



General Assembly

February Session, 2012

**Raised Bill No. 5329**

LCO No. 1427

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Referred to Committee on General Law

Introduced by:  
(GL)

**AN ACT CONCERNING THE USE OF TELEPHARMACY BY HOSPITALS.**

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

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 Section 50 of public act 11-242 is repealed and the  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

3 (a) As used in this section:

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

12 (2) ["IV admixture" means an IV fluid to which one or more  
13 additional drug products have been added] "Sterile product" means  
14 any drug, as that term is defined in section 20-571 of the general

15 statutes, that is compounded, manipulated or otherwise prepared  
16 under sterile conditions during the dispensing process, is not intended  
17 for self-administration by a patient and is intended to be used in a  
18 hospital, or its satellite, remote or affiliated office-based locations;

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 by the state of Connecticut; and

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

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

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

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	PA 11-242, Sec. 50

**Statement of Purpose:**

To enable Connecticut hospitals to use telepharmacy for the dispensing of sterile products.

*[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.]*