



March 26, 2021

Mr. Brian Reilly
Audit Director
Office of the State Comptroller
110 State Street 11th Floor
Albany, NY 12236

Re: Report of Audit of OASAS Oversight of Drug Disposal (2018-S-64)

Dear Mr. Reilly:

In compliance with our reporting requirements, OASAS offers the following regarding the above referenced audit report.

We note the OSC's confirmation that OASAS state-run addiction treatment centers, and those OASAS-certified providers who were reviewed, complied with existing regulations for the collection and disposal of unneeded drugs. This holds true even given our common understanding that there exist conflicting disposal requirements set forth by the multiple state and federal oversight agencies.

OASAS was directed in finding #1 to review provider pharmaceutical management, including drug disposal, and encourage the use of environmentally sound disposal methods including, where appropriate, the mail back program. OASAS was further directed in finding #2 to ensure that providers maintain drug disposal records according to state and federal regulations.

As part of the process of renewing a provider's operating certificate to allow the organization to continue to provide substance use disorder services in New York State, we look for evidence that the provider has an appropriate medication disposal procedure in place. We also encourage the provider to consider environmentally sound disposal methods. Unfortunately, OASAS does not have the jurisdiction nor the authority to mandate a particular disposal method or determine compliance with required medication disposal procedures. We again offer that this oversight is vested in the state or federal agencies that regulate narcotics and other medication storage, administration, and disposal by healthcare facilities. Those agencies conduct site visits and record reviews to determine compliance.

OASAS had planned to issue a provider-wide advisement reinforcing the requirement to adhere to appropriate state and federal medication disposal guidelines, reminding providers to be mindful of, and always consider, disposal in the most environmentally sound way and to always maintain appropriate disposal records. Unfortunately, due to the Covid pandemic and the corresponding shift by the entire OASAS work force to remote work, this process was not completed. We are working on this guidance and plan to issue it in the next 30 days. In addition, we are near completion of updates to the applicable site instruments to ensure that required documents and processes exist in compliance with both disposal and record keeping. We expect those documents to be updated within the next 30 days as well. When they have been completed and issued, we will provide you with copies.

Very truly yours,

A handwritten signature in cursive script that reads "Steven J. Shrager".

Steven J. Shrager
Director of Audit Services

cc: Trisha Schell-Guy
Kim Bott