

Eli's Hospice Insider

REGULATORY COMPLIANCE: Revisit How to Get Unused Controlled Drugs Out of the Home

This task is fraught with regulatory and safety concerns.

Leaving scheduled meds in a hospice patient's home after he dies opens the door to potential drug diversion or accidental poisonings. Getting the medications out of the house, however, requires a mixture of regulatory and legal know-how, as well as awareness of environmental concerns.

The regulatory reality:

"Technically, once the drugs are prescribed and in the patient's home, they are the patient's property, says **Janet Neigh**, VP for hospice with the National Association for Home Care & Hospice. And "hospices are required to have policies and procedures for disposing of controlled substances after a patient's death that include taking an inventory of the drugs that are left in the home, and the manner of disposal," says **Marie Berliner**, an attorney in Austin, Texas.

The hospice policies must comply with state law and regulations. In addition, the hospice must share its policies for drug removal with the patient and/or family, Neigh reminds.

Beware: "More and more locations are passing laws saying you can't flush the drugs in the commode," says Neigh. One alternative is to mix the unused drugs with something undesirable, such as used kitty litter, and then put it in the trash, she notes.

In comments to the Drug Enforcement Administration back in March, the National Hospice & Palliative Care Organization asked what to do about the need for a "drug take back," reports NHPCO's **Judi Lund Person, MPH**.

"Some options discussed include perhaps a mail-back or the family could-drop the drugs off at a pharmacy where the drugs are then incinerated," Person relates.

Consider Working With Police and the Patient's Family

An ideal take-back program would be one in which the police or some designee worked with the hospice nurse to remove the medications from the home, opines **Albert Barber, PharmD**, who oversees pharmacy services for a national nursing facility chain based in Ft. Smith, Ark. "As an alternative, a nurse and a responsible family member could adulterate the medication and throw it in the trash," Barber adds. Then the nurse would have the family member sign a form confirming that they disposed of the medication.