General Assembly

Raised Bill No. 133

February Session, 2024

LCO No. **1104**

Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING REGULATION OF PRESCRIPTION DRUGS AND RELATED PROFESSIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 20-571 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

As used in this chapter and sections 2 to 4, inclusive, of this act, unless the context otherwise requires:

(1) "Administer" or "administration" means the direct application of a drug or device to the body of a patient or research subject by injection, inhalation, ingestion or any other means;

(2) "Advanced pharmacy technician" means a pharmacy technician who receives an endorsement from the department and is qualified in accordance with section 2 of this act;

[(2)**]** (3) "Automated prescription dispensing machine" means a device and associated software operated by a pharmacy or a pharmacy

that is registered as a nonresident pharmacy pursuant to section 20-627, in a nursing home or skilled nursing facility licensed pursuant to sections 19a-490 and 19a-491, that packages and labels patient-specific medication or multiple medications for the purposes of administration by a registered nurse or a licensed practical nurse based on a prescription that has completed final verification by a licensed pharmacist;

[(3)**]** (4) "Care-giving institution" means an institution that provides medical services and is licensed, operated, certified or approved by the Commissioner of Public Health, the Commissioner of Developmental Services or the Commissioner of Mental Health and Addiction Services;

(5) "Clerk" means an individual who is: (A) Registered with the department to work in a pharmacy or institutional pharmacy in accordance with section 3 of this act; and (B) not involved in (i) order entry, (ii) the dispensing process, or (iii) preparing a prescription for final verification;

[(4)**]** (6) "Commission" means the Commission of Pharmacy appointed under the provisions of section 20-572;

[(5)**]** (7) "Commissioner" means the Commissioner of Consumer Protection;

(8) "Compatible drugs" means two or more drugs that are not contraindicated, or adversely impacted in constitution or quality, by each other;

(9) "Compliance packaging" means packaging that: (A) Bears an identification number; (B) is for dispensing drugs; (C) separates drugs into individual compartments by dose; and (D) is prepared at a pharmacy to assist a patient in administering doses of drugs that have been prescribed to the patient;

[(6)**]** (10) "Compound" means to combine, mix or put together two or more ingredients pursuant to a prescription and includes the

preparation of drugs or devices in anticipation of prescriptions based on routine, regularly-observed prescribing patterns;

[(7)**]** (11) "Correctional or juvenile training institution" means a facility for the detention or incarceration of persons convicted or accused of crimes or offenses or for training of delinquent juveniles, including those state facilities under the jurisdiction of the Commissioner of Correction, training schools for delinquent juveniles and any other facilities operated by the state or municipalities for such detention, incarceration or training;

[(8)**]** (12) "Device" means instruments, apparatuses and contrivances, including their components, parts and accessories, intended: (A) For use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or other animals; or (B) to affect the structure or any function of the body of humans or other animals, but does not mean contact lenses;

[(9)**]** (13) "Department" means the Department of Consumer Protection;

[(10)**]** (14) "Deprescribing" means the systematic process of identifying and discontinuing drugs in instances in which existing or potential harms outweigh existing or potential benefits within the context of an individual patient's care goals, current level of functioning, life expectancy, values and preferences;

(15) "Direct supervision" means supervision of another individual by a pharmacist who: (A) Is physically present in an area or at a location while routine drug dispensing functions are performed in such area or at such location; and (B) conducts in-process and final performance checks;

[(11)**]** (16) "Dispense" means those acts of processing a drug or device for delivery or for administration for a patient pursuant to a prescription consisting of: (A) Comparing the directions on the label with the directions on the prescription to determine accuracy; (B) the selection of the drug or device from stock to fill the prescription; (C) the counting,

measuring, compounding or preparation of the drug or device; (D) the placing of the drug or device in the proper container; (E) the affixing of the label to the container; and (F) the addition to a written prescription of any required notations. "Dispense" does not include the acts of delivering a drug or device to a patient or of administering the drug or device to the patient;

[(12)**]** (17) "Dispensing outpatient facility" means a facility operated by a corporation or municipality which provides medical services to patients on an outpatient basis and which maintains stocks of drugs for dispensing of drugs on a regular basis to patients for use off the premises;

[(13)**]** (18) "Drug" means: (A) An article recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States or official National Formulary, or any supplement to any of them; (B) an article intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or other animals; (C) an article, other than food, intended to affect the structure or any function of the body of humans or any other animal; and (D) an article intended for use as a component of any article specified in this subdivision, but does not include a device;

