



House of Representatives

General Assembly

File No. 307

January Session, 2015

Substitute House Bill No. 5771

House of Representatives, March 31, 2015

The Committee on General Law reported through REP. BARAM of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT AUTHORIZING PHARMACISTS TO DISPENSE DRUGS IN NINETY-DAY QUANTITIES.

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

1 Section 1. Section 20-616 of the general statutes is amended by
2 adding subsection (d) as follows (*Effective July 1, 2015*):

3 (NEW) (d) A pharmacist may exercise his or her professional
4 judgment in refilling a prescription once for a quantity of a drug that is
5 not a controlled drug, as defined in section 21a-240, not exceeding a
6 ninety-day supply, without the authorization of the prescribing
7 practitioner, provided (1) failure to refill the prescription might result
8 in an interruption of a therapeutic regimen or create patient suffering,
9 and (2) the pharmacist informs the patient or the patient's
10 representative at the time of dispensing that the refill is being provided
11 without such authorization and informs the practitioner at the earliest
12 reasonable time that authorization of the practitioner is required for
13 future refills.

| | | |
|---|---------------------|--------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2015</i> | 20-616 |

Statement of Legislative Commissioners:

In section 1, "once for a quantity of a drug", "not exceeding a ninety-day supply," and "the patient's" was added and "for", "of the patient" and the last sentence was deleted for clarity.

GL *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill is not anticipated to result in a fiscal impact to the state, municipalities or the state's Medicaid program as the bill does not require the insurer to provide coverage for the 90 day prescription. Both the state employee and retiree health plan and the Medicaid program require consultation with the prescribing physician and have a prior authorization process in place if a pharmacist wants to dispense a prescription in a way other than as it is written.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sHB 5771

AN ACT AUTHORIZING PHARMACISTS TO DISPENSE DRUGS IN NINETY-DAY QUANTITIES.

SUMMARY:

This bill allows a pharmacist to refill a prescription once, for up to a 90-day supply, without the prescribing practitioner's authorization if:

1. failure to refill might jeopardize the patient's health or cause him or her to suffer;
2. the pharmacist informs the patient, or his or her representative, when dispensing the refill that it does not have the practitioner's authorization; and
3. the pharmacist informs the practitioner, at the earliest reasonable time, that authorization is required for future refills.

The bill prohibits refilling controlled drugs under this procedure, which under the law are generally those with a depressant, stimulant, or hallucinogenic effect upon the higher functions of the central nervous system and tend to promote abuse or dependence.

Existing law, unchanged by the bill, additionally allows pharmacists to refill prescriptions in quantities of up to three days without practitioner authorization under the same conditions as above and when the pharmacist cannot contact the practitioner.

EFFECTIVE DATE: July 1, 2015

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 18 Nay 0 (03/12/2015)