

ASSEMBLY, No. 733

STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblyman TIMOTHY J. EUSTACE

District 38 (Bergen and Passaic)

Co-Sponsored by:

Assemblyman Milam

SYNOPSIS

Prohibits health care institutions from discharging medications into sewer or septic systems.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



A733 EUSTACE

2

1 AN ACT concerning health care institutions and unused
2 medications, and supplementing P.L.1977, c.74 (C.58:10A-1 et
3 seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. No health care institution, or any employee, staff person,
9 contractor, or other person under the direction or supervision of the
10 health care institution, may discharge, dispose of, flush, pour, or
11 empty any unused medication into a public wastewater collection
12 system or a septic system.

13 b. As used in this section:

14 “Health care institution” means any public or private institution,
15 facility, or agency licensed, certified, or otherwise authorized by
16 State law to administer health care in the ordinary course of
17 business, including hospitals, nursing homes, residential health care
18 facilities, home health care agencies, hospice programs operating in
19 this State, institutions, facilities or agencies that provide services to
20 persons with mental health illnesses, or institutions, facilities and
21 agencies that provide services for persons with developmental
22 disabilities; and

23 “Public wastewater collection system” means any collection
24 system regulated by the Department of Environmental Protection
25 pursuant to the “Water Pollution Control Act,” P.L.1977, c.74
26 (C.58:10A-1 et seq.), and which system consists of structures
27 which, operating alone or with other structures, result in the
28 collection and conveyance or transmission of wastewater from
29 private, commercial, institutional, or industrial sources, to public
30 wastewater treatment systems for subsequent treatment.
31

32 2. This act shall take effect on the 90th day after the date of
33 enactment.
34
35

36 STATEMENT
37

38 This bill would prohibit a health care institution, or any
39 employee, staff person, contractor, or other person under the
40 direction or supervision of the health care institution, from
41 discharging, disposing of, flushing, pouring, or emptying any
42 unused medication into a public wastewater collection system or a
43 septic system.

44 A health care institution found in violation of any provision of
45 this bill would be subject to the penalty provisions of the “Water
46 Pollution Control Act.”

A733 EUSTACE

1 Under this bill, a “health care institution” is defined as any
2 public or private institution, facility, or agency licensed, certified,
3 or otherwise authorized by State law to administer health care in the
4 ordinary course of business, including hospitals, nursing homes,
5 residential health care facilities, home health care agencies, hospice
6 programs operating in this State, institutions, facilities or agencies
7 that provide services to persons with mental health illnesses, or
8 institutions, facilities and agencies that provide services for persons
9 with developmental disabilities.

10 This bill responds to the growing threat to the environment and
11 human health posed by the improper disposal of unused
12 medications, which has been manifested in recent reports of
13 prescription drugs found in public water supplies and the potential
14 hazards this poses in terms of long-term health consequences, and
15 the rampant abuse of medications, especially among teenagers.

16 According to the Associated Press (AP), a vast array of
17 pharmaceuticals – including antibiotics, anti-convulsants, mood
18 stabilizers, and sex hormones – have been found in the drinking
19 water supplies of some 41 million Americans. In the course of a
20 five-month inquiry, an AP National Investigative Team discovered
21 that medications have been detected in the drinking water supplies
22 of 24 major metropolitan areas, including New Jersey. It has also
23 been reported that researchers at the United States Geological
24 Survey analyzed a Passaic Valley Water Commission drinking
25 water treatment plant, which serves 850,000 people in northern
26 New Jersey, and found a metabolized angina medicine and the
27 mood-stabilizing carbamazepine in drinking water.