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

Page 54, after line 2, insert the following:

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

(a) DEFINITIONS.—In this section:

(1) COVERED BENEFICIARY.—The term “covered beneficiary” has the meaning given that term in section 1072 of title 10, United States Code.

(2) COVERED CONTROLLED SUBSTANCE.—The term “covered controlled substance” means a controlled substance that is listed in schedule II, III, IV, or V of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

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

(4) ELIGIBLE PERSON.—The term “eligible person” means—

(A) a member of the Armed Forces;
(B) an individual who is receiving or is entitled to receive retired or retainer pay under chapter 71 of title 10, United States Code;

(C) a dependent of a member of the Armed Forces, if that dependent is a covered beneficiary in receipt of health care services under chapter 55 of title 10, United States Code; and

(D) any person lawfully entitled to dispose of the property of a person described in subparagraphs (A) through (C) who dies while lawfully in possession of a covered controlled substance for personal use.

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

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

(b) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary and the Attorney General shall jointly carry out a program, which shall, except as provided in paragraph (2), be carried out in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)), under which an eligible person who has lawfully obtained a covered controlled substance in accordance with such Act may deliver the covered controlled
substance to be disposed of at a facility and by a
person specified under paragraph (2).

(2) DELIVERY OF CONTROLLED SUBSTANCES.—
Notwithstanding the requirement under section
302(g)(1) of the Controlled Substances Act (21
U.S.C. 822(g)(1)) that a person receiving a con-
trolled substance be authorized to receive the con-
trolled substance under such Act, the Secretary and
the Attorney General shall jointly specify the facili-
ties and persons to which covered controlled sub-
stances may be delivered under the program.

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

(d) ADMINISTRATION OF PROGRAM.—

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

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

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

(a) DEFINITIONS.—In this section:

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

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

(A) a veteran;

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

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

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

(E) any person lawfully entitled to dispose
of the property of a person described in sub-
paragraphs (A) through (D) who dies while law-
fully in possession of a covered controlled substance for personal use.

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

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

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

(b) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary and the Attorney General shall jointly carry out a program, which shall, except as provided in paragraph (2), be carried out in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)), under which an eligible person who has lawfully obtained a covered controlled substance in accordance with such Act may deliver the covered controlled substance to be disposed of at a facility and by a person specified under paragraph (2).

(2) DELIVERY OF CONTROLLED SUBSTANCES.—Notwithstanding the requirement under section 302(g)(1) of the Controlled Substances Act (21 U.S.C. 822(g)(1)) that a person receiving a controlled substance be authorized to receive the con-
trolled substance under such Act, the Secretary and
the Attorney General shall jointly specify the facili-
ties and persons to which covered controlled sub-
stances may be delivered under the program.
(c) PREVENTION OF ABUSE.—In implementing the
program, the Secretary and the Attorney General shall
jointly develop appropriate guidelines and procedures to
prevent the diversion, misuse, theft, or loss of controlled
substances delivered under the program.
(d) ADMINISTRATION OF PROGRAM.—
(1) REGULATIONS.—Not later than 1 year after
the date of enactment of this Act, the Secretary and
the Attorney General shall jointly prescribe regula-
tions to carry out the program.
(2) IMPLEMENTATION.—Not later than 1 year
after the date on which the Secretary and the Attor-
ney General jointly prescribe regulations under para-
graph (1), the Secretary shall fully implement the
program.