



LOS ANGELES COUNTY  
SOLID WASTE MANAGEMENT COMMITTEE/  
INTEGRATED WASTE MANAGEMENT TASK FORCE  
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GAIL FARBER, CHAIR  
MARGARET CLARK, VICE CHAIR

March 31, 2011

The Honorable Ed Hernandez, Chair  
Senate Health Committee  
State Capitol, Room 2191  
Sacramento CA, 95814

Dear Senator Hernandez:

**SENATE BILL 41 (INTRODUCED DECEMBER 7, 2010)  
HYPODERMIC NEEDLES AND SYRINGES**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **supports if amended** Senate Bill 41 (SB 41) but would **oppose if not amended** to address the key issues outlined below. If adopted, SB 41, among other things, would authorize a pharmacist, hypodermic needle and syringe exchange program, physician, and/or veterinarian to furnish 30 or fewer hypodermic needles and syringes (sharps) to a person 18 years of age or older without a prescription or permit and require pharmacies to provide consumers with prescribed options for the disposal of sharps.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939, as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

Existing law authorizes a county or city to authorize a licensed pharmacist registered with the Disease Prevention Demonstration Project to sell or furnish 10 or fewer sharps to a person 18 years of age or older without a prescription. SB 41, if enacted, would authorize a physician, pharmacist, or hypodermic needle and syringe exchange program to furnish 30 or fewer sharps to a person 18 years of age or older without a prescription or permit and without input from the local county or city.

The Task Force recognizes the need to control the spread of potentially deadly or disabling infections, which are caused by the sharing of used sharps. However, the disposal of used sharps continues to be a significant operational and financial concern to local governments and private and public operators of solid waste facilities. Injuries caused by used sharps that are improperly disposed can cause great harm and spread infection to workers managing solid waste and recyclables. In addition, local governments continue to be burdened with the financial responsibility of managing sharps waste collected at household hazardous waste collection events or other public facilities. While a step in the right direction, SB 41 would potentially increase the amount of sharps that enter into the waste stream.

To address this concern, the Task Force respectfully requests that the proposed Subdivision 4145(e) of the Business and Profession Code be amended to read as follows (additions are shown in bold and underlined, and deletions are shown with strikethrough):

4145(e) In order to provide for the safe disposal of hypodermic needles and syringes, a pharmacy **or hypodermic needle and syringe exchange program** that furnishes nonprescription hypodermic needles and syringes shall provide consumers with one or more of the following disposal options:

- (1) It shall establish an onsite, safe, hypodermic needle and syringe collection and disposal program.
- (2) It shall furnish mail-back sharps disposal containers authorized by the United States Postal Service that meet applicable state and federal requirements, and shall provide tracking forms to verify destruction at a certified disposal facility.
- (3) It shall furnish a personal medical sharps disposal container that meets applicable state and federal standards for disposal of medical sharps waste.

The intent of the Task Force's proposed revisions is to clearly shift the burden of collection and disposal of these additional distributed sharps from local governments, who are already financially strapped, to manufacturers of sharps and the pharmaceuticals administered with sharps, as well as the distributors of these products. The Task Force strongly believes that the said entities should fully participate in the effort to properly manage those products at the end of their useful life.

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For these reasons, the Task Force **supports SB 41 if amended**, but would **oppose unless amended** to address the issues raised above. Should you have any questions regarding this letter, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147 or [mikemohajer@yahoo.com](mailto:mikemohajer@yahoo.com).

Sincerely,



Margaret Clark, Vice-Chair  
Los Angeles County Solid Waste Management Committee/  
Integrated Waste Management Task Force and  
Council Member, City of Rosemead

RG/CS:ts

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cc: Senator Leland Yee  
Each Member of the Senate Health Committee  
Howard Backer, Interim Director, California Department of Public Health  
Jonathan E. Fielding, Director, Los Angeles County Department of Public Health  
Helene Calvet, Health Officer, City of Long Beach Department of Public Health  
Takashi Wada, Director/Health Officer, City of Pasadena Department of Public Health  
Lewis Pozzebon, Director/Health Officer, City of Vernon Department of Public Health  
Each Member of the Los Angeles County Legislative Delegation  
Each Member of the County of Los Angeles Board of Supervisors  
Each City Mayor and City Manager in the County of Los Angeles  
California State Association of Counties  
League of California Cities  
League of California Cities, Los Angeles County Division  
Southern California Association of Governments  
San Gabriel Valley Council of Governments  
South Bay Cities Council of Governments  
Gateway Cities Council of Governments  
Each City Recycling Coordinator in Los Angeles County  
Each Member of the Los Angeles County Integrated Waste Management Task Force