

**CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION
REGULATIONS – NONRESIDENT PHARMACIES AND MEDICAL PRACTITIONERS
SEPTEMBER 8, 2014**

Jerry Padula: Good morning. My name is Jerry Padula and I'm an attorney with the Connecticut Department of Consumer Protection. I have been designated by Commissioner William M. Rubenstein to be the hearing officer for this morning's public hearing on proposed regulations concerning Nonresident Pharmacies and Medical Practitioners. Today is Monday, September 8, 2014. The time is now 10:44 a.m. We are in Room 119 of the State Office Building, 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 Statutes Sections 4-168 and 21a-254. 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 entered 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 noticed the Department of Small Business Affairs at the Department of Economic and Community Development of our intent to amend these regulations. Pursuant to the Connecticut General Statute 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 Statutes 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 did receive one written submission to date. That is a letter from John Gadea, Jr., the Director of the Division of Drug Control at the Department of Consumer Protection, which will be marked as Exhibit E. I'll be marking additional exhibits as they're presented to me during the course of this public hearing. At this point, we'll begin by having any individuals who signed the speaker sign-up sheet come forward and give their comments. You can also leave written comments with me as well and those documents will be entered into the official record of this hearing also. Now, the first person to speak is Gerry Destefano, a Principal Drug Control Agent of the Department of Consumer Protection, Division of Drug Control.

Gerry Destefano: Thank you, Attorney Padula. I am here to read the testimony of John Gadea, Jr., Director of the Drug Control Division, regarding the



regulations of Nonresident Pharmacies and Medical Practitioners. It states as follows: "The purpose of these proposed regulations is to add nonresident pharmacies and medical practitioners to existing regulations concerning the electronic prescription monitoring program. Public Act 13-172 amended Subsection J of Section 21a-254 of the Connecticut General Statute by adding nonresident pharmacies and medical practitioners to the [pursuits 08:53] or entities required to report controlled substances information to the Department of Consumer Protection. These proposed regulations amend existing regulations concerning the electronic prescription drug monitoring program to include nonresident pharmacies and medical practitioners. Medical practitioners who prescribe, dispense, or administer controlled substances must obtain a registration from the Department of Consumer Protection. Nonresident pharmacies that ship drugs into Connecticut must obtain a registration from the Department of Consumer Protection. If nonresident pharmacies or medical practitioners do not comply with these proposed regulations, the Department of Consumer Protection may take enforcement action against their registration. 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's signed John Gadea, Jr., RPh, Director of Drug Control Division, and dated 9/8/2014. Thank you.

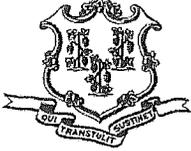
Jerry Padula: Thank you, Agent Destefano. I haven't seen you in a while. Thanks for coming in and testifying for us.

Gerry Destefano: No problem.

Jerry Padula: Okay. Does anyone else wish to make any comments at this time? Okay. With that, I will hold the record open for one week until the close of business on Monday, September 15th to allow any interested parties to provide an opportunity for written comment to the Department, directed to Commissioner William Rubenstein. The Agency will be reviewing all of the testimony and documents received and consider whether any revisions should be made to the regulations as proposed through the Secretary of State. All persons who made submissions, as well as other interested parties, will receive notice of whether any changes will be 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 their consideration and approval. These regulations will become effective upon their posting by the Secretary of State pursuant to Connecticut General Statute Section 4-172. Okay, with that, I thank you all for attending this hearing this morning and for providing your comments to the Department.

I thank Gerry Destefano. I note that the time is now 10:50 in the morning and this public 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 17, 2014

SUBJECT: Proposed Regulations Concerning Nonresident Pharmacies and 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.