



General Assembly

February Session, 2000

Amendment

LCO No. 3081

Offered by:

REP. MCGRATTAN, 42nd Dist.

To: Subst. House Bill No. 5592

File No. 218

Cal. No. 197

"An Act Concerning The Return Of Dispensed Medicines By Nursing Homes."

1 In line 39, strike "by the"

2 In line 40, strike "manufacturers of" and insert "for" in lieu thereof

3 After line 41, insert the following and renumber the remaining
4 section accordingly:

5 "Sec. 2. Subsection (a) of section 20-579 of the general statutes is
6 repealed and the following is substituted in lieu thereof:

7 (a) The commission may refuse to authorize the issuance or renewal
8 of a license to practice pharmacy, a license to operate a pharmacy or a
9 registration of a pharmacy intern or pharmacy technician, and may
10 revoke or suspend a license to practice pharmacy, a license to operate a
11 pharmacy, or a registration of a pharmacy intern or a pharmacy
12 technician, and may assess a civil penalty of up to one thousand
13 dollars or take other action permitted in subdivision (7) of section
14 21a-7 if the applicant or holder of the license or registration: (1) Has

15 violated a statute or regulation relating to drugs, devices or the
16 practice of pharmacy of this state, any state of the United States, the
17 United States, the District of Columbia, the Commonwealth of Puerto
18 Rico, any territory or insular possession subject to the jurisdiction of
19 the United States or a foreign jurisdiction; (2) has been convicted of
20 violating any criminal statute relating to drugs, devices or the practice
21 of pharmacy of this state, any state of the United States, the United
22 States, the District of Columbia, the Commonwealth of Puerto Rico,
23 any territory or insular possession subject to the jurisdiction of the
24 United States or a foreign jurisdiction; (3) has been disciplined by, or is
25 the subject of pending disciplinary action or an unresolved complaint
26 before, the duly authorized pharmacy disciplinary agency of any state
27 of the United States, the United States, the District of Columbia, the
28 Commonwealth of Puerto Rico, any territory or insular possession
29 subject to the jurisdiction of the United States or a foreign jurisdiction;
30 (4) has been refused a license or registration or renewal of a license or
31 registration by any state of the United States, the United States, the
32 District of Columbia, the Commonwealth of Puerto Rico, any territory
33 or insular possession subject to the jurisdiction of the United States or a
34 foreign jurisdiction based on grounds that are similar to grounds on
35 which Connecticut could refuse to issue or renew such a license or
36 registration; (5) has illegally possessed, diverted, sold or dispensed
37 drugs or devices; (6) abuses or excessively uses drugs, including
38 alcohol; (7) has made false, misleading or deceptive representations to
39 the public or the commission; (8) has maintained exclusive telephone
40 lines to, has maintained exclusive electronic communication with, or
41 has exclusive access to computers located in offices of prescribing
42 practitioners, nursing homes, clinics, hospitals or other health care
43 facilities; (9) has substituted drugs or devices except as permitted in
44 section 20-619; (10) has accepted, for return to regular stock, any drug,
45 except for any drug returned pursuant to the provisions of section 1 of
46 this act, already dispensed in good faith or delivered from a pharmacy,
47 and exposed to possible and uncontrolled contamination or
48 substitution; (11) has split fees for professional services, including a
49 discount or rebate, with a prescribing practitioner or an administrator

50 or owner of a nursing home, hospital or other health care facility; (12)
51 has entered into an agreement with a prescribing practitioner or an
52 administrator or owner of a nursing home, hospital or other health
53 care facility for the compounding or dispensing of secret formula or
54 coded prescriptions; (13) has performed or been a party to a fraudulent
55 or deceitful practice or transaction; (14) has presented to the
56 commission a diploma, license or certificate illegally or fraudulently
57 obtained, or obtained from a college or school of pharmacy not
58 approved by the commission; (15) has performed incompetent or
59 negligent work; (16) has falsified a continuing education document
60 submitted to the commission or department or a certificate retained in
61 accordance with the provisions of subsection (d) of section 20-600; (17)
62 has permitted a person not licensed to practice pharmacy in this state
63 to practice pharmacy in violation of section 20-605, to use a pharmacist
64 license or pharmacy display document in violation of section 20-608, or
65 to use words, displays or symbols in violation of section 20-609; or (18)
66 has failed to maintain the entire pharmacy premises, its components
67 and contents in a clean, orderly and sanitary condition."