

## Eli's Hospice Insider

### Legislation: Opioid Legislation Empowers Hospices To Help Head Off Drug Diversion

**Long-awaited change regarding hospice drug disposal poised to become law.**

A common sense change allowing hospices to dispose of deceased patients' controlled substances is part of a sweeping law aiming to fight the nation's opioid abuse epidemic.

Background: The House and Senate have worked out their differences on the bill aimed at curbing opioid abuse. On Oct. 4, the Senate approved the legislation and at press time, the bill was expected to be signed into law by President **Trump**.

H.R. 6 says, "An employee of a qualified hospice program ... may handle ... any controlled substance that was lawfully dispensed to the person receiving hospice care, for the purpose of disposal of the controlled substance so long as such disposal occurs onsite." The disposal must occur after the death of the hospice patient or after the controlled substance is expired, the bill details. An employee who is the physician of the person receiving hospice care may also dispose of the meds if "the hospice patient no longer requires the controlled substance because the plan of care of the hospice patient has been modified."

The legislation also calls for a **Government Accountability Office** study on the new provision 18 months after it's enacted.

"We applaud House and Senate Members' interest in providing an avenue by which hospices may help to reduce diversion of what can be very dangerous medications when used by individuals for whom they were never intended or prescribed," **National Association for Home Care & Hospice** President **William Dombi** says in a release. "At the same time, we are grateful that throughout the process these same Members maintained a sensitive ear regarding the special circumstances under which hospices operate in the home, and the need to ensure that any hospice disposal legislation provides flexibility, does not create unnecessary regulatory hoops for hospices to jump through, and does not put hospice personnel at risk," according to the release.

"Granting appropriate hospice professionals the legal authority to dispose of unused medication after a hospice patient's death ... alleviate[s] grieving families of this responsibility," cheers the **National Hospice & Palliative Care Organization** in a release.

NAHC expects President Trump to sign the bill into law before the midterm elections in November.

See the bill at [www.congress.gov/bill/115th-congress/house-bill/6/text](http://www.congress.gov/bill/115th-congress/house-bill/6/text).