(19) "Drug utilization review": (A) Means an authorized and structured review of a pharmacist's prescribing, dispensing and drug utilization activities, before, during and after the pharmacist dispenses a drug pursuant to a prescription, to ensure appropriate decision-making concerning the drug and a positive patient outcome; and (B) includes, but is not limited to, prospective and retrospective utilization reviews required under the Omnibus Budget Reconciliation Act of 1990, P.L. 101-508, as amended from time to time;

[(14)**]** (20) "Health care institution" means institution, as defined in section 19a-490;

[(15)**]** (21) "Health care institutional pharmacy" means an institutional pharmacy located within a health care institution;

[(16)**]** (22) "Institutional pharmacy" means that area within a care-giving institution or within a correctional or juvenile training institution, commonly known as the pharmacy, that is under the direct charge of a pharmacist and in which drugs are stored and dispensed;

[(17)**]** (23) "Legend device" means a device that is required by applicable federal or state law to be dispensed pursuant only to a prescription or is restricted to use by prescribing practitioners only or that, under federal law, is required to bear either of the following legends: (A) "RX ONLY" IN ACCORDANCE WITH GUIDELINES ESTABLISHED IN THE FEDERAL FOOD, DRUG AND COSMETIC ACT; or (B) "CAUTION: FEDERAL LAW RESTRICTS THIS DEVICE FOR USE BY OR ON THE ORDER OF A LICENSED VETERINARIAN.";

[(18)**]** (24) "Legend drug" means a drug that is required by any applicable federal or state law to be dispensed pursuant only to a prescription or is restricted to use by prescribing practitioners only, or means a drug that, under federal law, is required to bear either of the following legends: (A) "RX ONLY" IN ACCORDANCE WITH GUIDELINES ESTABLISHED IN THE FEDERAL FOOD, DRUG AND COSMETIC ACT; or (B) "CAUTION: FEDERAL LAW RESTRICTS THIS DRUG FOR USE BY OR ON THE ORDER OF A LICENSED VETERINARIAN.";

[(19)**]** (25) "Medical device and oxygen provider" means a person who distributes devices or oxygen pursuant to a medical order or prescription, except if such person already maintains an active pharmacy license;

[(20)**]** (26) "Medication reconciliation" means a process of comparing the medications a patient is taking and should be taking with newly ordered medications: (A) For the purpose of addressing duplications, omissions and interactions and the need to continue current medications; and (B) by looking at information such as the medication name, dose, frequency, route of administration and purpose;

[(21)**]** (27) "Nonlegend device" means a device that is not a legend

device;

[(22)**]** (28) "Nonlegend drug" means a drug that is not a legend drug;

[(23)**]** (29) "Nonresident pharmacy" has the same meaning as provided in section 20-627;

(30) "Order entry" means the process by which pharmacy personnel enter into a pharmacy software system prescription data, including, but not limited to: (A) Patient demographic data; (B) drug name and strength; (C) drug quantity; (D) directions for use; (E) the number of authorized refills, including, but not limited to, any use of "PRN" or "ad lib" in lieu of a specific number of authorized refills; and (F) any required cautionary statement;

(31) "Patient" means a human or other animal who receives any health care service from a health care provider for treatment of a current or future medical condition;

[(24)**]** (32) "Person" means an individual, corporation, business trust, estate trust, partnership, association, joint venture or any other legal or commercial entity;

[(25)**]** (33) "Pharmacist" means an individual who is licensed to practice pharmacy under the provisions of section 20-590, 20-591, 20-592 or 20-593, and who is thereby recognized as a health care provider by the state of Connecticut;

[(26)**]** (34) "Pharmacy" means a place of business where drugs and devices may be sold at retail and for which a pharmacy license has been issued to an applicant under the provisions of section 20-594;

[(27)**]** (35) "Pharmacy intern" means an individual registered under the provisions of section 20-598;

(36) "Pharmacy software system" means the computer software and programming that a pharmacy uses to log and verify prescription information, including, but not limited to, any data required to be

collected and maintained under any applicable law or regulation;

[(28)**]** (37) "Pharmacy technician" means an individual who is registered with the department and qualified in accordance with section 20-598a, as amended by this act;

[(29)**]** (38) "Polypharmacy" means the use of multiple drugs by a patient, including any medication that is inappropriate or not medically necessary, such as those not indicated, not effective or constituting a therapeutic duplication;

