

# General Law Committee

## JOINT FAVORABLE REPORT

**Bill No.:** HB-6768

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S

**Title:** RECOMMENDATIONS REGARDING PRESCRIPTION DRUG REGULATION.

**Vote Date:** 3/9/2023

**Vote Action:** Joint Favorable Substitute

**PH Date:** 2/28/2023

**File No.:** 215

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### **SPONSORS OF BILL:**

General Law

### **REASONS FOR BILL:**

This legislation will give pharmacists the ability to prescribe medications and medical devices to patients and allows pharmacies to prescribe emergency contraception medication as well as FDA approved hormonal contraception. The bill protects the pharmacy from prosecution from another state whose laws do not allow such activity. In addition, it states that "secured boxes" containing an opioid antagonist for nasal ingestion which shall be placed in public areas. There is an alarm attached, which will summon first responders in the case of a potential overdose. This bill also applies to "secured machines" which contain syringes, test strips and attendant items for use by those in a syringe services program.

### **SUBSTITUTE LANGUAGE:**

Substitute language includes "test strips" for use in secured machines, and the methods for physicians as well as other certified healthcare personnel to certify the use of marijuana in palliative care and the guidelines for use and disposal.

### **RESPONSE FROM ADMINISTRATION/AGENCY:**

#### **Michelle Seagull, Commissioner, Department of Consumer Protection**

**Supports.** This bill institutes a practitioner registration process allowing said practitioners to dispense medicine directly to patients rather than through pharmacies. In addition, it lets pharmacists fill/refill medical devices, as well as provide them if not prescribed but needed to deliver prescribed medication. The legislation allows pharmacists to prescribe and distribute emergency and hormonal contraception and protects them from discipline in the state of Connecticut if disciplined by another state in which such contraceptive medication is prohibited. Also, the placement of secured naloxone boxes in public places is legislated. In addition, there are revisions to the Pharmacy Practice Act, adding a section to address unsafe conditions, inadequate staffing, and a lack of policies that create safety concerns, allowing DCP to address these problems in a broader manner rather than targeting either a

manager or pharmacist without further investigation. It states that presently approved flavoring agents to be used and it will be mandatory that all pharmacists must comply with drug compounding standards. Non-legend medications will be available in vending machines.

**NATURE AND SOURCES OF SUPPORT:**

**ALWAKOKUL BELAWOE, STATE GOVERNMENTAL AFFAIRS, MANAGER, NATIONAL COMMUNITY PHARMACISTS ASSOCIATION.**

**Supports.** This legislation allows pharmacists to prescribe medications and medical devices as well as FDA approved emergency contraception medicine and hormones. This reduces costs to the consumer and makes the medication more readily available. Also, the 125 independent pharmacies that this organization represents, will now be able to provide more cost-saving, convenient services to communities in outlying areas of Connecticut.

**FREDERICK L. ALTICE, YALE UNIVERSITY, PROFESSOR OF MEDICINE AND PUBLIC HEALTH AND DIRECTOR OF COMMUNITY HEALTH VAN.**

**Supports.** This bill will allow pharmacies and other medical organizations to provide secured boxes containing an opioid antagonist, to be placed in public areas, for use in situations of an opioid overdose. These boxes are equipped with the ability to alert first responders when accessed. Secured machines are available for restricted use by those enrolled in a syringe program which supplies them with a specific code for access. Both boxes are available and stocked by medical entities, such as mobile medical facilities. This secured box and machine proposal would be both a life-saving measure and with regard to the secured box program, a convenience.

**CONNECTICUT HOSPITAL ASSOCIATION**

**Supports.** CHA states that this legislation has, in conjunction with the Department of Consumer Protection, provided several remedies to existing issues concerning pharmacies/pharmacists. It addresses the immediate need for emergency contraception and FDA approved hormones in the case of unwanted pregnancy by allowing a pharmacist to prescribe such medication. It provides ready access to life-saving opioid antagonists in public areas to save lives, allows the sale of non-legend drugs in vending machines, sets state compounding standards while allowing existing flavoring agents to continue to be used in pharmacies.

