

1 AN ACT relating to prescription medications in hospice programs.

2 WHEREAS, comfort measures for end of life care often require powerful  
3 medications and controlled substances in the form of pills, injections, patches, liquids,  
4 and other delivery methods; and

5 WHEREAS, patients receiving end of life care are often able to be treated at home;  
6 and

7 WHEREAS, the Commonwealth is facing an addiction crisis in regard to pain  
8 medications; and

9 WHEREAS, the Drug Enforcement Administration recently created regulations on  
10 the disposal of controlled substances which prevent home health agencies from disposing  
11 of controlled substances on behalf of their patients, unless state law specifically allows  
12 for disposal; and

13 WHEREAS, the Commonwealth seeks to protect the public from the risk of having  
14 such medications stolen and seeks to encourage safe methods of disposal which do not  
15 endanger people or the natural environment;

16 NOW, THEREFORE,

17 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

18 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 381 IS CREATED TO  
19 READ AS FOLLOWS:

20 **(1) Immediately upon the death of a patient receiving in-home or outpatient services**  
21 **from a hospice, palliative care, or end-of-life program licensed under KRS**  
22 **Chapter 216B, ownership of all unused Schedule II, III, IV, or V controlled**  
23 **substances related to the hospice, palliative, or end-of-life care of the decedent**  
24 **shall transfer to the program.**

25 **(2) The Cabinet for Health and Family Services shall promulgate administrative**  
26 **regulations in accordance with KRS Chapter 13A to provide for the reuse,**  
27 **sequestration or deactivation and disposal of controlled substances.**