[(30)**]** (39) "Practice of pharmacy" or "to practice pharmacy" means the sum total of knowledge, understanding, judgments, procedures, securities, controls and ethics used by a pharmacist to assure optimal safety and accuracy in the distributing, dispensing and use of drugs and devices;

[(31)**]** (40) "Prescribing practitioner" means an individual licensed by the state of Connecticut, any other state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any territory or insular possession subject to the jurisdiction of the United States who is authorized to issue a prescription within the scope of the individual's practice;

[(32)**]** (41) "Prescription" means a lawful order of a prescribing practitioner transmitted either orally, in writing or by electronic means for a drug or device for a specific patient;

[(33)**]** (42) "Sale" includes barter, exchange or gift or offer and each such transaction made by a person whether as principal proprietor, agent, servant or employee;

[(34)**]** (43) "Substitute" means to dispense without the prescribing practitioner's express authorization a different drug product than the drug product prescribed;

[(35)**]** (44) "Third-party logistics provider" means a person who distributes drugs, devices or cosmetics while taking possession of the

drugs, devices or cosmetics but who does not take title of the drugs, devices or cosmetics;

[(36)**]** (45) "Virtual manufacturer" means a person who engages in the manufacture of drugs, devices or cosmetics for which such person: (A) Owns the new drug application or abbreviated new drug application number, if a prescription drug; (B) owns the unique device identification number, as available, for a prescription device; (C) contracts with a contract manufacturing organization for the physical manufacture of the drugs, devices or cosmetics; (D) is not involved in the physical manufacture of the drugs, devices or cosmetics; and (E) at no time takes physical possession of or stores the drugs, devices or cosmetics; and

[(37)**]** (46) "Virtual wholesale distributor" means a person who facilitates or brokers the transfer of drugs, devices or cosmetics without taking physical possession of the drugs, devices or cosmetics.

Sec. 2. (NEW) (*Effective October 1, 2024*) (a) (1) No individual may perform the duties of an advanced pharmacy technician, including, but not limited to, dispensing to patients compatible drugs in compliance packaging under section 4 of this act, unless such individual is a pharmacy technician who applies for and receives an advanced pharmacy technician endorsement in accordance with the provisions of this section.

(2) Each advanced pharmacy technician endorsement issued under this section shall be in a form and manner prescribed by the department, shall be valid for one year and may be renewed for successive one-year periods upon application in the manner set forth in this section.

(b) The department shall issue an advanced pharmacy technician endorsement to a pharmacy technician who:

(1) Submits to the department, in a form and manner prescribed by the department, an application for an endorsement as an advanced pharmacy technician under this section;

(2) Is actively registered and qualified as a pharmacy technician in accordance with section 20-598a of the general statutes, as amended by this act;

(3) Was continuously registered as a pharmacy technician in accordance with section 20-598a of the general statutes, as amended by this act, for the three-year period immediately preceding the date on which such pharmacy technician applies for an advanced pharmacy technician endorsement under this section;

(4) Continuously held a certification from the Pharmacy Technician Certification Board, or any other equivalent pharmacy technician certification program approved by the department, for the three-year period immediately preceding the date on which such pharmacy technician applies for an advanced pharmacy technician endorsement under this section, and maintains such certification in good standing;

(5) Successfully completed (A) an educational course, during the one-year period immediately preceding the date on which such pharmacy technician applies for an advanced pharmacy technician endorsement under this section, that is accredited by the Accreditation Council for Pharmacy Education or another appropriate national accrediting body, and (B) a competency assessment performed by a pharmacist in accordance with requirements established by the commissioner in regulations adopted pursuant to subsection (e) of this section;

(6) Works under the direct supervision of a pharmacist who satisfies the requirements established in subsection (c) of this section; and

(7) Is employed by a pharmacy or institutional pharmacy that satisfies the requirements established in subsection (d) of this section.

(c) (1) Except as provided in subdivision (2) of this subsection, the pharmacist who directly supervises an advanced pharmacy technician as required under subdivision (6) of subsection (b) of this section shall (A) perform all drug utilization reviews, and (B) verify that (i) all prescription data entered into the pharmacy software system are

correct, and (ii) the original prescription and the contents of the prescription label and prescription container are correct.

(2) The pharmacist who directly supervises an advanced pharmacy technician may allow the advanced pharmacy technician to verify that the original prescription and the contents of the prescription label and prescription container are correct.