**Gene B. Decaminada, BS Pharm, RPh, FNH1A**

**Supports.** This bill supports and enhances patient care by giving pharmacies/pharmacists greater flexibility in prescribing both medicines and attendant medical devices. HB6768 allows pharmacists to prescribe emergency birth control, medications, and medical devices. It makes significant changes to our state statutes, protecting pharmacists from prosecution by other states, who do not have allowable emergency contraception laws, providing for ready access to opioid antagonist secured boxes in public places, secured machines available to those in a syringe program, as well as providing over the counter drugs in vending machines.

**Philip Hritcho, Dean of Pharmacy, UCONN, Pharmacist**

**Supports.** This legislation is needed for the basic reason that it provides healthcare to communities with no ready access to either a primary healthcare provider or healthcare facility. He believes pharmacies and pharmacists are underutilized and this bill addresses it by giving said pharmacists more flexibility. The testimony focuses on the positive aspect of pharmacists now being able to dispense and administer hormonal birth control in the event of

unwanted pregnancies. There are many areas in our state where healthcare is scarce and a pharmacist can now provide many services, keeping consumer/patient costs down. The main concern in this testimony, is the problem of insurance companies providing adequate reimbursement for these services.

**Natalie Kil, MPH, ASSOCIATE DIRECTOR DOMESTIC PROJECTS, YALE UNIVERSITY SCHOOL OF MEDICINE.**

**Supports.** The need for availability of opioid antagonists (I.e., Naloxone) continues to grow as fentanyl saturates the drug market, increasing the number of overdoses. This legislation answers that need by requiring that secured boxes containing an opioid antagonist be available in public areas across the state. The mobile Community Health Care van, associated with Yale, will assist in keeping these units stocked when available.

**Hannah Meister**

**Supports.** This legislation allows pharmacies to provide the most affordable healthcare as they are more accessible and more cost-effective than a primary care provider. Pharmaceutical students are taught dosages and medications, guaranteeing the public professional health care.

**BISNI NARAYANAN, Pharm D, MS**

**Supports.** Pharmacists are a group of professional healthcare personnel both necessary and capable of prescribing emergency contraceptive medicine and hormones. Giving pharmacists the ability to prescribe emergency contraceptive medication will positively affect those who have unwanted pregnancies and seek immediate relief.

**CHRISTINE POLOMOFF, ASSISTANT CLINICAL PROFESSOR**

**Supports.** The ability of pharmacists to prescribe medical devices is very helpful to the consumer. Being able to prescribe includes medical devices unprescribed but necessary for the delivery of medication, as a syringe is needed as a delivery system for insulin.

**ZINE HUXLEY-REICHER, MD, YALE PRIMARY CARE RESIDENT**

**DANIEL KEREKES, MD, YALE GENERAL SURGERY RESIDENT**

**Supports.** This testimony specifically supports the section of the bill regarding the availability of secured boxes containing opioid antagonists in public places used in cases of drug overdose case, there is also a secure machine, to be used by those in the needle program, holding syringes and supporting items. The proximity of the two may be something to consider.

**MARISSA SALVO, PharmD, BCACP, FCPA**

**Supports.** Pharmacists provide the most efficient, affordable health care. This bill allows Connecticut and its' pharmacists to join 22 other states in providing both birth control and hormonal contraceptives. It also allows the placement of vending machines equipped with non-legend drugs.

**NATHAN TINKER, CEO, CT PHARMACISTS ASSOCIATION**

**Supports.** This legislation allows pharmacists to provide more access in a more timely manner to contraceptive measures than a physician, for women. Women find it more convenient and there is a large female population that has no primary care physician. Also, there are counties in CT that have no other reasonable access to birth control methods.

**JAMES ZAKSZEWSKI**

**Supports.** It is essential to use pharmacists to prescribe medication as they are uniquely qualified, being open seven days a week, strive to provide a better quality of care and cost savings for their patients.

**NATURE AND SOURCES OF OPPOSITION:**

None expressed.

**Reported by: Kathleen Zabel**

**Date: March 20, 2023**