

General Law Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1102

Title: AN ACT CONCERNING PHARMACIES AND PHARMACISTS.

Vote Date: 3/9/2023

Vote Action: Joint Favorable Substitute

PH Date: 2/28/2023

File No.: 221

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SPONSORS OF BILL:

General Law

REASONS FOR BILL:

This legislation gives pharmacists a greater range of prescribing and delivering medications. They can order and give tests for a variety of illnesses, such as COVID-19, the flu and HIV, vaccinate for COVID and the flu and give out HIV related prophylaxis when there is a negative test result. It changes the age for vaccinations for COVID and a variety of other vaccines to age 12. It also allows pharmacies to operate temporary mobile pharmacies for vaccinations or training. All pharmacies must meet the standards of the USP (United States Pharmacopeia) laws relating to compounding sterile pharmaceuticals. In addition, there are methods instituted that should a pharmacy be closed for an unscheduled, extended period of time, it must provide to another pharmacy, the information regarding prescriptions being held so the available pharmacy can fill the prescription.

RESPONSE FROM ADMINISTRATION/AGENCY:

Michelle Seagull, Commissioner, Department of Consumer Protection.

Supports. The changes made to give pharmacies and pharmacists greater access to both testing and treating COVID-19, HIV, and the flu, makes it easier for patients to receive healthcare assistance. By allowing pharmacies to operate mobile pharmacies for vaccinations, training of personnel about opioid antagonists and prescribing, gives more people better access to healthcare.

NATURE AND SOURCES OF SUPPORT:

Belawoe Akwakoku Manager, State Government Affairs Manager National Community Pharmacists Association

Supports. This bill allows pharmacists greater flexibility when testing and vaccinating for HIV, COVID-19, and the flu, and has changed the age limit for this to 12 years of age, providing

more services to more patients. In addition, it mandates that insurance covers the administration of the medications.

Eric Arlia, Vice President, Pharmacy Services, Hartford Healthcare

Supports. This legislation supports the necessity of sterile compounding pharmacies, making them compliant with USP (United States Pharmacopeia) 797. This sets a precedent for a "clean room" environment in our state, which prevents unintended contamination of sterile products. The testimony suggests that licensing pharmacies with their hospitals would create this clean environment for infusions. This would decrease costs as for-profit companies would not be needed to provide this environment for infusions.

David G. Benoit, MHP, RPh VP, Patient Care Services Northeast Pharmacy Service Corporation

Supports. Pharmacies have been able to vaccinate for COVID-19 since Federal emergency laws allowed it. This bill makes that a permanent statute and gives people in the community accessible health care by professionals. Mobile pharmacies will provide care to underserved areas of our state. This legislation provides the first step in expanding the use of pharmacists as healthcare providers.

Benjamin Davis, PharmD, RPh

Supports. The ability of pharmacists to administer tests for strep, HIV, COVID-19, and the flu, as well as providing vaccinations and prescribing certain medications, is a great help to the community and the patient. By lowering the age for vaccinations, pharmacists are able to help younger children, from age 12 to 18, receive their shots and boosters in a community-based setting. Pharmacy techs were, under the PREP Act "Public Readiness and Emergency Preparedness Act", able to give COVID-19 vaccinations. That act allowed these pharmacy techs to take the APhA program, giving them the ability to administer vaccines safely and accurately. This testimony supports the continuation of this practice because it would raise the immunization rates, being easier to access.

Gene B. Decaminada, BS Pharm, RPh, FNHIA

Supports. As a pharmacist, with regard to this bill, the ability to test and treat for COVID-19, HIV, and the flu, as well as administer vaccinations, while mandating insurance coverage for needles and syringes, this is important legislation.

Gregory E. McKenna, Pharmacist

Supports. This legislation is important as it allows for the continuation of testing for COVID-19 and expands it to include the flu and HIV. This is a cost saving measure. Also, lowering the age to 12, in the administering of vaccinations, allows more families to get these together, in a more cost-effective manner and at a convenient time. The mobile pharmacy is a tremendous plus for those who cannot drive or live a long distance from a healthcare facility.

Edward R. Schreiner, Jr. R.ph

Supports. As the COVID pandemic emerged, pharmacists were able to both test and vaccinate against it. This bill adds flu testing and vaccination to it, as well as the HIV test. It also allows children 12 and above to receive vaccines. These are important steps and are supported.

Sandra A. Springer, MD, Professor of Medicine for Yale School of Medicine

Supports. This legislation will make testing and medications available through a mobile pharmacy, which will be a boon to the outlying areas of our state. Many people have little or no access to medical personnel and testing. This will bring our technology to them, using licensed pharmacies, under the supervision of a pharmacist, to provide critical services.

Nathan Tinker, CEO, Connecticut Pharmacists Association

Supports. Pharmacies and pharmacists have taken on the role of tester and vaccine provider over the past three years. They are proven to be excellent, and this legislation gives them an extended role in these things. The assurance of health insurance paying for this is both necessary and positive. Pharmacists and their technicians attend classes to keep them updated in the medical field. They are low cost and accessible to their community.

Hannah Meister

Supports. Pharmacists are well-trained professionals who will allow greater access to patients for things such as testing for HIV, COVID-19 and the flu and will also be able to vaccinate them in a timely fashion.