(d) (1) The pharmacy or institutional pharmacy that employs an advanced pharmacy technician shall:

(A) Use bar code technology, or another technology approved by the department, to assist in dispensing drugs; and

(B) Not permit the ratio of advanced pharmacy technicians to pharmacists present in the pharmacy premises or institutional pharmacy to exceed one advanced pharmacy technician to one pharmacist providing direct supervision. A pharmacy or institutional pharmacy may employ a ratio of three pharmacy technicians to one supervising pharmacist, as provided in section 20-576-33 of the regulations of Connecticut state agencies, and an advanced pharmacy technician shall not be counted in determining whether such pharmacy or institutional pharmacy satisfies such three-to-one ratio if the advanced pharmacy technician exclusively engages in the duties of an advanced pharmacy technician.

(2) If an advanced pharmacy technician is employed by a pharmacy, the pharmacy shall, in addition to satisfying the requirements established in subdivision (1) of this subsection, use a technology that includes images of the medication that is reviewed as part of a final verification.

(3) If an advanced pharmacy technician is employed by an institutional pharmacy, the institutional pharmacy shall, in addition to satisfying the requirements established in subdivision (1) of this subsection, use bar code scanning at the point of administration to confirm accuracy in dispensing.

(e) The commissioner shall adopt regulations, in accordance with chapter 54 of the general statutes, to implement the provisions of this section. Such regulations shall, at a minimum, establish (1) requirements for performance of competency assessments required under subparagraph (B) of subdivision (5) of subsection (b) of this section, and (2) additional requirements concerning the duties of advanced pharmacy technicians.

Sec. 3. (NEW) (*Effective October 1, 2024*) (a) No individual may perform the duties of a clerk unless such individual is registered with the department in accordance with the provisions of this section.

(b) (1) The department shall register as a clerk any individual who (A) submits to the department, in a form and manner prescribed by the department, an application for registration as a clerk under this section, and (B) satisfies all requirements established in any regulations adopted pursuant to subsection (e) of this section.

(2) Each registration issued under this section shall be valid for one year and may be renewed for successive one-year periods upon application in the manner set forth in this section.

(c) A clerk may handle dispensed drugs and deliver such drugs to patients (1) under the direct supervision of a pharmacist, or (2) as otherwise authorized in regulations adopted by the commissioner pursuant to subsection (e) of this section.

(d) No clerk shall (1) perform any drug utilization review, (2) verify the accuracy of the prescription data entered into a pharmacy software system, an original prescription, the contents of a prescription label or the contents of a prescription container, (3) perform any task that requires any professional pharmaceutical judgment, or (4) participate in order entry.

(e) The commissioner may adopt regulations, in accordance with chapter 54 of the general statutes, to implement the provisions of this section, including, but not limited to, regulations establishing additional

requirements (1) for registration as a clerk, and (2) concerning (A) the scope of clerks' authority, and (B) the duties and performance of clerks.

Sec. 4. (NEW) (*Effective October 1, 2024*) (a) A pharmacist or advanced pharmacy technician may, at the request of a patient or the patient's prescribing practitioner, dispense to the patient compatible drugs in compliance packaging.

(b) Compliance packaging shall:

(1) Exclusively contain (A) individual compartments that are tamper-proof and tamper-evident, and (B) drugs that are (i) prescribed to a single patient by the patient's prescribing practitioner, and (ii) dispensed to a single patient by a pharmacist or an advanced pharmacy technician;

(2) Be labeled or relabeled by a pharmacist in accordance with the provisions of section 20-617 of the general statutes;

(3) Be child-resistant unless the pharmacy provides to the patient, and the patient returns to the pharmacy, a waiver explaining that the drugs contained in the compliance packaging are not in a child-resistant container;

(4) Identify, on each individual compartment, the name and strength of the drug contained in such compartment;

(5) Not contain more than a sixty-five-day supply of any drug, as prescribed; and

(6) Be compliant with all applicable provisions of the United States Pharmacopeia, as amended from time to time.

(c) Compliance packaging may contain reusable components and multiple drugs, prescribed to the same patient, that are contained within individual compartments comprising a single package. An individual compartment of compliance packaging may contain multiple prescribed drugs, provided:

(1) A pharmacist has determined that all drugs contained in such compartment are compatible drugs;

(2) All drugs contained in such compartment are subject to the same instructions concerning time of administration or duration between doses; and

(3) No drug contained in such compartment (A) has instructions for use that permit such drug to be used on an as needed basis, or (B) is a controlled substance.

