



## SENATE OF PENNSYLVANIA BILL SUMMARY

### Senate Bill 978 Printer's No. 1367

Prime Sponsor: Baker  
Committee: Health and Human Services

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#### **SYNOPSIS:**

Enacts the Hospice and Home Health Prescription Medication Disposal Act (the "Act") which authorizes a home health agency or hospice, upon the death or discharge of a patient, and with appropriate permission, to dispose of a patient's unused prescription medicines.

#### **SUMMARY:**

The Act defines:

- Patient as an individual receiving care from a home health agency or a hospice.
- Caregiver as an adult who performs personal care for the patient or regularly resides at the patient's home (but is not an employee of the home health agency or hospice).
- Family member as a patient's spouse, parent, adult sibling, adult child or adult grandchild.
- Health care representative as a person authorized to make health care decisions on behalf of a patient.

Under the Act, a home health agency or hospice is authorized, upon the death or discharge of a patient and with the permission of the patient, the patient's family member, caregiver, or health care representative, to dispose of a patient's unused prescription medicines that were prescribed, dispensed or otherwise used by the patient while the patient was under the care of the home health agency or hospice.

The home health agency or hospice must have a written policy on disposing of the medications and must provide a copy of the policy at the time of admission. The home health agency or hospice must also discuss the procedures for disposal at the time of admission.

The unused medications must be surrendered to a nurse employed by the agencies and the disposal must be performed before a witness. Disposal must take place at the earlier of the final nurse visit or within 5 days of the death or discharge of the patient.

The Act specifies the records that must be kept, indicates that the individual that authorizes the surrender must have the ability to review and verify those records, and requires that the records be retained for 5 years.

Effective Date: 60 days

**BILL HISTORY:**

Referred to HEALTH AND HUMAN SERVICES, Dec. 6, 2017

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