



General Assembly

January Session, 2001

Raised Bill No. 1329

LCO No. 4343

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING UNSCHEDULED PHARMACY PRESCRIPTION DEPARTMENT CLOSINGS.

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

1 Section 20-597 of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 (a) No place of business may be operated as a pharmacy unless a
4 pharmacy license has been issued for the place of business and unless
5 it is under the direct supervision of a pharmacist on the premises,
6 except that the commissioner, with the advice and assistance of the
7 commission, shall adopt regulations, in accordance with chapter 54,
8 that specify when a pharmacy may remain open for business during
9 hours when a pharmacist is not present and directly supervising such
10 pharmacy. Such regulations shall include, but not be limited to: (1) A
11 provision requiring that the prescription department be closed and
12 properly secured during times when a pharmacist is not present; (2)
13 the minimum number of hours of operation applicable to the
14 prescription department; (3) requirements for the physical security of
15 the prescription department; (4) requirements for the physical security
16 of legend drugs, controlled substances and legend devices stored in all

17 areas of the pharmacy; and (5) a definition of the term "prescription
18 department".

19 (b) In addition to the on-premises supervision of a pharmacy
20 required in subsection (a) of this section, a pharmacy shall be managed
21 by a pharmacist practicing at the pharmacy on a full-time basis who is
22 listed as manager in the application for a pharmacy license made
23 under section 20-594 or enrolled with the commission under
24 subsection (c) of this section. The managing pharmacist may also act as
25 the supervising pharmacist. No pharmacist may manage more than
26 one pharmacy at the same time.

27 (c) The person to whom a pharmacy license has been issued shall
28 immediately notify the commission whenever the pharmacist who
29 manages the pharmacy ceases such management and shall
30 immediately enroll with the commission the name, address and license
31 number of the pharmacist who assumes management of the pharmacy.
32 The notice of change in management of a pharmacy required to be
33 filed with the commission under this section shall be accompanied by
34 the filing fee required in section 20-601. The pharmacist who ceases
35 management of the pharmacy shall also immediately notify the
36 commission of that fact.

37 (d) The person to whom a pharmacy license has been issued shall
38 immediately notify the commission of a change in ownership of the
39 pharmacy and of a change in name of the pharmacy. The notice shall
40 be accompanied by the filing fee required in section 20-601. Any such
41 person who fails to give the notice of a change in ownership or name
42 of the pharmacy within ten days of the change shall pay the late fee
43 required in section 20-601.

44 (e) (1) A pharmacist manager that receives approval from the
45 Commission of Pharmacy, in accordance with section 20-576-17 of the
46 regulations of Connecticut state agencies, to close the prescription
47 department during specified hours, may close the prescription
48 department during specified hours of operation only if the pharmacist

49 scheduled to work such hours cannot work such hours and another
50 pharmacist cannot reasonably be scheduled to work such hours.

51 (2) If a pharmacist manager closes a prescription department of a
52 pharmacy pursuant to the provisions of this subsection, the pharmacist
53 manager shall comply with the requirements of section 20-576-18 of
54 the regulations of Connecticut state agencies and shall: (A) Implement
55 procedures to notify patients of the pharmacy who need prescriptions
56 dispensed of another location where the prescriptions, including
57 refills, can be obtained immediately. Such procedures may include, but
58 are not limited to, telephone system messages and conspicuously
59 posted signs; and (B) report each closing of the prescription
60 department pursuant to the provisions of this subsection to the
61 commission not later than seventy-two hours after such closing.

62 (3) No prescription department shall be closed pursuant to the
63 provisions of this subsection more than twenty-four times during any
64 three hundred sixty-five-day period.

65 (f) (1) A pharmacist manager who manages a pharmacy that is
66 operated in a store, firm or other business not devoted primarily to the
67 operation of a pharmacy, in accordance with section 20-576-16 of the
68 regulations of Connecticut state agencies, may close the pharmacy
69 during specified hours of operation only if the pharmacist scheduled
70 to work such hours cannot work such hours and another pharmacist
71 cannot reasonably be scheduled to work such hours.

72 (2) If the pharmacist manager closes such pharmacy pursuant to the
73 provisions of this subsection, the pharmacist manager shall comply
74 with the requirements of section 20-576-16 of the regulations of
75 Connecticut state agencies and shall: (A) Implement procedures to
76 notify patients of the pharmacy who need prescriptions dispensed of
77 another location where the prescriptions, including refills, can be
78 obtained immediately. Such procedures may include, but are not
79 limited to, telephone system messages and conspicuously posted signs;
80 and (B) report each closing of the prescription department pursuant to

81 the provisions of this subsection to the commission not later than
82 seventy-two hours after such closing.

83 (3) The prescription department shall not be closed pursuant to the
84 provisions of this subsection more than twenty-four times during any
85 three hundred sixty-five-day period.

Statement of Purpose:

To allow a pharmacy to make an unscheduled closing of the prescription department outside of posted hours if the pharmacist who was scheduled to work cannot do so and a replacement pharmacist cannot reasonably be scheduled to work.

[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.]