



General Assembly

Substitute Bill No. 352

February Session, 2016

* SB00352PH 032216 *

AN ACT CONCERNING PRESCRIPTIONS FOR AND THE DISPENSING OF OPIOID ANTAGONISTS AND OPIOID DRUGS.

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

1 Section 1. (NEW) (*Effective from passage*) (a) A prescribing
2 practitioner, as defined in section 20-14c of the general statutes, who is
3 authorized to prescribe an opioid antagonist, as defined in section 17a-
4 714a of the general statutes, may, by standing order issued to a
5 pharmacist licensed under part II of chapter 400j of the general
6 statutes, prescribe an opioid antagonist that is (1) administered by an
7 intranasal application delivery system or an auto-injection delivery
8 system, (2) approved by the federal Food and Drug Administration,
9 and (3) dispensed by the pharmacist to any person at risk of
10 experiencing an overdose of an opioid drug, as defined in 42 CFR 8.2,
11 or to a family member, friend or other person in a position to assist a
12 person at risk of experiencing an overdose of an opioid drug. Any such
13 prescription shall be regarded as being issued for a legitimate medical
14 purpose in the usual course of the prescribing practitioner's
15 professional practice. For purposes of this section and section 20-633c
16 of the general statutes, as amended by this act, "standing order" means
17 a nonpatient specific prescription for an opioid antagonist that is
18 administered by an intranasal application delivery system or an auto-
19 injection delivery system and approved by the federal Food and Drug
20 Administration.

21 (b) A pharmacist who agrees to accept a standing order issued
22 under subsection (a) of this section and dispenses an opioid antagonist
23 in accordance with the provisions of said subsection shall be deemed
24 not to have violated any standard of care for a pharmacist.

25 Sec. 2. Section 20-633c of the 2016 supplement to the general statutes
26 is repealed and the following is substituted in lieu thereof (*Effective*
27 *from passage*):

28 (a) (1) A person who is licensed as a pharmacist under part II of this
29 chapter and is certified in accordance with subsection (b) of this section
30 may prescribe, in good faith, an opioid antagonist, as defined in
31 section 17a-714a. Such pharmacist shall [(1)] (A) provide appropriate
32 training regarding the administration of such opioid antagonist to the
33 person to whom the opioid antagonist is dispensed, and [(2)] (B)
34 maintain a record of such dispensing and the training required
35 pursuant to this chapter.

36 (2) A person who is licensed as a pharmacist under part II of this
37 chapter may dispense, in good faith, an opioid antagonist, as defined
38 in section 17a-714a, that is administered by an intranasal application
39 delivery system or an auto-injection delivery system, pursuant to a
40 standing order issued under section 1 of this act.

41 (b) A pharmacist may only prescribe an opioid antagonist pursuant
42 to this section if the pharmacist has been trained and certified by a
43 program approved by the Commissioner of Consumer Protection.

44 (c) A pharmacist who prescribes or dispenses an opioid antagonist
45 in compliance with this section shall be deemed not to have violated
46 any standard of care for a pharmacist.

47 (d) The provisions of subdivision (1) of subsection (a) of this section
48 shall apply only to a pharmacist certified in accordance with
49 subsection (b) of this section. No pharmacist may delegate or direct
50 any other person to (1) prescribe an opioid antagonist, or (2) train any
51 person in the administration of such opioid antagonist pursuant to the

52 provisions of subdivision (1) of subsection (a) of this section.

53 (e) The Commissioner of Consumer Protection may adopt
54 regulations, in accordance with chapter 54, to implement the
55 provisions of this section.

56 Sec. 3. (NEW) (*Effective from passage*) (a) As used in this section:

57 (1) "Opioid drug" has the same meaning as provided in 42 CFR 8.2;

58 (2) "Adult" means a person who is at least eighteen years of age;

59 (3) "Prescribing practitioner" has the same meaning as provided in
60 section 20-14c of the general statutes;

61 (4) "Minor" means a person who is under eighteen years of age;

62 (5) "Opioid agonist" means a medication that binds to the opiate
63 receptors and provides relief to individuals in treatment for abuse of or
64 dependence on an opioid drug;

65 (6) "Opiate receptor" means a specific site on a cell surface that
66 interacts in a highly selective fashion with an opioid drug;

67 (7) "Palliative care" means specialized medical care to improve the
68 quality of life of patients and their families facing the problems
69 associated with a life-threatening illness; and

70 (8) "Opioid antagonist" has the same meaning as provided in section
71 17a-714a of the general statutes.

72 (b) When issuing a prescription for an opioid drug to an adult
73 patient for the first time for outpatient use, a prescribing practitioner
74 who is authorized to prescribe an opioid drug shall not issue a
75 prescription for more than a seven-day supply of such drug, as
76 recommended in the National Centers for Disease Control and
77 Prevention's Guideline for Prescribing Opioids for Chronic Pain.

78 (c) A prescribing practitioner shall not issue a prescription for an
 79 opioid drug to a minor for more than a seven-day supply of such drug
 80 at any time and, when issuing a prescription for an opioid drug to a
 81 minor for less than a seven-day supply of such drug, shall discuss the
 82 risks associated with use of an opioid drug and the reasons why the
 83 prescription is necessary with the custodial parent, guardian or other
 84 person having legal custody of the minor.

85 (d) Notwithstanding the provisions of subsections (b) and (c) of this
 86 section, if, in the professional medical judgment of a prescribing
 87 practitioner, more than a seven-day supply of an opioid drug is
 88 required to treat an adult patient's or minor patient's acute medical
 89 condition, as determined by the prescribing practitioner, or is
 90 necessary for the treatment of chronic pain, pain associated with a
 91 cancer diagnoses or for palliative care, then the prescribing practitioner
 92 may issue a prescription for the quantity needed to treat the acute
 93 medical condition, chronic pain, pain associated with a cancer
 94 diagnosis or pain experienced while the patient is in palliative care.
 95 The condition triggering the prescription of an opioid drug for more
 96 than a seven-day supply shall be documented in the patient's medical
 97 record and the practitioner shall indicate that an alternative to the
 98 opioid drug was not appropriate to address the medical condition.

99 (e) The provisions of subsections (b), (c) and (d) of this section shall
 100 not apply to medications designed for the treatment of abuse of or
 101 dependence on an opioid drug, including, but not limited to, opioid
 102 agonists and opioid antagonists.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	20-633c
Sec. 3	<i>from passage</i>	New section

PH *Joint Favorable Subst.*