(d) (1) If a patient's prescribing practitioner modifies the patient's prescription for any previously dispensed drug by deprescribing or issuing a new prescription for such drug by way of any oral, written or electronic means, the pharmacy that first dispensed such drug in compliance packaging may, if such pharmacy documents such modification in writing, receive and remove any previously dispensed drugs from such compliance packaging and repackage such drugs, in the manner set forth in subdivision (2) of this subsection, for the purpose of ensuring that the patient's compliance packaging exclusively contains drugs that are currently prescribed to the patient.

(2) Once a pharmacy receives any compliance packaging as set forth in subdivision (1) of this subsection, a pharmacist at such pharmacy shall:

(A) Remove from the compliance packaging any drug (i) that the patient's prescribing practitioner has deprescribed, or (ii) for which the patient's prescribing practitioner has issued a new prescription;

(B) Dispense in compliance packaging (i) any compatible drug that was not previously included in compliance packaging, but for which the patient's prescribing practitioner has since issued a prescription, and (ii) any previously dispensed and compatible drug that (I) the patient's prescribing practitioner has not deprescribed, or (II) for which the patient's prescribing practitioner has not issued a new prescription;

(C) Label or relabel the compliance packaging in accordance with the provisions of section 20-617 of the general statutes; and

(D) Not return any drug described in subparagraph (A) of this subdivision to the pharmacy's general inventory or regular stock.

(3) If a pharmacist removes from any compliance packaging any drug described in subparagraph (A) of subdivision (2) of this subsection, the pharmacist shall return such drug to the patient in a separate container with instructions for proper use or disposal, as applicable, which disposal instructions shall disclose (A) the procedures for any lawfully available means of destroying such drug at home, and (B) the nearest location where such drug may be deposited for destruction, including, but not limited to, the nearest retail location allowed to accept such drug under regulations adopted pursuant to section 20-576a of the general statutes.

(e) A pharmacy that provides compliance packaging services shall:

(1) Maintain an area dedicated to the preparation of drugs that are to be dispensed in compliance packaging, which area shall include all equipment necessary to (A) ensure that all compliance packaging is accurately prepared, and (B) prevent any contamination of such drugs;

(2) Maintain standard operating procedures (A) for the use of compliance packaging and associated equipment, which procedures shall include, at a minimum, provisions concerning (i) inspections of compliance packaging integrity, (ii) cleaning, (iii) labeling, (iv) dispensing, (v) proper hand hygiene, (vi) quarantine, and (vii) handling of dispensed drugs that are removed from compliance packaging and returned to patients in the manner set forth in subsection (d) of this section, and (B) that specify which drugs (i) are not compatible drugs, (ii) are suitable to be dispensed in compliance packaging, or (iii) require special consideration to be dispensed in compliance packaging;

(3) Maintain a log of all drugs that the pharmacy dispenses in compliance packaging, which log shall include, at a minimum, for each

drug that the pharmacy dispenses in any compliance packaging, (A) the patient's name and address, (B) the identification number for the compliance packaging in which such pharmacy dispensed such drug, the date such compliance packaging was prepared, the initials of the individual who prepared such compliance packaging and the initials of the individual who performed a final check of such compliance packaging, (C) the name, strength, lot number and national drug code number for such drug, (D) the serial number of the prescription for such drug, and (E) a visual description of such drug;

(4) Maintain a log of all drugs, other than controlled substances, that are removed from compliance packaging and returned to patients in the manner set forth in subsection (d) of this section, which log shall include, at a minimum, for each removed and returned drug, (A) the patient's name, (B) the identification number for the compliance packaging that contained such drug, (C) the serial number of the prescription, (D) the date such drug was dispensed, (E) the name and strength of such drug, and (F) the quantity of such drug that was removed and returned;

(5) Maintain a log of all controlled substances that are removed from compliance packaging and returned to patients in the manner set forth in subsection (d) of this section, which log shall include, at a minimum, for each removed and returned controlled substance, the information required under subdivision (4) of this subsection for drugs that are removed and returned to patients in the manner set forth in said subsection (d); and

(6) Not later than forty-eight hours after the department requests that the pharmacy disclose a copy of a log maintained pursuant to subdivision (4) or (5) of this subsection, disclose such copy to the department in electronic form or, if such pharmacy is unable to disclose such copy in electronic form, in paper form.

(f) The commissioner may adopt regulations, in accordance with chapter 54 of the general statutes, to implement the provisions of this

section.

