



General Assembly

January Session, 2011

**Raised Bill No. 6354**

LCO No. 3287

\* \_\_\_\_\_HB06354FIN\_\_051011\_\_\_\_\_\*

Referred to Committee on General Law

Introduced by:  
(GL )

**AN ACT CONCERNING THE PHARMACY PRACTICE ACT AND  
PRACTITIONER CONTROLLED SUBSTANCE REGISTRATION.**

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

1 Section 1. Section 20-590 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2012*):

3 (a) The department shall, upon authorization of the commission,  
4 issue a license to practice pharmacy as a pharmacist to any individual  
5 provided the individual:

6 (1) Has submitted a written application on a form approved by the  
7 department;

8 (2) Has graduated from a college or school of pharmacy approved  
9 by the commission with a degree that was, at the time of graduation,  
10 an entry level professional pharmacy degree;

11 (3) Has the professional experience as a pharmacy intern required  
12 by regulations adopted by the commissioner, with the advice and  
13 assistance of the commission, in accordance with chapter 54;

14 (4) Has successfully passed [the examination described under  
15 subsection (b) of this section;] any examinations required by the  
16 commissioner; and

17 (5) Is eighteen years of age or older at the time of [the examination]  
18 application. [; and

19 (6) Has paid the examination fee specified in section 20-601.

20 (b) The examination for licensure required under subsection (a) of  
21 this section shall be given by the commission at least two times each  
22 year. The commission shall, with the approval of the commissioner,  
23 determine the content and subject matter of each examination, and the  
24 place, time and date of administration of the examination.]

25 [(c)] (b) The Department of Consumer Protection shall, upon  
26 authorization of the commission, issue a temporary permit to practice  
27 pharmacy to an individual who: (1) Practices under the direct  
28 supervision of a licensed pharmacist; (2) has an application for  
29 reciprocity on file with the commission; (3) is a licensed pharmacist in  
30 good standing in a state or jurisdiction from which such state's  
31 pharmacy board or commission of pharmacy grants similar reciprocal  
32 privileges to pharmacists licensed in this state; and (4) has no actions  
33 pending against such individual's license with any state's pharmacy  
34 board or commission of pharmacy.

35 [(d)] (c) A temporary permit to practice pharmacy shall expire at the  
36 time the individual with the temporary permit is licensed as a  
37 pharmacist in this state, or not later than three months from the date of  
38 issuance of such temporary permit, whichever occurs first. The  
39 Department of Consumer Protection shall not issue more than one  
40 temporary permit to practice pharmacy to an individual, but the  
41 commission, at its discretion, may authorize one three-month  
42 extension of the temporary permit.

43 Sec. 2. Subsection (b) of section 20-591 of the general statutes is  
44 repealed and the following is substituted in lieu thereof (*Effective*

45 *January 1, 2012*):

46 (b) The individual shall comply with the requirements of  
47 subdivisions (1), (2), (4) [and] and (5) [and (6)] of subsection (a) of section  
48 20-590, as amended by this act, and with regulations adopted as  
49 provided in subsection (c) of this section.

50 Sec. 3. Section 20-593 of the general statutes is repealed and the  
51 following is substituted in lieu thereof (*Effective January 1, 2012*):

52 (a) A license to practice pharmacy issued under the provisions of  
53 section 20-590, as amended by this act, or under the provisions of  
54 section 20-591, as amended by this act, or 20-592 and a license to  
55 practice pharmacy renewed pursuant to subsections (b) and (c) of this  
56 section shall be evidenced by a certificate issued by the department  
57 upon authorization of the commission.

58 (b) A license to practice pharmacy shall expire [annually] biennially  
59 and may be renewed upon completion of an application on a form  
60 approved by the department, payment of [the fee set forth in section  
61 20-601] one hundred twenty dollars and completion of continuing  
62 professional education, as required by sections 20-599 and 20-600.

63 (c) The commission shall not grant a renewal license to an applicant  
64 who has not held a license authorized by the commission within five  
65 years of the date of application unless the applicant has passed an  
66 examination satisfactory to the commission and has paid the fee  
67 required in [section 20-601] subsection (b) of this section.

68 (d) In addition to the certificate of license to practice pharmacy  
69 issued under subsection (a) of this section, the department may issue a  
70 document suitable for display indicating that the individual has been  
71 issued a certificate of license to practice pharmacy.

72 Sec. 4. Section 20-601 of the general statutes is repealed and the  
73 following is substituted in lieu thereof (*Effective January 1, 2012*):

74 The department shall collect the following nonrefundable fees:

75 (1) The fee for issuance of a pharmacist license is two hundred  
76 dollars, payable at the date of application for the license.

77 [(2) The fee for applying to take the pharmacist license examination  
78 required in section 20-590 and in section 20-591 is one hundred ninety  
79 dollars, payable at the date of application for the pharmacist license.]

80 [(3)] (2) The fee for renewal of a pharmacist license is the  
81 professional services fee for class A, as defined in section 33-182l.  
82 Before the commission grants a license to an applicant who has not  
83 held a license authorized by the commission within five years of the  
84 date of application, the applicant shall pay the [fees] fee required in  
85 [subdivisions] subdivision (1) [and (2)] of this section.

86 [(4)] (3) The fee for issuance of a pharmacy license is seven hundred  
87 fifty dollars.

88 [(5)] (4) The fee for renewal of a pharmacy license is one hundred  
89 ninety dollars.

90 [(6)] (5) The late fee for an application for renewal of a license to  
91 practice pharmacy, a pharmacy license or a permit to sell nonlegend  
92 drugs is the amount set forth in section 21a-4.

93 [(7)] (6) The fee for notice of a change in officers or directors of a  
94 corporation holding a pharmacy license is sixty dollars for each  
95 pharmacy license held. A late fee for failing to give such notice within  
96 ten days of the change is fifty dollars in addition to the fee for notice.

