

## AN ACT TO PROTECT CANCER PATIENTS, THE PUBLIC HEALTH AND THE ENVIRONMENT

Section \_\_\_ of the General Laws, is hereby amended by inserting after Section \_\_\_ the following new section: -

**Section \_\_\_. Proper containment and disposal of human bodily wastes produced by persons actively undergoing chemotherapy treatment.**

Section \_\_\_. As it is acknowledged by medical experts that bodily wastes of patients undergoing chemotherapy treatment may contain levels of chemicals that are toxic, carcinogenic, mutagenic or teratogenic for a certain period of time, to such an extent that the American Cancer Society has published a long list of safety precautions regarding the in-home personal hygiene for individuals undergoing chemotherapy and their families; and as human wastes containing such toxic, carcinogenic, mutagenic or teratogenic chemicals would commonly be disposed of into a public water and sewer system or a private sewer system as defined by [cite relevant law] and thereafter are capable of entering and polluting the groundwater, navigable waters and public drinking supplies of the state of \_\_\_\_\_, for the protection of both the public health and the environment it is required that:

All physicians, pharmacists, and other health care professionals licensed in the state of \_\_\_\_\_ involved in prescribing and/or administering such chemotherapy treatment shall:

1. Provide written notice to each patient undergoing such treatment as to the hazards posed to patients and their families in the residential setting of excreted human waste – i.e., urine and feces – for a period following treatment as generally determined by the Food and Drug Administration label accompanying said chemotherapy drug or drugs.
2. Provide a sufficient collection method so that patients can safely collect and contain potentially hazardous excreted bodily wastes for a period of time to be defined by the licensed prescribing practitioner based on the relevant FDA label(s), to be paid for as part of the treatment by Medicare, Medicaid or private insurance.
3. Provide for safe and proper disposal of said collected wastes, to be paid for as part of the treatment by Medicare, Medicaid or private insurance.

Chemotherapy drugs to be subject to provisions of this Act may include products listed as hazardous to health by one or more of the following:

1. The Occupational Safety and Health Administration (OSHA)
2. The National Institute for Occupational Safety and Health, NIOSH
3. Other hazardous drugs as defined by OSHA and NIOSH
4. [include relevant state agencies] or any applicable provision of such General Laws.]

and are known to be extensively excreted from patients (in bodily fluids) as parental drugs or active metabolites.

The Commissioner of Insurance shall promulgate regulations providing for coverage of services for the safe collection and disposal of human bodily wastes from chemotherapy patients affected pursuant to this section

Pursuant to this section and for its lawful enforcement, the [authorizing] department [of jurisdiction], in consultation with [other agencies of jurisdiction] \, shall promulgate rules and regulations necessary for the implementation of this section, including providing a list of products to be regulated under this section, and which rules and regulations may provide penalties for the violation thereof.