



General Assembly

**Amendment**

January Session, 2023

LCO No. 8635



Offered by:

REP. D'AGOSTINO, 91<sup>st</sup> Dist.

SEN. SOMERS, 18<sup>th</sup> Dist.

SEN. MARONEY, 14<sup>th</sup> Dist.

SEN. FAZIO, 36<sup>th</sup> Dist.

REP. MCCARTHY VAHEY, 133<sup>rd</sup> Dist.

REP. KLARIDES-DITRIA,

SEN. ANWAR, 3<sup>rd</sup> Dist.

105<sup>th</sup> Dist.

To: Subst. House Bill No. 6768

File No. 215

Cal. No. 168

**"AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING PRESCRIPTION DRUG REGULATION."**

1 Strike section 3 in its entirety and substitute the following in lieu  
2 thereof:

3 "Sec. 3. (NEW) (*Effective from passage*) (a) For the purposes of this  
4 section:

5 (1) "Department" means the Department of Consumer Protection;

6 (2) "Emergency contraceptive" means a drug, or a combination of  
7 drugs, approved by the federal Food and Drug Administration to  
8 prevent pregnancy as soon as possible following (A) unprotected sexual  
9 intercourse, or (B) a known or suspected contraceptive failure;

10 (3) "Hormonal contraceptive" means a drug, including, but not  
11 limited to, a hormonal contraceptive patch, an intravaginal hormonal  
12 contraceptive or an oral hormonal contraceptive, composed of a  
13 hormone, or a combination of hormones, approved by the federal Food  
14 and Drug Administration to prevent pregnancy;

15 (4) "Legend drug" has the same meaning as provided in section 20-  
16 571 of the general statutes;

17 (5) "Pharmacist" has the same meaning as provided in section 20-571  
18 of the general statutes;

19 (6) "Pharmacy" has the same meaning as provided in section 20-571  
20 of the general statutes;

21 (7) "Pharmacy technician" has the same meaning as provided in  
22 section 20-571 of the general statutes; and

23 (8) "Prescribe" means to order, or designate a remedy or any  
24 preparation of, a legend drug for a specific patient.

25 (b) A pharmacist who satisfies the requirements established in this  
26 section, and any regulations adopted pursuant to subsection (e) of this  
27 section, may prescribe, in good faith, an emergency contraceptive or  
28 hormonal contraceptive to a patient subject to the following conditions:

29 (1) The pharmacist has completed an educational training program  
30 that (A) concerns prescribing emergency contraceptives and hormonal  
31 contraceptives by a pharmacist, (B) addresses appropriate medical  
32 screening of patients, contraindications, drug interactions, treatment  
33 strategies and modifications and when to refer patients to medical  
34 providers, and (C) is accredited by the Accreditation Council for  
35 Pharmacy Education;

36 (2) The pharmacist has reviewed the most current version of the  
37 United States Medical Eligibility Criteria for Contraceptive Use  
38 published by the Centers for Disease Control and Prevention, or any  
39 successor document thereto, prior to prescribing any emergency

40 contraceptive or hormonal contraceptive and, if the pharmacist deviates  
41 from the guidance provided in such document, documents the  
42 pharmacist's rationale in deviating from such guidance in writing;

43 (3) Prior to dispensing an emergency contraceptive or hormonal  
44 contraceptive and at least once per calendar year thereafter for any  
45 returning patient, the pharmacist completes a screening document,  
46 which the department shall make available on the department's Internet  
47 web site, and the pharmacist, or the pharmacy that employs such  
48 pharmacist, retains such document for at least three years, except  
49 nothing in this subdivision shall be construed to prevent a pharmacist,  
50 in the pharmacist's professional discretion, from issuing a prescription  
51 for a hormonal contraceptive for a period not to exceed twelve months  
52 or from requiring more frequent screenings;

53 (4) If the pharmacist determines that prescribing an emergency  
54 contraceptive or hormonal contraceptive to a patient is clinically  
55 appropriate, the pharmacist shall (A) counsel the patient about what the  
56 patient should monitor and when the patient should seek additional  
57 medical attention, and (B) send notice to any health care provider that  
58 the patient identifies as the patient's primary care provider or, if the  
59 patient does not disclose the identity of the patient's primary care  
60 provider, provide to the patient any relevant documentation; and

61 (5) The pharmacist provides to the patient a document outlining age-  
62 appropriate health screenings that are consistent with recommendations  
63 made by the Centers for Disease Control and Prevention.

64 (c) A pharmacy technician may, at a pharmacist's request, assist the  
65 pharmacist in prescribing an emergency contraceptive or hormonal  
66 contraceptive to a patient by providing screening documentation to the  
67 patient, taking and recording the patient's blood pressure and  
68 documenting the patient's medical history, provided the pharmacy  
69 technician has completed an educational training program that satisfies  
70 the requirements established in subdivision (1) of subsection (b) of this  
71 section.

72 (d) Each pharmacy shall maintain copies of all documents concerning  
73 any screening performed under this section for at least three years, and  
74 each pharmacy shall, upon request by the department, make such  
75 screening documents available to the department for inspection.

76 (e) The Commissioner of Consumer Protection may adopt  
77 regulations, in accordance with chapter 54 of the general statutes, to  
78 implement the provisions of this section."

79 Strike section 4 in its entirety and substitute the following in lieu  
80 thereof:

81 "Sec. 4. (NEW) (*Effective from passage*) (a) For the purposes of this  
82 section, "drug", "pharmacist" and "pharmacy" have the same meanings  
83 as provided in section 20-571 of the general statutes.

84 (b) A pharmacist who is employed by a pharmacy that has been  
85 approved to dispense drugs for the termination of a pregnancy shall  
86 provide to any patient who is seeking any such drug a list of the  
87 pharmacies nearest to such patient that dispense such drug if the  
88 pharmacy does not have a supply of such drug.

89 (c) A pharmacist who is, or has been, licensed in another state or  
90 jurisdiction shall not be subject to automatic reciprocal discipline in this  
91 state for any disciplinary action taken in such other state or jurisdiction,  
92 provided such disciplinary action was based solely on the termination  
93 of a pregnancy under conditions which would not violate the laws of  
94 this state."

95 Strike sections 5 and 6 in their entirety and renumber the remaining  
96 sections and internal references accordingly