Bisni Narayanan, PHARM.D, MS

Supports. Since the COVID epidemic began, pharmacists have been able to test and vaccinate for COVID-19 and now will have the ability to expand this to include HIV and the flu. Pharmacists are more convenient and accessible healthcare professionals, who can serve the surrounding community.

Christina Polomoff

Supports. This bill allows pharmacists to test and treat COVID, HIV and the flu. They have been testing and vaccinating for COVID since 2019 and are competent to add other tests and vaccinations. Pharmacists support and care for their community and are the most accessible healthcare option.

Carrie Rand-Anastasiades, Executive Director of the CT Assoc. of Community Pharmacies (CACP).

Supports. There is strong support for pharmacists administering tests and vaccinations. The proximity of pharmacies makes them more likely to get clients in to be tested for COVID, the flu and HIV. This keeps people that are ill, closer to home and they can be given immediate relief through medication from the pharmacy and a lower cost than seeing a physician. The vaccinating of children is also supported. They ask that this bill be amended to include pharmacy technicians as able to give tests and vaccinations. This group has the training and ability to do so. This bill, in general, helps streamline the health care delivery system.

Marissa Salvo, UCONN School of Pharmacy faculty member

Supports. Pharmacists are the most accessible health care providers and having the ability to continue testing and vaccinating for COVID is a necessity, as it the addition of testing and vaccinating for the flu and testing for HIV.

William B. Whittaker, M.D., Director of Pharmacy, Backus Hospital and Windham Hospital Hartford Healthcare

Supports. The bill ensures that Connecticut comply with United States Pharmacopeia (USP) 797, making sure that injectable medications are safe, sterile, and effective. Institutional clean rooms only service patients within that hospital. Being able to have available sites, collaborating with others to provide them, without compromising safety, is supported.

Kaitlyn Wilhelm

Supports. Pharmacists have the clinical expertise to diagnose and treat common illness and pregnancies. This legislation will greatly improve access to care, as pharmacies are community-based and serve everyone.

James Zakszewski, R.Ph

Supports. Pharmacists are trained professionals and available all week to attend to testing and vaccinating, as proven by their work during the COVID-19 crisis. They can give quality care while keeping costs down.

NATURE AND SOURCES OF OPPOSITION:

Molly Markowitz, MD, FAAP Chair, Advocacy Committee Chair, Advocacy Committee CT American Academy of Pediatrics Chapter

Opposes. This legislation lowers the age for pharmacists to administer vaccinations to 12 years of age. Allowing children to receive these, it will decrease the preventive medical visits that assure the well-being of these young children.

Kimberly Sandor, Exec. Director - CT Nurses Association

Opposes. Pharmacists testing and giving vaccines is beyond their scope of practice. In our state statutes, a prescribing practitioner is other than the pharmacist. While the practitioner prescribes, the pharmacist (provider) reviews and distributes the medicine. SB1102 does not take this into account and there is concern for any unintended consequences. The request is that the committee, together with the Department of Public Health and Department of Consumer Protection, assure that the laws protect patient safety and professional licensing are handled with care.

Sandra Carbonari, M.D.

Opposes. The legislation that makes the PREP Act permanent and allow children to be vaccinated by pharmacists would be a detriment to them and the full range of care they need. There has been a 1% drop in childhood immunization during the COVID pandemic. Also, there is no requirement that the pharmacist inform the primary care physician when vaccinations are given to children by pharmacists. The vaccines are given in accordance with the CDC Adult Immunization schedule. The schedule for children is much more complex. In our state, all children must be vaccinated according to the Connecticut Vaccine Program (CVP), which administers vaccinations at no cost through the Department of Public Health. To comply with the CVP, pharmacists must participate in it. There is also protocol when an HIV test is given and comes back positive as these patients must have a method to be put into a treatment program. There are many other sides to this test and the person who receives a positive diagnosis. Once in a program, there is no follow-up by pharmacy personnel. All of these are not taken into account by pharmacists when administering the test.

David Banach MD, MPH – President, Connecticut Infectious Diseases Society Marjorie Golden MD – Vice President, Connecticut Infectious Diseases Society Jack Ross MD – Past President, Connecticut Infectious Diseases Society

Opposes. This bill does not take into account the long-term effects and treatment of the results of a positive HIV test given by a pharmacist. There is no training requirement regarding how a pharmacist would counsel, determine who would be a candidate for PrEP and how to administer it. There are no requirements for follow-up with these patients or a means to take their medical history upon diagnosis. These individuals suggest striking that section of the bill.

Connecticut State Medical Society

Opposes. The legislation, as written, does not deal adequately with the post-HIV test results for the patient. They are concerned about distributing HIV-related prophylaxis in the event of a negative HIV test, as there are often false negative results. The treatments available are complex and best left to medical staff.

Concerned Greenwich Parents

Opposes. This legislation allows minors to consent to vaccines without parental consent. These children may not know their medical history and if a vaccination will harm them.

Lynn Rapsilber, DNP APRN ANP-BC FAANP

Opposes. There is no requirement for the pharmacist to contact the primary care physician regarding either test or vaccines. The whole issue should be brought to the Department of Public Health for debate.

Reported by: Kathleen Zabel

Date: March 20, 2023