

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1377

(Delegate Kaiser, *et al.*)

Health

Finance

**Prescription Drug Repository Program - Redirecting Safe Prescription Drugs
Pilot Program**

This bill establishes a Redirecting Safe Prescription Drugs Pilot Program to (1) expand medication access for underserved populations; (2) reduce pharmaceutical waste; and (3) ensure drug safety and prevent diversion while leveraging safe medications for public good. To administer the pilot program, the Secretary of Health must collaborate with the federal Drug Enforcement Agency (DEA) and four drop-off sites in the State registered with the DEA to participate in a National Prescription Drug Take Back Day. Each drop-off site must (1) coordinate with DEA to separate and redirect eligible, noncontrolled, unopened prescription medications collected on Prescription Drug Take Back Day to a repository program; (2) ensure that collected prescription medications are packaged in a manner consistent with requirements of the State Prescription Drug Repository Program; (3) ensure that controlled substances are provided to DEA; and (4) transfer eligible prescription medications to a repository. The bill also establishes reporting requirements. **The bill takes effect July 1, 2026, and terminates June 30, 2028.**

Fiscal Summary

State Effect: The State Board of Pharmacy (MBOP) and the Maryland Department of Health can handle any oversight or reporting responsibilities with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: By October 1, 2027, the Secretary of Health must report to MBOP and the General Assembly on (1) the total number of eligible prescription medications collected at each participating drop-off site during the National Prescription Drug Take Back Day; (2) the types of prescription medications collected; and (3) the number of drugs collected that were not packaged in a manner consistent with the requirements of the State Prescription Drug Repository Program.

Current Law: “Drop-off site” means a pharmacy, other health care facility, or other entity participating in a drug donation or repository program and designated by MBOP that (1) has voluntarily agreed to accept donated prescription drugs, over-the-counter (OTC) drugs, or medical supplies; (2) is located within the State or another state; and (3) does not have a final disciplinary order issued against it by a health occupations board.

Prescription Drug Repository Program

Chapter 287 of 2006 established the Prescription Drug Repository Program regulated by MBOP. The program accepts donated prescription drugs or medical supplies to be dispensed to eligible patients in the State. However, prescription drugs can only be donated if they are in unopened, sealed, and tamper-evident unit dose packaging and have an expiration date at least 90 days from the date the drug is donated.

Chapter 547 of 2011 expanded the purpose of the program to include acceptance of prescription drugs and medical supplies returned to a pharmacy for proper disposal. Each pharmacy for which a pharmacy permit has been issued must dispose of prescription drugs or medical supplies in accordance with program policies.

Chapter 705 of 2025 further expanded the program to accept OTC drugs and allow entities in another state to participate in the program as repositories. Chapter 705 added that, if a donated prescription or OTC drug is in high demand, the program may accept drugs with an expiration date that is less than 90 days from the date of donation. However, such drugs may not be dispensed if the expiration date occurs during the period for which the drug is prescribed.

To participate, a pharmacy may not have any final disciplinary orders issued against it and must be approved by MBOP to accept donated drugs or medical supplies from a designated drop-off site, dispense the drugs or medical supplies to eligible patients, or dispose of prescription drugs or medical supplies not accepted for dispensing to needy individuals. A participating repository must:

- accept only donated drugs and medical supplies forwarded by designated drop-off sites;
- inspect all donated drugs and medical supplies;
- accept only those donated drugs and medical supplies that meet specified requirements;
- dispose of donated prescription drugs and medical supplies not accepted for dispensing to eligible patients in accordance with State and federal law;
- maintain a separate inventory of donated drugs and medical supplies;
- store donated drugs and medical supplies in a secure and exclusive location;
- maintain separate prescription files for patients receiving donated drugs and medical supplies; and
- obliterate any patient-specific information from the labels of any donated drugs and medical supplies.

Pharmacies participate in the program on a voluntary basis, and there is no fee to be approved as a repository. For matters related to donating, accepting, or dispensing drugs under the program, program participants that act in good faith are exempt from criminal prosecution or liability in tort or other civil action.

Additional Comments: The next National Prescription Drug Take Back Day is April 25, 2026, from 10:00 a.m. to 2:00 p.m.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; U.S. Drug Enforcement Administration; Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2026
jg/jc Third Reader - March 24, 2026
Revised - Amendment(s) - March 24, 2026

Analysis by: Eliana R. Prober

Direct Inquiries to:
(410) 946-5510
(301) 970-5510