



House of Representatives

General Assembly

File No. 75

January Session, 2023

Substitute House Bill No. 6718

House of Representatives, March 15, 2023

The Committee on Children reported through REP. LINEHAN of the 103rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE SAFE STORAGE AND DISPOSAL OF CERTAIN PRESCRIPTION DRUGS, CANNABIS AND CANNABIS PRODUCTS.

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

1 Section 1. Section 20-636 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) [Not later than January 1, 2023, each] Each pharmacy, as defined
4 in section 20-635, shall post a sign in a conspicuous place on the
5 premises of such pharmacy, notifying consumers that they may visit the
6 Internet web site of the Department of Consumer Protection for
7 information concerning the safe storage of prescription drugs and
8 disposal of unused and expired prescription drugs.

9 (b) On and after January 1, 2024, each pharmacy shall affix a
10 fluorescent orange sticker or label to each container or packaging in
11 which an opioid drug, as defined in section 20-14o, or controlled
12 substance in schedule II, III, IV or V, is sold or dispensed, containing the

13 following statement in black ink:

14 "DANGER TO CHILDREN

15 KEEP OUT OF REACH".

16 Sec. 2. Section 21a-422t of the general statutes is repealed and the
17 following is substituted in lieu thereof (*Effective from passage*):

18 (a) [Not later than January 1, 2023, each] Each dispensary facility, as
19 defined in section 21a-420, retailer, as defined in section 21a-420, and
20 hybrid retailer, as defined in section 21a-420, shall post a sign in a
21 conspicuous place on the premises of such retailer or hybrid retailer
22 notifying consumers that they may visit the Internet web site of the
23 Department of Consumer Protection for information concerning the safe
24 storage of cannabis and cannabis products and disposal of unused and
25 expired cannabis and cannabis products.

26 (b) On and after January 1, 2024, each dispensary facility, retailer,
27 hybrid retailer and micro-cultivator, as defined in section 21a-420, shall
28 affix a fluorescent orange sticker or label to each container or packaging
29 containing cannabis or cannabis products, containing the following
30 statement in black ink:

31 "DANGER TO CHILDREN

32 KEEP OUT OF REACH".

33 Sec. 3. (*Effective from passage*) Not later than December 31, 2023, the
34 Department of Consumer Protection shall design and produce the
35 stickers or labels described in subsection (b) of section 20-636 of the
36 general statutes, as amended by this act, and subsection (b) of section
37 21a-422t of the general statutes, as amended by this act, and distribute a
38 quantity of such stickers or labels deemed sufficient by the department
39 to each pharmacy, dispensary facility, retailer, hybrid retailer and
40 micro-cultivator.

41 Sec. 4. (*Effective from passage*) Not later than July 1, 2024, the

42 Department of Consumer Protection shall, in consultation with the
43 Departments of Public Health and Children and Families, develop and
44 administer a social media public awareness campaign concerning the
45 safe storage and disposal of prescription drugs, cannabis, cannabis
46 products and illegal drugs and the dangers such drugs and products
47 pose to children. The Department of Consumer Protection shall not
48 terminate such campaign until June 30, 2026, at the earliest. For the
49 purposes of this section, "social media" has the same meaning as
50 provided in section 9-601 of the general statutes.

51 Sec. 5. (*Effective from passage*) Not later than July 1, 2024, the
52 Department of Mental Health and Addiction Services shall, in
53 collaboration with providers of substance use disorder treatment
54 services and organizations serving individuals experiencing
55 homelessness, develop and administer a public awareness campaign
56 concerning the safe storage and disposal of prescription drugs,
57 cannabis, cannabis products and illegal drugs and the dangers such
58 drugs and products pose to children. Such campaign shall (1) include,
59 but need not be limited to, the state-wide delivery of such information
60 to individuals (A) receiving treatment for substance use disorders, and
61 (B) experiencing homelessness, and (2) not terminate any earlier than
62 June 30, 2026.

63 Sec. 6. (*Effective July 1, 2023*) Notwithstanding the provisions of
64 sections 17a-674c and 17a-674d of the general statutes, the sum of four
65 hundred thousand dollars shall be allocated from the Opioid Settlement
66 Fund to the Department of Consumer Protection, for the fiscal year
67 ending June 30, 2024, for costs associated with the production and
68 distribution of stickers and labels required pursuant to subsection (b) of
69 section 20-636 of the general statutes, as amended by this act, to
70 pharmacies.

71 Sec. 7. (*Effective July 1, 2023*) Notwithstanding the provisions of
72 section 21a-420f of the general statutes, the sum of four hundred
73 thousand dollars shall be allocated from the Prevention and Recovery
74 Services Fund to the Department of Consumer Protection, for the fiscal

75 year ending June 30, 2024, for costs associated with the production and
76 distribution of stickers and labels required pursuant to subsection (b) of
77 section 21a-422t of the general statutes, as amended by this act, to
78 dispensary facilities, retailers, hybrid retailers and micro-cultivators.

