



General Assembly

February Session, 2002

Raised Bill No. 504

LCO No. 2047

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING THE REPORTING OF PRESCRIPTION ERRORS AND REQUIRING CERTAIN CONTINUING EDUCATION FOR PHARMACISTS.

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

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) As used in this
2 section:

3 (1) "Dispensing" means those acts of processing a drug or device for
4 delivery or for administration for a patient pursuant to a prescription
5 consisting of: (A) Comparing the directions on the label with the
6 directions on the prescription to determine accuracy; (B) the selection
7 of the drug or device from stock to fill the prescription; (C) the
8 counting, measuring, compounding or preparation of the drug or
9 device; (D) the placing of the drug or device in the proper container;
10 (E) the affixing of the label to the container; and (F) the addition to a
11 written prescription of any required notations;

12 (2) "Drug" means (A) an article recognized in the official United
13 States Pharmacopoeia, official Homeopathic Pharmacopoeia of the
14 United States or official National Formulary, or any supplement to any

15 of them, (B) an article intended for use in the diagnosis, cure,
16 mitigation, treatment or prevention of disease in humans, (C) an
17 article, other than food, intended to affect the structure or any function
18 of the body of humans;

19 (3) "Pharmacist" means an individual who is licensed to practice
20 pharmacy under the provisions of section 20-590, 20-591, 20-592 or
21 20-593 of the general statutes, and who is thereby recognized as a
22 health care provider in this state;

23 (4) "Pharmacy" means a place of business where drugs and devices
24 may be sold at retail and for which a pharmacy license has been issued
25 to an applicant under the provisions of section 20-594 of the general
26 statutes;

27 (5) "Pharmacy intern" means an individual registered under the
28 provisions of section 20-598 of the general statutes;

29 (6) "Pharmacy technician" means an individual who is registered
30 with the Department of Consumer Protection and qualified in
31 accordance with section 20-598a of the general statutes;

32 (7) "Prescribing practitioner" means an individual licensed by the
33 state of Connecticut, any other state of the United States, the District of
34 Columbia, the Commonwealth of Puerto Rico or any territory or
35 insular possession subject to the jurisdiction of the United States who
36 is authorized to issue a prescription within the scope of the
37 individual's practice;

38 (8) "Prescription" means a lawful order of a prescribing practitioner
39 transmitted either orally, in writing or by electronic means for a drug
40 for a specific patient; and

41 (9) "Prescription error" means an act or omission of clinical
42 significance relating to the prescription of or dispensing of a drug, that
43 results in or may reasonably be expected to result in injury to or the
44 death of a patient.

45 (b) (1) Any pharmacist, any prescribing practitioner, any pharmacy
46 technician or any pharmacy intern who has reasonable cause to
47 suspect or believe that a prescription error has occurred shall within
48 three calendar days report such prescription error to the Commissioner
49 of Consumer Protection or the commissioner's designee, in a manner
50 prescribed by the commissioner.

51 (2) Such report shall contain the name and address, if known, of any
52 involved patient, pharmacist, pharmacy technician, pharmacy intern
53 or pharmacy and the prescribing practitioner, information regarding
54 the nature and extent of the prescription error, and any other
55 information known by the reporter that would aid in an investigation
56 of the case.

57 (c) Any person who reasonably believes that a prescription error has
58 occurred may report such prescription error to the Department of
59 Consumer Protection, in writing, on a form prescribed by the
60 commissioner, or by toll-free telephone line pursuant to section 21a-2
61 of the general statutes.

62 (d) The Commissioner of Consumer Protection shall adopt
63 regulations, with the advice and assistance of the Commission of
64 Pharmacy, in accordance with chapter 54 of the general statutes,
65 concerning the reporting of pharmacy errors.

66 (e) Any person required to report under the provisions of this
67 section who fails to make such report shall be fined not more than one
68 thousand dollars and may be subject to license suspension, revocation,
69 restriction or refusal pursuant to sections 20-579 and 20-580 of the
70 general statutes or section 20-13c of the general statutes, as amended.

71 Sec. 2. Subsection (a) of section 20-600 of the general statutes is
72 repealed and the following is substituted in lieu thereof (*Effective*
73 *October 1, 2002*):

74 (a) Except as provided in subsections (b), (c), (f) and (g) of this

75 section, the commission shall not authorize the department to renew a
76 license to practice pharmacy as a pharmacist unless the pharmacist
77 applying for the renewal submits a statement signed under the penalty
78 of false statement that the pharmacist has satisfactorily completed not
79 less than fifteen contact hours of accredited continuing professional
80 education in the previous calendar year immediately preceding
81 expiration of the license. Not less than five contact hours of the annual
82 continuing education requirement shall be earned by attendance at a
83 live presentation of an accredited continuing professional education
84 program. At least one of the five contact hours earned by attendance at
85 a live presentation shall be on the subject matters of pharmacy law or
86 drug law.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

Statement of Purpose:

To mandate the reporting of prescription errors by certain health care providers and to require pharmacists to complete continuing education in the areas of pharmacy or drug law.

[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.]