Sec. 5. Subsection (a) of section 20-579 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(a) The commission may refuse to authorize the issuance of a temporary permit to practice pharmacy, may refuse to authorize the issuance or renewal of a license to practice pharmacy, a license to operate a pharmacy or a registration of a pharmacy intern or pharmacy technician, and may revoke, suspend or place conditions on a license or temporary permit to practice pharmacy, a license to operate a pharmacy, or a registration of a pharmacy intern or a pharmacy technician, and may assess a civil penalty of up to one thousand dollars per violation of any provision of this chapter or take other action permitted in subdivision (7) of section 21a-7 if the applicant or holder of the license, temporary permit or registration: (1) Has violated a statute or regulation relating to drugs, devices or the practice of pharmacy of this state, any state of the United States, the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or insular possession subject to the jurisdiction of the United States or a foreign jurisdiction; (2) has been convicted of violating any criminal statute relating to drugs, devices or the practice of pharmacy of this state, any state of the United States, the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or insular possession subject to the jurisdiction of the United States or a foreign jurisdiction; (3) has been disciplined by, or is the subject of pending disciplinary action or an unresolved complaint before, the duly authorized pharmacy disciplinary agency of any state of the United States, the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or insular possession subject to the jurisdiction of the United States or a foreign jurisdiction; (4) has been refused a license or registration or renewal of a license or registration by any state of the United States, the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or insular possession subject to the jurisdiction of the United States or a foreign jurisdiction

based on grounds that are similar to grounds on which Connecticut could refuse to issue or renew such a license or registration; (5) has illegally possessed, diverted, sold or dispensed drugs or devices; (6) abuses or excessively uses drugs, including alcohol; (7) has made false, misleading or deceptive representations to the public or the commission; (8) has maintained exclusive telephone lines to, has maintained exclusive electronic communication with, or has exclusive access to computers located in offices of prescribing practitioners, nursing homes, clinics, hospitals or other health care facilities; (9) has substituted drugs or devices except as permitted in section 20-619; (10) has accepted, for return to regular stock, any drug already dispensed in good faith or delivered from a pharmacy, and exposed to possible and uncontrolled contamination or substitution; (11) has accepted, for return to general inventory or regular stock, any drug sold or delivered to a patient; (12) has split fees for professional services, including a discount or rebate, with a prescribing practitioner or an administrator or owner of a nursing home, hospital or other health care facility; **[**(12)**]** (13) has entered into an agreement with a prescribing practitioner or an administrator or owner of a nursing home, hospital or other health care facility for the compounding or dispensing of secret formula or coded prescriptions; **[**(13)**]** (14) has performed or been a party to a fraudulent or deceitful practice or transaction; **[**(14)**]** (15) has presented to the commission a diploma, license or certificate illegally or fraudulently obtained, or obtained from a college or school of pharmacy not approved by the commission; **[**(15)**]** (16) has performed incompetent or negligent work; **[**(16)**]** (17) has falsified a continuing education document submitted to the commission or department or a certificate retained in accordance with the provisions of subsection (d) of section 20-600; **[**(17)**]** (18) has permitted a person not licensed to practice pharmacy in this state to practice pharmacy in violation of section 20-605, to use a pharmacist license or pharmacy display document in violation of section 20-608, or to use words, displays or symbols in violation of section 20-609; **[**(18)**]** (19) has failed to maintain the entire pharmacy premises, its components and contents in a clean, orderly and sanitary condition; **[**(19)**]** (20) has failed to demonstrate adherence to

applicable provisions of United States Pharmacopeia, Chapter 797, Pharmaceutical Compounding - Sterile Preparations, as amended from time to time; or **[**(20)**]** (21) has failed to demonstrate adherence to applicable provisions of United States Pharmacopeia, Chapter 795, Pharmaceutical Compounding – Nonsterile Preparations, as amended from time to time.

Sec. 6. Subsections (a) to (c), inclusive, of section 20-598a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(a) No person shall act as a pharmacy technician unless registered with, or certified with, the department, except an individual who is enrolled in an accredited pharmacy technician education program may engage in the duties of a pharmacy technician, as part of the curriculum of such program, under the direct supervision of a pharmacist who is an instructor for such program.

