

AMENDMENT TO H.R. 5620
OFFERED BY MR. CARTWRIGHT OF
PENNSYLVANIA

Page 54, after line 2, insert the following:

1 **SEC. 11. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR**
2 **MEMBERS OF THE ARMED FORCES AND**
3 **THEIR DEPENDENTS.**

4 (a) DEFINITIONS.—In this section:

5 (1) COVERED BENEFICIARY.—The term “cov-
6 ered beneficiary” has the meaning given that term
7 in section 1072 of title 10, United States Code.

8 (2) COVERED CONTROLLED SUBSTANCE.—The
9 term “covered controlled substance” means a con-
10 trolled substance that is listed in schedule II, III,
11 IV, or V of section 202(c) of the Controlled Sub-
12 stances Act (21 U.S.C. 812(c)).

13 (3) DEPENDENT.—The term “dependent” has
14 the meaning given that term in section 1072 of title
15 10, United States Code.

16 (4) ELIGIBLE PERSON.—The term “eligible per-
17 son” means—

18 (A) a member of the Armed Forces;

1 (B) an individual who is receiving or is en-
2 titled to receive retired or retainer pay under
3 chapter 71 of title 10, United States Code;

4 (C) a dependent of a member of the Armed
5 Forces, if that dependent is a covered bene-
6 ficiary in receipt of health care services under
7 chapter 55 of title 10, United States Code; and

8 (D) any person lawfully entitled to dispose
9 of the property of a person described in sub-
10 paragraphs (A) through (C) who dies while law-
11 fully in possession of a covered controlled sub-
12 stance for personal use.

13 (5) PROGRAM.—The term “program” means
14 the program established under subsection (b)(1).

15 (6) SECRETARY.—The term “Secretary” means
16 the Secretary of Defense.

17 (b) PROGRAM REQUIRED.—

18 (1) IN GENERAL.—The Secretary and the At-
19 torney General shall jointly carry out a program,
20 which shall, except as provided in paragraph (2), be
21 carried out in accordance with section 302(g) of the
22 Controlled Substances Act (21 U.S.C. 822(g)),
23 under which an eligible person who has lawfully ob-
24 tained a covered controlled substance in accordance
25 with such Act may deliver the covered controlled

1 substance to be disposed of at a facility and by a
2 person specified under paragraph (2).

3 (2) DELIVERY OF CONTROLLED SUBSTANCES.—

4 Notwithstanding the requirement under section
5 302(g)(1) of the Controlled Substances Act (21
6 U.S.C. 822(g)(1)) that a person receiving a con-
7 trolled substance be authorized to receive the con-
8 trolled substance under such Act, the Secretary and
9 the Attorney General shall jointly specify the facili-
10 ties and persons to which covered controlled sub-
11 stances may be delivered under the program.

12 (c) PREVENTION OF ABUSE.—In implementing the
13 program, the Secretary and the Attorney General shall
14 jointly develop appropriate guidelines and procedures to
15 prevent the diversion, misuse, theft, or loss of controlled
16 substances delivered under the program.

17 (d) ADMINISTRATION OF PROGRAM.—

18 (1) REGULATIONS.—Not later than 1 year after
19 the date of enactment of this Act, the Secretary and
20 the Attorney General shall jointly prescribe regula-
21 tions to carry out the program.

22 (2) IMPLEMENTATION.—Not later than 1 year
23 after the date on which the Secretary and the Attor-
24 ney General jointly prescribe regulations under para-

1 graph (1), the Secretary shall fully implement the
2 program.

3 **SEC. 12. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR**
4 **VETERANS AND THEIR DEPENDENTS.**

5 (a) DEFINITIONS.—In this section:

6 (1) COVERED CONTROLLED SUBSTANCE.—The
7 term “covered controlled substance” means a con-
8 trolled substance that is listed in schedule II, III,
9 IV, or V of section 202(c) of the Controlled Sub-
10 stances Act (21 U.S.C. 812(c)).

11 (2) ELIGIBLE PERSON.—The term “eligible per-
12 son” means—

13 (A) a veteran;

14 (B) the spouse of a veteran, if the spouse
15 is in receipt of medical services under laws ad-
16 ministered by the Secretary;

17 (C) a dependent of a veteran, if the de-
18 pendent is in receipt of medical services under
19 laws administered by the Secretary;

20 (D) a person described in section 2(a)(4)
21 who is in receipt of medical services at a facility
22 of the Department of Veterans Affairs; and

23 (E) any person lawfully entitled to dispose
24 of the property of a person described in sub-
25 paragraphs (A) through (D) who dies while law-

1 fully in possession of a covered controlled sub-
2 stance for personal use.

3 (3) PROGRAM.—The term “program” means
4 the program established under subsection (b)(1).

5 (4) SECRETARY.—The term “Secretary” means
6 the Secretary of Veterans Affairs.

7 (5) VETERAN.—The term “veteran” has the
8 meaning given that term in section 101 of title 38,
9 United States Code.

10 (b) PROGRAM REQUIRED.—

11 (1) IN GENERAL.—The Secretary and the At-
12 torney General shall jointly carry out a program,
13 which shall, except as provided in paragraph (2), be
14 carried out in accordance with section 302(g) of the
15 Controlled Substances Act (21 U.S.C. 822(g)),
16 under which an eligible person who has lawfully ob-
17 tained a covered controlled substance in accordance
18 with such Act may deliver the covered controlled
19 substance to be disposed of at a facility and by a
20 person specified under paragraph (2).

21 (2) DELIVERY OF CONTROLLED SUBSTANCES.—
22 Notwithstanding the requirement under section
23 302(g)(1) of the Controlled Substances Act (21
24 U.S.C. 822(g)(1)) that a person receiving a con-
25 trolled substance be authorized to receive the con-

1 trolled substance under such Act, the Secretary and
2 the Attorney General shall jointly specify the facili-
3 ties and persons to which covered controlled sub-
4 stances may be delivered under the program.

5 (c) PREVENTION OF ABUSE.—In implementing the
6 program, the Secretary and the Attorney General shall
7 jointly develop appropriate guidelines and procedures to
8 prevent the diversion, misuse, theft, or loss of controlled
9 substances delivered under the program.

10 (d) ADMINISTRATION OF PROGRAM.—

11 (1) REGULATIONS.—Not later than 1 year after
12 the date of enactment of this Act, the Secretary and
13 the Attorney General shall jointly prescribe regula-
14 tions to carry out the program.

15 (2) IMPLEMENTATION.—Not later than 1 year
16 after the date on which the Secretary and the Attor-
17 ney General jointly prescribe regulations under para-
18 graph (1), the Secretary shall fully implement the
19 program.

