



General Assembly

January Session, 2007

**Raised Bill No. 1228**

LCO No. 4490

\* SB01228GL 031307 \*

Referred to Committee on General Law

Introduced by:  
(GL)

**AN ACT CONCERNING PHARMACY DATA BASES.**

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

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) A pharmacist licensed  
2 in this state may dispense a prescription contained in a common data  
3 base, if: (1) All pharmacies involved in the transactions pursuant to  
4 which the prescription is dispensed are under common ownership and  
5 utilize a common data base, (2) all pharmacies involved in the  
6 transactions pursuant to which the prescription is dispensed and all  
7 pharmacists engaging in dispensing a prescription are properly  
8 licensed, permitted or registered in this state, (3) the common data base  
9 maintains a record of all pharmacists involved in the process of  
10 dispensing a prescription, and (4) the owner of the common data base  
11 maintains a policy and procedures manual pursuant to subsection (b)  
12 of this section that governs its participating pharmacies, pharmacists  
13 and pharmacy employees and is available to the Commissioner of  
14 Consumer Protection or said commissioner's agent upon request.

15 (b) The policy and procedures manual required by subdivision (4) of  
16 subsection (a) of this section shall include: (1) A best practices model  
17 detailing how each pharmacy and each pharmacist accessing the

18 common data base will comply with applicable federal and state laws,  
19 rules and regulations, (2) procedures for maintaining records for  
20 regulatory oversight and tracking of a prescription during each stage  
21 of the filling and dispensing process, identifying the pharmacists  
22 involved in filling and dispensing the prescription, counseling the  
23 patient and responding to any requests for information made by the  
24 Commissioner of Consumer Protection, (3) policies and procedures for  
25 providing adequate security to protect the confidentiality and integrity  
26 of patient information, and (4) a quality assurance program designed  
27 to objectively and systematically monitor, evaluate and improve the  
28 quality and appropriateness of patient care through the use of the  
29 common data base.

30 (c) A pharmacist dispensing a prescription pursuant to this section  
31 has at all times the right and obligation to exercise his or her  
32 independent professional judgment with regard to the dispensing of  
33 such prescription. Notwithstanding the provisions of this section, no  
34 pharmacist licensed in this state participating in the dispensing of a  
35 prescription pursuant to this section shall be responsible for the acts  
36 and omissions of another person participating in the dispensing  
37 process, provided such person is not under the direct supervision and  
38 control of such pharmacist.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section

**GL**      *Joint Favorable*