

115TH CONGRESS  
2D SESSION

# S. 2645

To establish a demonstration program under which the Drug Enforcement Administration provides grants to certain States to enable those States to increase participation in drug take-back programs.

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## IN THE SENATE OF THE UNITED STATES

APRIL 11, 2018

Mrs. ERNST (for herself, Mr. GRASSLEY, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To establish a demonstration program under which the Drug Enforcement Administration provides grants to certain States to enable those States to increase participation in drug take-back programs.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Access to Increased  
5       Drug Disposal Act of 2018”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act—

1           (1) the term “Attorney General” means the At-  
2           torney General, acting through the Assistant Attor-  
3           ney General for the Office of Justice Programs;

4           (2) the term “authorized collector” means a  
5           narcotic treatment program, a hospital or clinic with  
6           an on-site pharmacy, a retail pharmacy, or a reverse  
7           distributor, that is authorized as a collector under  
8           section 1317.40 of title 21, Code of Federal Regula-  
9           tions (or any successor regulation);

10          (3) the term “covered grant” means a grant  
11          awarded under section 3; and

12          (4) the term “eligible collector” means a person  
13          who is eligible to be an authorized collector.

14   **SEC. 3. AUTHORITY TO MAKE GRANTS.**

15          The Attorney General shall award grants to States  
16          to enable the States to increase the participation of eligible  
17          collectors as authorized collectors.

18   **SEC. 4. APPLICATION.**

19          A State desiring a covered grant shall submit to the  
20          Attorney General an application that, at a minimum—

21               (1) identifies the single State agency that over-  
22               sees pharmaceutical care and will be responsible for  
23               complying with the requirements of the grant;

24               (2) details a plan to increase participation rates  
25               of eligible collectors as authorized collectors; and

1           (3) describes how the State will select eligible  
2           collectors to be served under the grant.

3   **SEC. 5. USE OF GRANT FUNDS.**

4           A State that receives a covered grant, and any sub-  
5   recipient of the grant, may use the grant amounts only  
6   for the costs of installation, maintenance, training, pur-  
7   chasing, and disposal of controlled substances associated  
8   with the participation of eligible collectors as authorized  
9   collectors.

10   **SEC. 6. ELIGIBILITY FOR GRANT.**

11          The Attorney General shall award a covered grant to  
12   5 States, not less than three of which shall be States in  
13   the lowest quartile of States based on the participation  
14   rate of eligible collectors as authorized collectors, as deter-  
15   mined by the Attorney General.

16   **SEC. 7. DURATION OF GRANTS.**

17          The Attorney General shall determine the period of  
18   years for which a covered grant is made to a State.

19   **SEC. 8. ACCOUNTABILITY AND OVERSIGHT.**

20          A State that receives a covered grant shall submit  
21   to the Attorney General a report, at such time and in such  
22   manner as the Attorney General may reasonably require,  
23   that—

24           (1) lists the ultimate recipients of the grant  
25           amounts;

1           (2) describes the activities undertaken by the  
2       State using the grant amounts; and  
3           (3) contains performance measures relating to  
4       the effectiveness of the grant, including changes in  
5       the participation rate of eligible collectors as author-  
6       ized collectors.

7   **SEC. 9. DURATION OF PROGRAM.**

8       The Attorney General may award covered grants for  
9       each of the first 5 fiscal years beginning after the date  
10      of enactment of this Act.

11   **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

12      There are authorized to be appropriated to the Attor-  
13      ney General such sums as may be necessary to carry out  
14      this Act.

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