97 [(8)] (7) The fee for filing notice of a change in name, ownership or  
98 management of a pharmacy is ninety dollars. A late fee for failing to  
99 give such notice within ten days of the change is fifty dollars in  
100 addition to the fee for notice.

101 [(9)] (8) The fee for application for registration as a pharmacy intern  
102 is sixty dollars.

103 [(10)] (9) The fee for application for a permit to sell nonlegend drugs

104 is one hundred forty dollars.

105     [(11)] (10) The fee for renewal of a permit to sell nonlegend drugs is  
106 one hundred dollars.

107     [(12)] (11) The late fee for failing to notify the commission of a  
108 change of ownership, name or location of the premises of a permit to  
109 sell nonlegend drugs within five days of the change is twenty dollars.

110     [(13)] (12) The fee for issuance of a nonresident pharmacy certificate  
111 of registration is seven hundred fifty dollars.

112     [(14)] (13) The fee for renewal of a nonresident pharmacy certificate  
113 of registration is one hundred ninety dollars.

114     [(15)] (14) The fee for application for registration as a pharmacy  
115 technician is one hundred dollars.

116     [(16)] (15) The fee for renewal of a registration as a pharmacy  
117 technician is fifty dollars.

118     [(17)] (16) The fee for issuance of a temporary permit to practice  
119 pharmacy is two hundred dollars.

120     Sec. 5. Section 21a-319 of the general statutes is repealed and the  
121 following is substituted in lieu thereof (*Effective January 1, 2012*):

122     No certificate of registration shall be issued, maintained or renewed  
123 under this chapter unless or until the applicant has furnished proof  
124 satisfactory to the Commissioner of Consumer Protection that he or  
125 she is licensed or duly authorized to practice his or her profession by  
126 the appropriate state licensing board, commission or registration  
127 agency; or, in the case of a hospital or other institution, by the  
128 appropriate state agency having jurisdiction over the licensure,  
129 registration or approval of such establishment.

130     Sec. 6. Section 21a-320 of the general statutes is repealed and the  
131 following is substituted in lieu thereof (*Effective January 1, 2012*):

132 The commissioner shall register an applicant unless he or she  
133 determines that the issuance of such registration is inconsistent with  
134 the public interest. In determining the public interest, the  
135 commissioner shall consider the following factors:

136 (1) Maintenance of effective controls against diversion of controlled  
137 substances into other than duly authorized legitimate medical,  
138 scientific, or commercial channels;

139 (2) Compliance with all applicable state and federal laws and  
140 regulations concerning controlled substances;

141 (3) Any conviction of the applicant under any state or federal law  
142 relating to controlled substances;

143 (4) Furnishing by the applicant of false or fraudulent information or  
144 material in any application filed under this chapter;

145 (5) Expiration, suspension, revocation, surrender or denial of the  
146 practitioner's federal controlled substance registration;

147 (6) Prescribing, distributing, administering or dispensing of  
148 controlled substances in schedules other than those specified in the  
149 practitioner's state or federal registration; and

150 (7) Suspension, revocation, expiration or surrender of, or other  
151 disciplinary action taken against, any professional license or  
152 registration held by the practitioner.

153 Sec. 7. Section 21a-322 of the general statutes is repealed and the  
154 following is substituted in lieu thereof (*Effective January 1, 2012*):

155 The commissioner may suspend, revoke or refuse to renew a  
156 registration, place a registration on probation, place conditions on a  
157 registration and assess a civil penalty of not more than one thousand  
158 dollars per violation of this chapter, for sufficient cause. Any of the  
159 following shall be sufficient cause for such action by the commissioner:  
160 (1) The furnishing of false or fraudulent information in any application

161 filed under this chapter; (2) conviction of a crime under any state or  
 162 federal law relating to the registrant's profession, controlled substances  
 163 or drugs or fraudulent practices, including, but not limited to,  
 164 fraudulent billing practices; (3) failure to maintain effective controls  
 165 against diversion of controlled substances into other than duly  
 166 authorized legitimate medical, scientific, or commercial channels; (4)  
 167 the suspension, revocation, expiration or surrender of the practitioner's  
 168 federal controlled substance registration; (5) prescribing, distributing,  
 169 administering or dispensing a controlled substance in schedules other  
 170 than those specified in the practitioner's state or federal registration or  
 171 in violation of any condition placed on the practitioner's registration;  
 172 (6) [the restriction, suspension, revocation or limitation of a  
 173 professional license or certificate as a result of a proceeding pursuant  
 174 to the general statutes] suspension, revocation, expiration, surrender or  
 175 other disciplinary action taken against any professional license or  
 176 registration held by the practitioner; (7) abuse or excessive use of  
 177 drugs; (8) possession, use, prescription for use or distribution of  
 178 controlled substances or legend drugs, except for therapeutic or other  
 179 proper medical or scientific purpose; (9) a practitioner's failure to  
 180 account for disposition of controlled substances as determined by an  
 181 audit of the receipt and disposition records of said practitioner; and  
 182 (10) failure to keep records of medical evaluations of patients and all  
 183 controlled substances dispensed, administered or prescribed to  
 184 patients by a practitioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2012</i>	20-590
Sec. 2	<i>January 1, 2012</i>	20-591(b)
Sec. 3	<i>January 1, 2012</i>	20-593
Sec. 4	<i>January 1, 2012</i>	20-601
Sec. 5	<i>January 1, 2012</i>	21a-319
Sec. 6	<i>January 1, 2012</i>	21a-320
Sec. 7	<i>January 1, 2012</i>	21a-322

**GL**      *Joint Favorable*

**FIN**     *Joint Favorable*