



Substitute House Bill No. 5329

Public Act No. 12-28

AN ACT CONCERNING THE USE OF TELEPHARMACY BY HOSPITALS.

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

Section 1. Section 50 of public act 11-242 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(a) As used in this section:

(1) "Electronic technology" or "telepharmacy" means the process: (A) By which each step involved in the [preparation of IV admixtures] dispensing of a sterile product is verified through use of a bar code tracking system and documented by means of digital photographs which are electronically recorded and preserved; and (B) which is monitored and verified through video and audio communication between a licensed supervising [clinical] pharmacist and a pharmacy technician;

(2) ["IV admixture" means an IV fluid to which one or more additional drug products have been added] "Sterile product" means any drug, as that term is defined in section 20-571 of the general statutes, that is compounded, manipulated or otherwise prepared under sterile conditions during the dispensing process, is not intended for self-administration by a patient and is intended to be used in a

Substitute House Bill No. 5329

hospital, or its satellite, remote or affiliated office-based locations;

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

(4) "Pharmacy technician" means an individual who is registered with the department and qualified in accordance with section 20-598a of the general statutes.

(b) [The Commissioner of Consumer Protection, in consultation with the Commissioner of Public Health, may establish a pilot program to permit a] A hospital, licensed in accordance with the provisions of chapter 368v of the general statutes, which operates a hospital pharmacy, [to] may use electronic technology or telepharmacy at the hospital and at the hospital's satellite or remote locations for purposes of allowing a [clinical] pharmacist to supervise pharmacy technicians in the [preparation of IV admixtures] dispensing of sterile products. [Under the pilot program, notwithstanding] Notwithstanding the provisions of chapter 400j of the general statutes or regulations adopted pursuant to said chapter, a [clinical] pharmacist shall be permitted to supervise a pharmacy technician through use of electronic technology, [. A supervising clinical] and under such supervision the pharmacist shall monitor and verify the activities of a pharmacy technician through audio and video communication. The pharmacist-to-technician ratio pursuant to section 20-576-33 of the regulations of Connecticut state agencies shall apply. In the event of a malfunction of the electronic technology, no [IV admixtures] sterile product prepared by a pharmacy technician during the time period of the malfunction may be distributed to patients, unless [an appropriately licensed individual] a licensed pharmacist is able to: (1) Personally review and verify the accuracy of all processes utilized in the [preparation of the IV admixture] dispensing of the sterile product;

Substitute House Bill No. 5329

or (2) upon the restoration of the electronic technology, utilize the mechanisms of the electronic technology which recorded the actions of the pharmacy technician to confirm that all proper steps were followed in the [preparation of the IV admixture] dispensing of the sterile product. [Under the pilot program, all] All orders for [medication] sterile products to be dispensed using telepharmacy shall be verified by a pharmacist prior to being delegated to a pharmacy technician for [preparation of an IV admixture] such dispensing. A hospital [participating in the pilot program] shall ensure that appropriately licensed personnel administer medications [at the hospital's satellite or remote locations] dispensed using telepharmacy. All of the processes involved in [the operation of the pilot program] a hospital's use of telepharmacy shall be under the purview of the hospital's director of pharmacy.

(c) A hospital [selected to participate in the pilot program] using telepharmacy shall undertake periodic quality assurance evaluations, not less than once per calendar quarter, which shall [minimally] include, upon discovery, prompt review of any error in medication administration which occurs [under the pilot program] where telepharmacy is used to dispense such medication. A hospital shall make such quality assurance evaluations available for review and inspection by the Departments of Consumer Protection and Public Health.

[(d) A pilot program established pursuant to this section may commence operation on or after July 1, 2011, and shall terminate not later than December 31, 2012, provided the Commissioner of Consumer Protection may terminate the pilot program prior to December 31, 2012, for good cause shown.]

Approved May 14, 2012