
OLR Bill Analysis

sSB 171

AN ACT ALLOWING PHARMACISTS TO PRESCRIBE BIRTH CONTROL MEDICATION.

SUMMARY

This bill authorizes pharmacists to prescribe, in good faith, emergency or hormonal contraception to patients ages 16 or older if the pharmacist takes the following actions before doing so:

1. completes an accredited educational and training program on prescribing the contraception by pharmacists;
2. (a) reviews the most current version of the federal Centers for Disease Control and Prevention's (CDC) U.S. Medical Eligibility Criteria for Contraceptive Use, or any successor document, and (b) documents in writing if he or she deviates from this guidance and the rationale for doing so;
3. completes a patient screening document before dispensing the contraception and at least annually after that for a returning patient;
4. counsels the patient on what the patient should monitor and when to seek additional medical attention;
5. notifies the patient's primary care provider if the patient identifies one; and
6. provides the patient a document outlining age-appropriate health screenings consistent with CDC recommendations.

The bill also authorizes pharmacy technicians, at a pharmacist's request, to help the pharmacist prescribe the contraception by completing specified tasks, so long as the technician completed an

educational training program that meets the same requirements as those for pharmacists.

Additionally, the bill requires pharmacies to keep copies of all patient screening documents for at least three years and make the documents available to the Department of Consumer Protection (DCP) for inspection, upon request.

Lastly, the bill allows DCP to adopt implementing regulations.

EFFECTIVE DATE: Upon passage

PRESCRIBING REQUIREMENTS

Educational Training Program

Under the bill, the pharmacist must complete an educational training program that does the following:

1. concerns prescribing emergency and hormonal contraception by pharmacists;
2. addresses appropriate patient medical screening, contraindications, drug interactions, treatment strategies, and modifications, and when to refer patients to medical providers; and
3. is accredited by the Accreditation Council for Pharmacy Education.

Screening Document

Under the bill, the pharmacist must complete a screening document (presumably, for a patient) prior to dispensing emergency or hormonal contraception and at least annually after that for a returning patient.

DCP must make the screening document available on its website. The pharmacist, or the pharmacy he or she works for, must keep the document for at least three years. The pharmacy must also make the document available to DCP for inspection, upon request.

The bill explicitly provides that it does not prevent the pharmacist, in

his or her professional discretion, from (1) requiring more frequent screenings or (2) issuing a prescription for hormonal contraception for up to 12 months.

Counseling and Notification Requirements

If a pharmacist determines that prescribing a patient emergency or hormonal contraception is clinically appropriate, the pharmacist must do the following:

1. counsel the patient on what the patient should monitor and when he or she should seek additional medical attention;
2. notify any health care provider the patient identifies as his or her primary care provider, or if the patient does not disclose this information, provide the patient any relevant documentation; and
3. provide the patient a document outlining age-appropriate health screenings that are consistent with CDC recommendations.

Pharmacy Technicians

The bill authorizes pharmacy technicians, at a pharmacist's request, to help the pharmacist prescribe emergency or hormonal contraception to a patient by (1) giving the patient screening documentation; (2) taking and recording the patient's blood pressure; and (3) documenting the patient's medical history, so long as the pharmacy technician completed an educational training program that meets the same requirements as those for pharmacists described above.

Definitions

Under the bill, an "emergency contraceptive" is a single drug or combination of drugs approved by the federal Food and Drug Administration (FDA) to prevent pregnancy as soon as possible after (1) unprotected sexual intercourse or (2) suspected or known contraceptive failure.

A "hormonal contraceptive" means a drug composed of one or more hormones approved by the FDA to prevent pregnancy, including

hormonal contraceptive patches and intravaginal or oral hormonal contraceptives.

BACKGROUND

Related Bill

sSB 6768, favorably reported by the General Law Committee, contains similar provisions authorizing pharmacists to prescribe emergency or hormonal contraception, under certain conditions.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 33 Nay 4 (03/20/2023)