

## § 76407. Pharmaceutical Services - Disposal of Drugs.

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(a) Drugs shall be sent with the client upon discharge if so ordered by the discharging physician. Drugs discharged with clients shall be dispensed in compliance with the California Pharmacy Laws and Regulations. A record of the drugs sent with the client shall be in the client's record.

(b) Drugs remaining in the facility after discharge shall be destroyed in the facility within 30 days of the date of discharge.

(c) Discontinued drugs shall be destroyed in the facility within 90 days of the date the drug orders were discontinued, unless the drug is reordered within that time.

(d) Drugs shall be destroyed in the facility in the following manner:

(1) Drugs listed in Schedules II, III or IV of the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970 shall be destroyed in the facility in the presence of a pharmacist and a registered nurse employed by the facility. The name of the client, the name and strength of the drug, the prescription number, the amount destroyed, the date of destruction and the signatures of the witnesses required above shall be recorded in the client's record or in a separate log. The record of disposal shall be retained for at least three years.

(2) Drugs not listed under Schedules II, III or IV of the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970 shall be destroyed in the facility in the presence of a pharmacist or registered nurse who with one other witness shall sign a record which lists the name of the client, the name and strength of the drug, the prescription number if applicable, the amount destroyed and the date of destruction. The record may be in the client's record or in a separate log. The record of disposal shall be retained for at least three years.

(e) Unless otherwise prohibited under applicable federal or state laws, individual client drugs supplied in sealed containers may be returned, if unopened, to the issuing pharmacy for disposition provided that:

(1) No controlled drugs are returned.

(2) All such drugs are identified as to lot or control number.

(3) The signatures of the receiving pharmacist and registered nurse employed by the facility are recorded in a separate log which lists the name of the client, the name, strength, prescription number (if applicable) and amount of the drug returned and the date of return. The log shall be retained for at least three years.

Note: Authority cited: Section 208 (a), Health and Safety Code. Reference: Section 1276, Health and Safety Code.

22 CCR § 76407, 22 CA ADC § 76407