



General Assembly

February Session, 2014

Raised Bill No. 5333

LCO No. 1698



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING THE RETURN OF OUTDATED DRUGS FROM PHARMACIES TO WHOLESALERS, MANUFACTURERS AND DISTRIBUTORS.

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

1 Section 1. (NEW) (*Effective July 1, 2014*) (a) A wholesaler,
2 manufacturer or distributor of drugs or legend drugs that supplies or
3 distributes drugs or legend drugs to a pharmacy shall make adequate
4 provision for the return of the drugs or legend drugs supplied,
5 produced or distributed by such wholesaler, manufacturer or
6 distributor, provided the return is made by the pharmacy not more
7 than one hundred eighty days after the labeled expiration date. The
8 wholesaler, manufacturer or distributor shall promptly provide the
9 pharmacy a full refund or full credit for the return. For the purposes of
10 this section, "wholesaler", "manufacturer" and "distributor" have the
11 same meanings as provided in section 21a-70 of the general statutes,
12 and "drug", "legend drug" and "pharmacy" have the same meanings as
13 provided in section 20-571 of the general statutes.

14 (b) The provisions of this section shall not apply to influenza

15 vaccines.

16 (c) The Commissioner of Consumer Protection may, after consulting
17 with the Commission of Pharmacy, adopt regulations, in accordance
18 with chapter 54 of the general statutes, to implement the provisions of
19 this section.

20 (d) The Commissioner of Consumer Protection may suspend,
21 revoke or refuse to renew the registration of a wholesaler,
22 manufacturer or distributor that violates the provisions of subsection
23 (a) of this section or regulations adopted pursuant to subsection (c) of
24 this section, except that, prior to suspending, revoking or refusing to
25 renew such registration, the commissioner shall afford the wholesaler,
26 manufacturer or distributor an opportunity for a hearing in accordance
27 with chapter 54 of the general statutes. Notice of such hearing may be
28 given by certified mail. The commissioner may subpoena witnesses
29 and require the production of records, papers and documents
30 pertinent to such hearing.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	New section

Statement of Purpose:

To require drug wholesalers, manufacturers and distributors to provide a full credit or refund to pharmacies that return outdated drugs.

[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.]