
OLR Bill Analysis

HB 5197

AN ACT ALLOWING EMERGENCY CONTRACEPTION TO BE SOLD AND DISPENSED VIA VENDING MACHINES LOCATED AT INSTITUTIONS OF HIGHER EDUCATION.

SUMMARY

This bill allows emergency contraception to be sold in vending machines on a higher education institution's campus if they are owned and operated by a business that sells emergency contraception and has a Department of Consumer Protection (DCP) permit for each vending machine.

Under the bill, anyone who is not a licensed pharmacy that wishes to sell emergency contraception using a vending machine on a higher education institution's campus must apply to DCP to obtain a permit to do so. A business that wishes to locate multiple vending machines on a single campus must only obtain one permit. The contraception must be labeled and packaged as required by state and federal law.

Vending machines must be individually registered with DCP and each registration application must designate the person responsible for properly maintaining the vending machine. This person must ensure the vending machine:

1. maintains proper temperature and humidity as required by the emergency contraception's manufacturer;
2. contains only emergency contraception, which must be in the original manufacturer-provided containers;
3. only offers emergency contraception that is unexpired, unadulterated, and not subject to recall, and if it is recalled, promptly removed; and

4. has clear and conspicuous written statements attached to it (a) advising consumers to check the contraception's expiration date before using it; (b) disclosing the name, address, and toll-free phone number of the vending machine's owner and operator; and (c) providing a DCP toll-free phone number to report a product that has expired or been tampered with.

The bill requires the latter statement to be in a size and prominent location visible to consumers and state the following:

"Product tampering or expired product? Notify the Department of Consumer Protection, Drug Control Division, by calling (telephone number of the toll-free telephone line established by the department pursuant to section 21a-2 of the general statutes)."

Lastly, the bill subjects violators of the bill's provisions to a fine of up to \$1,000 per violation.

EFFECTIVE DATE: Upon passage

BACKGROUND

Related Bills

sSB 171, favorably reported by the Public Health Committee, authorizes pharmacists to prescribe emergency or hormonal contraception to patients ages 16 or older, under certain conditions.

sHB 6768, favorably reported by the General Law Committee, authorizes pharmacists to prescribe emergency or hormonal contraception, under certain conditions.

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 34 Nay 3 (03/20/2023)