

Date of Hearing: August 26, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Lorena Gonzalez, Chair
SB 310 (Rubio) – As Amended August 16, 2021

Policy Committee:	Business and Professions	Vote:	19 - 0
	Health		13 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill enacts the Cancer Medication Recycling Act to permit the donation and redistribution of unused cancer medication by a participating practitioner.

Specifically, this bill:

- 1) Defines participating practitioner as a person licensed to practice medicine by the Medical Board of California, board certified in medical oncology or hematology and registered with a surplus medication collection and distribution intermediary (intermediary).
- 2) Requires a participating practitioner to register with an intermediary to participate in the program, as specified
- 3) Establishes requirements for the collection, tracking and distribution of drugs permitted for redistribution.
- 4) Remains in effect until January 1 2027.

FISCAL EFFECT:

- 1) Costs for the Board of Pharmacy are estimated to be approximately \$95,000 (Pharmacy Board Contingent Fund).
- 2) Costs for the Medical Board of California are estimated to be minor and absorbable. The Department of Consumer Affairs Office of Information Costs (DCA/OIS) identified \$1,000 in information technology (IT) costs for the Medical Board (Medical Board Contingent Fund).
- 3) DCA/OIS identified \$1,000 in IT costs for the Osteopathic Medical Board of California (Osteopathic Medical Board Contingent Fund).

COMMENTS:

- 1) **Purpose.** This bill is cosponsored by the American Cancer Society Cancer Action Network (ACS CAN) and the Association of Northern California Oncologists (ANCO). According to ACS CAN, this bill would reduce waste of cancer medication, save money and increase timely access for patients who cannot afford their medication or who face delays waiting for

health plan approval. ANCO contends patients with cancer spend thousands of dollars on life-saving medications every year. The cost is often prohibitive, and it can take months for patients to access the medications and begin their first round of treatment. ANCO adds some medications end up unused for a variety of reasons but most often for lack of tolerance due to side effects.

- 2) **Safety Concerns.** The Board of Pharmacy (BOP) raised concerns about patient safety and requested amendments to remove its opposition. Specifically, BOP's request include requirements related to the intermediary's pharmacological expertise and sealed tamper-evidence packaging. It is unclear whether recent amendments are sufficient to address BOP concerns.

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