

Guidelines for Law Enforcement Disposal of Unused Prescription Medication at Scene of a Death *(210 ILCS 150 as amended by P.A. 99-648, Effective 1/1/2017)*

In accordance with the Safe Pharmaceutical Disposal Act, the ILETSB issues the following guidelines for those law enforcement officers authorized by their respective agencies to dispose of unused medication found at the scene of a death under investigation:

- A. Unused medication refers to unopened, expired, or excess medication that has been dispensed for patient or resident care that is in a liquid or solid form, including, but not limited to: suspensions, pills, tablets, capsules, and caplets.
- B. In the course of conducting a death investigation, if an officer discovers unused medication, he or she must first determine if the unused medication will be needed as evidence in the course of any investigation or prosecution. If other law enforcement agencies are also involved with the investigation, the officer must also consult with those other investigating agencies to confirm that unused medication will not be needed for evidence.
- C. If not needed for any evidentiary purposes, the officer must:
 - photograph the unused medication and its container or packaging (if available),
 - document the number or amount of medication to be disposed of, and
 - include these photographs and documentation in the police report.
- D. If the unused medication is not taken into custody for evidentiary purposes, and the unused medication has been photographed and documented, the officer may seize and dispose of any unused medications and prescription drugs in a specially designated receptacle for such items located at a police station, city hall, or other facility under the control of a county or municipality. This receptacle shall be locked and secured and constructed in accordance with Section 17 of the Safe Pharmaceutical Disposal Act.