



General Assembly

February Session, 2006

Raised Bill No. 450

LCO No. 2276

02276 _____ GL_

Referred to Committee on General Law

Introduced by:
(GL)

**AN ACT ENSURING PHARMACEUTICAL EMERGENCY
PREPAREDNESS.**

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

1 Section 1. (NEW) (*Effective from passage*) (a) For purposes of this
2 section and section 2 of this act:

3 (1) "Drugs" means (A) substances recognized as drugs in the official
4 United States Pharmacopoeia, official Homeopathic Pharmacopoeia of
5 the United States, or official National Formulary, or any supplement to
6 any of said publications; (B) substances intended for use in the
7 diagnosis, cure, mitigation, treatment or prevention of disease in man
8 or animals; (C) substances, other than food, intended to affect the
9 structure or any function of the body of man or animals; and (D)
10 substances intended for use as a component of any article specified in
11 subparagraph (A), (B) or (C) of this subdivision. "Drugs" does not
12 include devices or their components, parts or accessories;

13 (2) "Controlled drugs" means those drugs which contain any
14 quantity of a substance which has been designated as subject to the
15 federal Controlled Substances Act, or which has been designated as a

16 depressant or stimulant drug pursuant to federal food and drug laws,
17 or which has been designated by the Commissioner of Consumer
18 Protection pursuant to section 21a-243 of the general statutes, as
19 having a stimulant, depressant or hallucinogenic effect upon the
20 higher functions of the central nervous system and as having a
21 tendency to promote abuse or psychological or physiological
22 dependence, or both. Such controlled drugs are classifiable as
23 amphetamine-type, barbiturate-type, cannabis-type, cocaine-type,
24 hallucinogenic, morphine-type and other stimulant and depressant
25 drugs. Specifically excluded from controlled drugs and controlled
26 substances are alcohol, nicotine and caffeine;

27 (3) "Controlled substance" means a drug, substance or immediate
28 precursor in schedules I to V, inclusive, of the Connecticut controlled
29 substance scheduling regulations adopted pursuant to section 21a-243
30 of the general statutes.

31 (b) Upon declaration of an emergency by the Governor or the
32 Governor's authorized representative having authority to declare
33 emergencies, a hospital pharmacy, pharmacy or registrant authorized
34 by state or federal law to be in possession of controlled substances
35 may, in accordance with applicable federal regulations, policies and
36 guidelines and with prior approval of the Commissioner of Consumer
37 Protection, transfer or distribute drugs or controlled drugs to a
38 licensed pharmacy, a registrant authorized by state or federal law to be
39 in possession of controlled substances, or a location authorized by the
40 commissioner. Such registrant shall record the transfer accurately and
41 in compliance with all state and federal statutes and regulations and
42 shall report the transfer, in writing, to the commissioner.

43 Sec. 2. (NEW) (*Effective from passage*) (a) Each licensed wholesaler
44 who distributes prescription drugs, including licensed repackagers
45 and the original licensed manufacturer of the finished form of
46 controlled or noncontrolled prescription drug products, shall provide
47 the Commissioner of Consumer Protection an inventory report

48 regarding such wholesaler's on-hand inventory of specifically
49 identified prescription drugs, in all forms and strengths.

50 (b) (1) The Commissioner of Consumer Protection shall establish a
51 list of strategic prescription drugs for which reporting is required
52 pursuant to subsection (a) of this section. The list shall include, but not
53 be limited to, selected vaccines and antibiotic products. The list shall
54 be based on priorities established by the commissioner after
55 consultation with the Commissioner of Public Health. The list shall be
56 based upon anticipated medication requirements for public health
57 preparedness, pharmacological-terrorism prevention or response, and
58 medication and economic integrity and shall be issued biannually,
59 indicating any additions, substitutions or deletions that have been
60 made to such list since it was last issued.

61 (2) An inventory report made pursuant to subsection (a) of this
62 section shall include, but not be limited to, (A) the name, address, town
63 and state of the wholesaler and manufacturer, (B) the name of the
64 prescription drug, (C) the quantity of the drug on hand, including the
65 size of each container and number of containers, and (D) the date of
66 the report. Such information shall be reported at such time and in a
67 manner prescribed by the Commissioner of Consumer Protection.

68 (c) Information provided by licensed wholesalers pursuant to this
69 section shall not be subject to disclosure under the Freedom of
70 Information Act, as defined in section 1-200 of the general statutes, and
71 shall be available only to the Department of Consumer Protection, the
72 Department of Public Health, the Office of Emergency Management
73 and such other agencies or entities as the Commissioner of Consumer
74 Protection determines, after request by such agency or entity and
75 demonstration of a need for the information for purposes of public
76 health preparedness, pharmacological-terrorism prevention or
77 response, medication integrity or such other purpose deemed
78 appropriate by the commissioner.

79 (d) The Commissioner of Consumer Protection, with the advice and

80 assistance of the Commission of Pharmacy, may adopt regulations, in
81 accordance with chapter 54 of the general statutes, to carry out the
82 provisions of this section.

83 (e) Any person who violates the provisions of subsection (a) of this
84 section shall be fined not more than ten thousand dollars or
85 imprisoned not less than one year, or both.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

Statement of Purpose:

To allow for the rapid transfer and dispensing of medications and to create a mechanism for the Department of Consumer Protection to obtain the location of specific medications in the event of an emergency.

[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.]