79 Sec. 8. (*Effective July 1, 2023*) The sum of two hundred thousand
80 dollars is appropriated to the Department of Consumer Protection from
81 the General Fund, for the fiscal year ending June 30, 2024, for the
82 purpose of hiring a full-time employee to investigate reported violations
83 of subsection (b) of section 20-636 of the general statutes, as amended by
84 this act, and subsection (b) of section 21a-422t of the general statutes, as
85 amended by this act.

86 Sec. 9. (*Effective July 1, 2023*) The sum of two hundred thousand
87 dollars is appropriated to the Department of Consumer Protection from
88 the General Fund, for the fiscal year ending June 30, 2025, for the
89 purpose of hiring a full-time employee to investigate reported violations
90 of subsection (b) of section 20-636 of the general statutes, as amended by
91 this act, and subsection (b) of section 21a-422t of the general statutes, as
92 amended by this act.

93 Sec. 10. (*Effective July 1, 2023*) The sum of fifty thousand dollars is
94 appropriated to the Department of Consumer Protection from the
95 General Fund, for the fiscal year ending June 30, 2024, for the
96 development and administration of the social media public awareness
97 campaign described in section 4 of this act.

98 Sec. 11. (*Effective July 1, 2023*) The sum of fifty thousand dollars is
99 appropriated to the Department of Consumer Protection from the
100 General Fund, for the fiscal year ending June 30, 2025, for the
101 development and administration of the social media public awareness
102 campaign described in section 4 of this act.

103 Sec. 12. (*Effective July 1, 2023*) The sum of one hundred fifty thousand
104 dollars is appropriated to the Department of Mental Health and
105 Addiction Services from the General Fund, for the fiscal year ending
106 June 30, 2024, for the development and administration of the public

107 awareness campaign described in section 5 of this act.

108 Sec. 13. (Effective July 1, 2023) The sum of one hundred fifty thousand
109 dollars is appropriated to the Department of Mental Health and
110 Addiction Services from the General Fund, for the fiscal year ending
111 June 30, 2025, for the development and administration of the public
112 awareness campaign described in section 5 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	20-636
Sec. 2	<i>from passage</i>	21a-422t
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>July 1, 2023</i>	New section
Sec. 7	<i>July 1, 2023</i>	New section
Sec. 8	<i>July 1, 2023</i>	New section
Sec. 9	<i>July 1, 2023</i>	New section
Sec. 10	<i>July 1, 2023</i>	New section
Sec. 11	<i>July 1, 2023</i>	New section
Sec. 12	<i>July 1, 2023</i>	New section
Sec. 13	<i>July 1, 2023</i>	New section

KID Joint Favorable Subst.

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:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Resources of the General Fund	GF - Appropriation	400,000	400,000
Resources of the Opioid Settlement Fund	Opioid Settlement Fund - Potential Cost	400,000	None
Resources of the Prevention and Recovery Services Fund	Prevention and Recovery Services Fund - Potential Cost	400,000	None
Consumer Protection, Dept.; Mental Health & Addiction Serv., Dept.	GF - Cost	See Below	See Below
State Comptroller - Fringe Benefits ¹	GF - Cost	42,075	42,075

Note: GF=General Fund; Various=Various

Municipal Impact: None

Explanation

The bill makes various changes regarding opioid and cannabis packaging and public awareness campaigns resulting in the fiscal impact described below.

DCP Packaging Labels for Opioids and Cannabis:

Sections 1-3 require pharmacies and cannabis facilities to affix labels on opioid and cannabis packaging and requires the Department of

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

Consumer Protection (DCP) to design, produce, and distribute the labels resulting in a cost of \$800,000 in FY 24.

Sections 6 and 7 allocate \$400,000 each from the Opioid Settlement Fund and Prevention and Recovery Services Fund to DCP, potentially offsetting the cost to the agency.

The Opioid Settlement Fund is a separate, nonlapsing fund administered by a 37-member Opioid Settlement Advisory Committee with assistance from the Department of Mental Health and Addiction Services (DMHAS). Expenditures must be approved by the Committee and used only in accordance with the controlling judgment, consent decree, or settlement.

The Prevention and Recovery Services Fund is a separate, nonlapsing fund. Funding must be used for the purposes of (1) substance abuse prevention, treatment, and recovery services, and (2) collection and analysis of data regarding substance use.

DCP Social Media Public Awareness Campaign:

Sections 4 requires DCP to develop and administer a social media public awareness campaign regarding the safe storage of prescription drugs and cannabis resulting in a cost of \$50,000 in FY 24 and FY 25. Sections 10 and 11 appropriate \$50,000 from the General Fund in both FY 24 and FY 25 for this purpose.