(b) The department shall **[**, upon authorization of the commission,**]** register as a pharmacy technician any person who presents evidence satisfactory to the department that such person is qualified to perform, under the direct supervision of a pharmacist, routine functions in the dispensing of drugs that do not require the use of professional judgment. The qualifications for registration as a pharmacy technician under this section shall be in accordance with (1) the standards of an institutional pharmacy, a care-giving institution or a correctional or juvenile training institution, in the case of employment in any such pharmacy or institution, or (2) the standards established by regulation adopted by the commissioner in accordance with chapter 54, in the case of employment in a pharmacy. **[**As used in this subsection, "direct supervision" means a supervising pharmacist (A) is physically present in the area or location where the pharmacy technician is performing routine drug dispensing functions, and (B) conducts in-process and final checks on the pharmacy technician's performance.**]**

(c) The department shall **[**, upon authorization of the commission,**]**

certify as a pharmacy technician any person who meets the requirements for registration as a pharmacy technician, pursuant to subsection (b) of this section, and who holds a certification from the Pharmacy Technician Certification Board or any other equivalent pharmacy technician certification program approved by the department.

Sec. 7. Section 20-601 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

The department shall collect the following nonrefundable fees:

(1) The fee for issuance of a pharmacist license is two hundred dollars, payable at the date of application for the license.

(2) The fee for renewal of a pharmacist license is the professional services fee for class A, as defined in section 33-182*l*. Before the commission <u>or commissioner</u> grants a license to an applicant who has not held a license authorized by the commission <u>or commissioner</u> within five years of the date of application, the applicant shall pay the fee required in subdivision (1) of this section.

(3) The fee for issuance of a pharmacy license is seven hundred fifty dollars.

(4) The fee for renewal of a pharmacy license is one hundred ninety dollars.

(5) The late fee for an application for renewal of a license to practice pharmacy, a pharmacy license or a permit to sell nonlegend drugs is the amount set forth in section 21a-4.

(6) The fee for notice of a change in officers or directors of a corporation holding a pharmacy license is sixty dollars for each pharmacy license held. A late fee for failing to give such notice within ten days of the change is fifty dollars in addition to the fee for notice.

(7) The fee for filing notice of a change in name, ownership or management of a pharmacy is ninety dollars. A late fee for failing to give such notice within ten days of the change is fifty dollars in addition to the fee for notice.

(8) The fee for application for registration as a pharmacy intern is sixty dollars.

(9) The fee for application for a permit to sell nonlegend drugs is one hundred forty dollars.

(10) The fee for renewal of a permit to sell nonlegend drugs is one hundred dollars.

(11) The late fee for failing to notify the **[**commission**]** department of a change of ownership, name or location of the premises of a permit to sell nonlegend drugs within five days of the change is twenty dollars.

(12) The fee for issuance of a nonresident pharmacy certificate of registration is seven hundred fifty dollars.

(13) The fee for renewal of a nonresident pharmacy certificate of registration is one hundred ninety dollars.

(14) The fee for notice of a change in officers or directors of a corporation holding a nonresident pharmacy certificate of registration is sixty dollars for each pharmacy license held. A late fee for failing to give such notice within ten days of the change is fifty dollars, in addition to the fee for notice.

(15) The fee for filing notice of a change in name, ownership or management of a nonresident pharmacy is ninety dollars. A late fee for failing to give such notice within ten days of the change is fifty dollars, in addition to the fee for notice.

(16) The fee for application for registration as a pharmacy technician is one hundred dollars.

(17) The fee for renewal of a registration as a pharmacy technician is fifty dollars.

(18) The fee for issuance of a temporary permit to practice pharmacy is two hundred dollars.

Sec. 8. Section 20-601 of the 2024 supplement to the general statutes, as amended by section 259 of public act 23-204, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

The department shall collect the following nonrefundable fees:

(1) The fee for issuance of a pharmacist license is two hundred dollars, payable at the date of application for the license.

(2) The fee for renewal of a pharmacist license is one hundred five dollars. Before the commission or commissioner grants a license to an applicant who has not held a license authorized by the commission or commissioner within five years of the date of application, the applicant shall pay the fee required in subdivision (1) of this section. On or before the last day of January, April, July and October in each year, the commissioner shall transfer five dollars of each renewal fee collected pursuant to this subdivision to the pharmacy professional assistance program account established in section 20-638c.

(3) The fee for issuance of a pharmacy license is seven hundred fifty dollars.

(4) The fee for renewal of a pharmacy license is one hundred ninety dollars.

(5) The late fee for an application for renewal of a license to practice pharmacy, a pharmacy license or a permit to sell nonlegend drugs is the amount set forth in section 21a-4.

