

**CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION
REGULATIONS – ELECTRONIC DRUG RECORDS
SEPTEMBER 8, 2014**

Jerry Padula:

Good morning everyone. I'm attorney Jerry Padula with the Connecticut Department of Consumer Protection. I've been designated by Commissioner William M. Rubenstein to be the hearing officer for this morning's public hearing on proposed regulations concerning Electronic Drug Records Maintained by Medical Practitioners. Today is Monday, September 8, 2014. The time is now 10:10 a.m. We are in Room 119 of the State Office Building, which is located at 165 Capitol Avenue here in the capitol city of Hartford, Connecticut. On August 6, 2014, the Department of Consumer Protection published a Notice of Intent to Amend Regulations through the Secretary of State. These regulations are being proposed in accordance with the authority granted in Connecticut General Statute Sections 4-168 and 21a-244a. For the record, the full text of the proposed regulation, which has been made available to the public, will be entered as Exhibit A. A copy of the hearing notice published by the Secretary of State will be marked as Exhibit B. The Fiscal Note prepared by the Agency, which reflects whether this proposed regulation would cause any fiscal impact on the Agency, will be made part of the record as Exhibit C. The Department performed a Small Business Impact Statement Analysis and has notified the Department of Small Business Affairs at the Department of Economic Development of our intent to amend these regulations. Pursuant to Connecticut General Statute Section 4-168a, when drafting these proposed regulations, the Department considered methods that would accomplish the objectives of the applicable Statutes while minimizing the adverse impact on small businesses. This Agency has specifically considered the five methods listed in subsection (b) of Connecticut General Statute 4-168a. The Small Business Impact Statement referred to within the Notice published by the Secretary of State will be marked as Exhibit D. Finally, we received one written submission to date. The document is a letter from Drug Control Division Director, John Gadea, dated today, which will be marked as Exhibit E. I will be marking additional exhibits as they are presented to me during the course of the hearing. At this point, we will begin by having the individuals who signed the speaker sign-up sheet come forward to give their comments. You can also leave comments with me and also documents will be marked into the public of this public hearing. Okay, the first person to speak is Gerry Destefano, Principal Drug Control Agent with the Department of Consumer Protection.

Gerry Destefano:

I'm gonna read the testimony of the Director of Drug Control, John Gadea, which he prepared. It states as follows: "These proposed regulations are meant to establish guidelines for electronic drug records maintained by medical practitioners. These proposed regulations amend existing

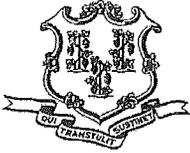


regulations, Section 21a-244a-1 through 21a-244a-4. The amendments add medical practitioners to regulations that establish requirements for electronic data processing systems that create and maintain drug records. These regulations establish requirements for electronic data processing systems for the creation and maintenance of drug records by medical practitioners. Medical practitioners who violate these regulations are subject to administrative action being taken against their controlled substance registrations issued by the Department of Consumer Protection. As Director of the Drug Control Division, I, John Gadea, Jr., recommend that these proposed regulations be forwarded to the Regulation Review Committee for approval.” And it was signed John Gadea, Jr., RPh, Director of Drug Control Division and it was dated 9/8/2014.

Jerry Padula:

Great. Thank you, Agent Destefano. I notice other people present in the room, members of the Department’s staff. Do any of you wish to make any comments at this time in support of the regs or? Okay. Well, with that, we do have [inaudible 04:18] sufficient amount of time if no one else is here for this hearing. What I will be doing is keeping the record open just for one week in case any documents do trickle in from the general public. They’ll be due next Monday at the close of business, 5:00 p.m., and those comments will be directed to Commissioner William M. Rubenstein. So if anyone here talks to anyone that wants to submit some comments, they’re free to do so for another week. The Agency will be reviewing all of the testimony and documents received and will consider whether any revisions should be made to the regulations as published to the Secretary of State. All persons who have made submissions, as well as other interested parties, will receive notice of whether any changes have been made to the regulations from the version originally proposed. Pursuant to Section 4-168e of the Uniform Administrative Procedures Act, we will then forward the proposed regulations to the Attorney General’s Office to be reviewed for legal sufficiency. If approved, the regulations will then be forwarded to the Regulation Review Committee of the General Assembly for consideration and approval. These regulations will become effective on their posting by the Secretary of State with no specific date listed [on the regulation 05:37]. Okay. With that, I thank you all for attending this hearing today and for providing comments to the Department. I note the time is now 10:16 and this hearing is now adjourned. Thank you.

/dd



STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

TO: Legislative Regulation Review Committee
Capitol Building, Hartford, Connecticut

DATE: October 18, 2014

SUBJECT: Proposed Regulations Concerning Electronic Drug Records
Maintained by Medical Practitioners

SUMMARY OF TESTIMONY

The Department held a properly noticed public hearing on **Monday, September 8, 2014**. The administrative record was held open for one week, through Monday, September 15, 2014 to allow additional written testimony to be submitted for consideration.

IN SUPPORT OF ADOPTION:

1. Jerry DeStefano, Principal Drug Control Agent with the Drug Control Division of the Department of Consumer Protection (oral comments with written comments by John Gadea, the Director of the Division of Drug Control, entered into the record as Exhibit "E").

OPPOSED TO ADOPTION:

No verbal or written comments opposed the adoption of the proposed regulations.

SUGGESTING MODIFICATIONS TO THE TEXT:

No verbal or written comments suggested changes to the proposed regulations.

A copy of the official transcript of the public hearing is also being provided with this summary, together with copies of any written testimony. If the members of the Committee should have any questions, they may contact Attorney Jerry P. Padula at 860-713-6087 or via e-mail at Jerry.Padula@CT.gov.