed Information on availability of Sharps Bin inconsistent |
| Ventura/ Police Department | N | 7:30 AM - 5:30 PM Monday – Friday | N/A | N/N | |

Attachment 2

Sampling of Safe Drug Disposal Program Ordinances

| Jurisdiction | BOS Approval Date | Ordinance No.* | BOS Approval to Operational Time |
|-------------------------------|--------------------------|-----------------------|---|
| Alameda County | July, 2012 | 0-2012-27 | 26 months |
| Contra Costa County | December, 2016 | 2016-24 | Unable to determine |
| Marin County | August, 2015 | 3635 | 18 months |
| San Francisco City and County | March, 2015 | 31-15 | 15 months |
| San Luis Obispo County | March, 2015 | 2015-1 | Unable to determine |
| San Mateo County | April, 2015 | 04736 | 18 months |
| Santa Barbara County | June, 2016 | 4971 | 21 months |
| Santa Clara County | April, 2017 | NS-517.91 | 23 months |

***All above ordinances have been amended to include sharps disposal.**

Attachment 3

Ventura County Sheriff's Office,
Camarillo Station Standard Operating Procedure

Ventura County Sheriff's Office
CAMARILLO STATION
STANDARD OPERATING PROCEDURE

Subject: Pharmaceutical Drop-off Bin

| | | |
|----------------|-----------------------|--------------------------------------|
| Date Issued: | March 14, 2011 | Prepared By: Sergeant Jim Bullington |
| Date Revised: | October 1, 2016 | Revised By: Sergeant Greg Sharp |
| Authorized By: | Captain Cory Rubright | |

Purpose

To establish a procedure for the voluntary drop-off and collection of pharmaceutical drugs.

Departmental Impact

Police Services – Camarillo Police Department

Background

The City of Camarillo, in collaboration with the Camarillo Police Department and the Ventura County Sheriff's Office, has a program that offers a convenient confidential drop box where Camarillo residents can deposit unused or expired pharmaceuticals, in an effort to divert harmful drugs away from the environment and children. The drop box is located in the lobby of the Camarillo Police Department.

Definitions

Pharmaceuticals are medications, including both over-the-counter prescription drugs such as painkillers, hormones, antidepressants, antibiotics, cold/flu remedies, OTC medications and veterinary medicines.

Procedure

Camarillo residents are encouraged to utilize the collection bin located in the public lobby of the P.D. during normal business hours, Monday thru Friday - 8AM to 5PM. **This program is not intended for commercial use**, and is restricted from receiving mail, batteries, trash, pill bottles, and sharps (syringes, needles, diabetic testers, etc...) as posted on the exterior of the bin.

- The Station Captain and Administrative Sergeant will maintain positive control over the keys to the pharmaceutical collection bin and the bin's night lock.
- The collection bin will be checked on a regular basis. The bin's feeder shoot will be locked when the station's lobby is closed.

The Administrative Sergeant will be responsible for overseeing collection and booking of contents of the pharmaceutical bin.

- The collection bin contains a cardboard box that correlates with the Sheriff's Property Room storage requirements. The box is lined with a heavy duty trash liner. The intent of the box and liner is to allow staff to package and book the pharmaceuticals with minimal handling, therefore minimizing staffs exposure to the pharmaceuticals.
- In an additional effort to minimize staff's exposure to the pharmaceuticals, the public is asked to place pills, tablets, and other solid pharmaceuticals into clear plastic ziplock bags and discard of all packaging and empty pill bottles prior to depositing the pharmaceuticals in the bin. Liquids and blister packs should be left in their original containers and put into a clear plastic ziplock bag as an extra precaution to guard against leaks. The ziplock bags are available for distribution at the Camarillo Police Station's front counter.
- A sworn Deputy and designee shall empty the collection bin together to insure that the integrity and chain of evidence is maintained.
- A report number will be generated and attached to a property report. The contents shall be weighed and documented on the report.
- The cardboard box shall be removed from the bin and immediately sealed within department evidence standards. The box will be weighed and then labeled as would any evidence placed into the property room. The labeling shall include the appropriate language and descriptors identifying drugs, and shall specify that they are booked for destruction. It should also include the content's weight (taking the tare of the box off).
Do Not Itemize
- The box(s) will be booked into the Camarillo P.D. property room utilizing the appropriate methods. The Property Room will collect all items within our evidence room for transport to the main Property Room in Ventura.

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