(6) The fee for notice of a change in officers or directors of a corporation holding a pharmacy license is sixty dollars for each pharmacy license held. A late fee for failing to give such notice within

ten days of the change is fifty dollars in addition to the fee for notice.

(7) The fee for filing notice of a change in name, ownership or management of a pharmacy is ninety dollars. A late fee for failing to give such notice within ten days of the change is fifty dollars in addition to the fee for notice.

(8) The fee for application for registration as a pharmacy intern is sixty-five dollars. On or before the last day of January, April, July and October in each year, the commissioner shall transfer five dollars of each fee collected pursuant to this subdivision to the pharmacy professional assistance program account established in section 20-638c.

(9) The fee for application for a permit to sell nonlegend drugs is one hundred forty dollars.

(10) The fee for renewal of a permit to sell nonlegend drugs is one hundred dollars.

(11) The late fee for failing to notify the **[**commission**]** department of a change of ownership, name or location of the premises of a permit to sell nonlegend drugs within five days of the change is twenty dollars.

(12) The fee for issuance of a nonresident pharmacy certificate of registration is seven hundred fifty dollars.

(13) The fee for renewal of a nonresident pharmacy certificate of registration is one hundred ninety dollars.

(14) The fee for notice of a change in officers or directors of a corporation holding a nonresident pharmacy certificate of registration is sixty dollars for each pharmacy license held. A late fee for failing to give such notice within ten days of the change is fifty dollars, in addition to the fee for notice.

(15) The fee for filing notice of a change in name, ownership or management of a nonresident pharmacy is ninety dollars. A late fee for failing to give such notice within ten days of the change is fifty dollars,

in addition to the fee for notice.

(16) The fee for application for registration as a pharmacy technician is one hundred dollars.

(17) The fee for renewal of a registration as a pharmacy technician is fifty dollars.

(18) The fee for issuance of a temporary permit to practice pharmacy is two hundred dollars.

Sec. 9. Subsection (a) of section 20-633 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) Any person licensed as a pharmacist under part II of this chapter may order and administer:

(A) Any vaccine, approved or authorized by the United States Food and Drug Administration that is listed on the National Centers for Disease Control and Prevention's **[**Adult Immunization Schedule**]** age-appropriate immunization schedule, to any patient who is: (i) Eighteen years of age or older; or (ii) at least twelve years of age but younger than eighteen years of age with (I) the consent of such patient's parent, legal guardian or other person having legal custody of such patient, or (II) proof that such patient is an emancipated minor.

(B) Any vaccine not included on the National Centers for Disease Control and Prevention's Adult Immunization Schedule, provided the vaccine administration instructions for such vaccine are available on the National Centers for Disease Control and Prevention's Internet web site; and

(C) Any vaccine pursuant to a verbal or written prescription of a prescribing practitioner for a specific patient.

(2) A pharmacist shall make a reasonable effort to review a patient's vaccination history to prevent any inappropriate use of a requested

vaccine.

(3) All vaccines administered pursuant to this section shall be administered in accordance with the: (A) Vaccine manufacturer's package insert or the orders of a prescribing practitioner; and (B) regulations adopted pursuant to subsection (d) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*October 1, 2024*	20-571
Sec. 2	*October 1, 2024*	New section
Sec. 3	*October 1, 2024*	New section
Sec. 4	*October 1, 2024*	New section
Sec. 5	*October 1, 2024*	20-579(a)
Sec. 6	*October 1, 2024*	20-598a(a) to (c)
Sec. 7	*October 1, 2024*	20-601
Sec. 8	*July 1, 2025*	20-601
Sec. 9	*from passage*	20-633(a)

Statement of Purpose:

To: (1) Define various terms for purposes of the Pharmacy Practice Act and related statutes; (2) provide for advanced pharmacy technician endorsements and the registration of clerks; (4) authorize pharmacists and advanced pharmacy technicians to dispense drugs in compliance packaging; (5) empower the Commission of Pharmacy to take disciplinary action against certain persons who accept, for return to general inventory or regular stock, any drug that has been sold or delivered to a patient; (6) provide that an individual who is enrolled in an accredited pharmacy technician education program may, in certain circumstances, act as a pharmacy technician; (7) enable the department to take certain actions concerning pharmacy technicians without authorization by the commission; (8) provide that a pharmacist may order and administer certain vaccines; and (9) make minor, technical and conforming changes to various statutes concerning regulation of prescription drugs and related professions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]