DMHAS Public Awareness Campaign:

Section 5 requires the Department of Mental health and Addiction Services (DMHAS) to develop and administer a public awareness campaign regarding the safe storage and disposal of prescription drugs and cannabis resulting in a cost of \$150,000 in FY 24 and FY 25. Sections 12 and 13 appropriate \$150,000 from the General Fund in both FY 24 and FY 25 for this purpose.

DCP Enforcement:

Sections 8-9 appropriate \$200,000 in FY 24 and FY 25 for DCP to hire one full-time employee to investigate violations of sections 1-2 of the bill.

To meet the requirements of the bill, DCP will need to hire one drug control agent which will cost the agency \$102,258 in FY 24 and FY 25. This will also cost the Office of the State Comptroller \$42,075 in FY 24 and FY 25 for associated fringe benefits.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the continuance of the public awareness campaigns, cost of the labels, and inflation.

OLR Bill Analysis

sHB 6718

AN ACT CONCERNING THE SAFE STORAGE AND DISPOSAL OF CERTAIN PRESCRIPTION DRUGS, CANNABIS AND CANNABIS PRODUCTS.

SUMMARY

Beginning January 1, 2024, this bill requires pharmacies and cannabis dispensary facilities, retailers, hybrid retailers, and micro-cultivators to affix a fluorescent orange sticker or label with black ink that says “DANGER TO CHILDREN KEEP OUT OF REACH” on any container or packaging (1) in which an opioid drug or schedule II, III, IV, or V controlled substance is sold or dispensed or (2) that contains cannabis or cannabis products.

The bill also requires the Department of Consumer Protection (DCP), by December 31, 2023, to (1) design and produce these stickers or labels and (2) distribute an amount it deems sufficient to each pharmacy, dispensary facility, retailer, hybrid retailer, and micro-cultivator.

By July 1, 2024, the bill requires DCP to develop and administer a social media public awareness campaign and the Department of Mental Health and Addiction Services (DMHAS) to develop a public awareness campaign, both concerning the (1) safe storage and disposal of prescription drugs, cannabis, cannabis products, and illegal drugs and (2) dangers they pose to children. The bill prohibits the departments from ending the campaigns before June 30, 2026.

The bill appropriates funds to DCP and DMHAS to carry out the bill’s labeling and public awareness campaign requirements (§§ 6-13).

Lastly, the bill requires DCP-licensed cannabis dispensaries to post a sign in a conspicuous place on their premises notifying consumers that they may visit DCP's website for information on safe storage and disposal of cannabis and cannabis products, as is required under existing law for pharmacies, cannabis retailers, and hybrid retailers.

EFFECTIVE DATE: Upon passage, except the funding provisions are effective July 1, 2023.

DCP SOCIAL MEDIA CAMPAIGN

The bill requires DCP to develop and administer the social media public awareness campaign in consultation with the departments of Public Health and Children and Families.

Under the bill, "social media" is any electronic medium where users may create and view user-generated content, such as videos or still photographs, blogs, video blogs, podcasts, or instant messages.

Funding

For FY 24, the bill allocates to DCP:

1. \$400,000 each from the Opioid Settlement and the Prevention and Recovery Services funds for the costs to produce and distribute the stickers and labels,
2. \$200,000 from the General Fund to hire a full-time employee to investigate reported violations of the bill's sticker and label requirements, and
3. \$50,000 from the General Fund to develop and administer the social media public awareness campaign.

For FY 25, the bill appropriates to DCP from the General Fund an additional (1) \$200,000 for hiring a full-time employee to investigate sticker and label violations and (2) \$50,000 to develop and administer the social media public awareness campaign.

DMHAS PUBLIC AWARENESS CAMPAIGN

The bill requires DMHAS, by July 1, 2024, to develop and administer the public awareness campaign about safe storage and disposal of drugs, cannabis, and cannabis products in collaboration with providers of substance use disorder treatment services and organizations serving homeless individuals.

The campaign must include state-wide delivery of information to individuals (1) receiving substance use disorder treatment and (2) experiencing homelessness.

Funding

In both FYs 24 and 25, the bill appropriates \$150,000 to DMHAS from the General Fund to develop and administer the public awareness campaign.

BACKGROUND

Related Bills

HB 6696, favorably reported by the General Law Committee, requires pharmacists to give patients, when dispensing an opioid drug to them, a free personal opioid drug deactivation and disposal product and allows them to seek reimbursement from the Opioid Settlement Fund for the cost of doing so.

sHB 6698, favorably reported by the General Law Committee, (1) expands the pilot peer navigator program for individuals with opioid use disorder, making it a statewide initiative, and (2) explicitly authorizes the Opioid Settlement Fund to be used to pay for administering the program.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute
Yea 17 Nay 2 (03/02/2023)