General Assembly

# *Amendment*

***February Session, 2024***

LCO No. **4165**

Offered by:
SEN. MARONEY, 14th Dist.
REP. D'AGOSTINO, 91st Dist.
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REP. RUTIGLIANO, 123rd Dist.

To: Subst. Senate Bill No. **133** File No. 89 Cal. No. 78

***"AN ACT CONCERNING REGULATION OF PRESCRIPTION DRUGS AND RELATED PROFESSIONS."***

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. Section 20-571 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

As used in this chapter and sections 2 to 4, inclusive, of this act, unless the context otherwise requires:

(1) "Administer" or "administration" means the direct application of a drug or device to the body of a patient or research subject by injection, inhalation, ingestion or any other means;

(2) "Advanced pharmacy technician" means a pharmacy technician

who: (A) Receives from the department a designation (i) under section 2 of this act, and (ii) which permits delegation of certain pharmacist responsibilities to the pharmacy technician; and (B) is qualified in accordance with section 2 of this act;

**[**(2)**]** (3) "Automated prescription dispensing machine" means a device and associated software operated by a pharmacy or a pharmacy that is registered as a nonresident pharmacy pursuant to section 20-627, in a nursing home or skilled nursing facility licensed pursuant to sections 19a-490 and 19a-491, that packages and labels patient-specific medication or multiple medications for the purposes of administration by a registered nurse or a licensed practical nurse based on a prescription that has completed **[**final**]** order entry verification performed by a **[**licensed**]** pharmacist;

**[**(3)**]** (4) "Care-giving institution" means an institution that provides medical services and is licensed, operated, certified or approved by the Commissioner of Public Health, the Commissioner of Developmental Services or the Commissioner of Mental Health and Addiction Services;

(5) "Clerk" means an individual who is: (A) Registered with the department, in accordance with section 3 of this act, to work in the area of a pharmacy or institutional pharmacy where controlled substances or other legend drugs are dispensed by, or under the supervision of, a pharmacist; (B) not employed or contracted by a pharmacy or institutional pharmacy solely to deliver dispensed drugs to patients off the premises of the pharmacy or institutional pharmacy; and (C) not involved in order entry, the dispensing process or preparing a prescription for final verification;

**[**(4)**]** (6) "Commission" means the Commission of Pharmacy appointed under the provisions of section 20-572;

**[**(5)**]** (7) "Commissioner" means the Commissioner of Consumer Protection;

(8) "Compatible drugs" means multiple drugs that are not adversely

impacted, whether chemically or physically, in constitution or quality by one another;

(9) "Compliance packaging" means packaging that: (A) Is prepared at a pharmacy to assist a patient in administering solid oral dosage forms of one or more drugs that have been prescribed for the patient; (B) divides the patient's drugs into a series of compartments or containers within one package according to (i) the directions for use, and (ii) the day and time such drugs are to be administered; and (C) is reusable or nonreusable;

**[**(6)**]** (10) "Compound" means to combine, mix or put together two or more ingredients pursuant to a prescription and includes the preparation of drugs or devices in anticipation of prescriptions based on routine, regularly-observed prescribing patterns;

**[**(7)**]** (11) "Correctional or juvenile training institution" means a facility for the detention or incarceration of persons convicted or accused of crimes or offenses or for training of delinquent juveniles, including those state facilities under the jurisdiction of the Commissioner of Correction, training schools for delinquent juveniles and any other facilities operated by the state or municipalities for such detention, incarceration or training;

**[**(8)**]** (12) "Device" means instruments, apparatuses and contrivances, including their components, parts and accessories, intended: (A) For use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or other animals; or (B) to affect the structure or any function of the body of humans or other animals, but does not mean contact lenses;

**[**(9)**]** (13) "Department" means the Department of Consumer Protection;

**[**(10)**]** (14) "Deprescribing" means the systematic process of identifying and discontinuing drugs in instances in which existing or potential harms outweigh existing or potential benefits within the context of an individual patient's care goals, current level of functioning,

life expectancy, values and preferences;

(15) "Direct supervision" means the supervision of pharmacy personnel, including, but not limited to, pharmacy interns, pharmacy technicians and advanced pharmacy technicians, by a pharmacist who: (A) Is physically present on the premises of the pharmacy or institutional pharmacy while (i) routine drug dispensing functions are being performed on such premises, and (ii) the pharmacy personnel who are under such pharmacist's supervision are physically present on such premises; and (B) conducts in-process and final performance checks;

**[**(11)**]** (16) "Dispense" means those acts of processing a drug or device for delivery or for administration for a patient pursuant to a prescription consisting of: (A) Comparing the directions on the label with the directions on the prescription to determine accuracy; (B) the selection of the drug or device from stock to fill the prescription; (C) the counting, measuring, compounding or preparation of the drug or device; (D) the placing of the drug or device in the proper container; (E) the affixing of the label to the container; and (F) the addition to a written prescription of any required notations. "Dispense" does not include the acts of delivering a drug or device to a patient or of administering the drug or device to the patient;

**[**(12)**]** (17) "Dispensing outpatient facility" means a facility operated by a **[**corporation**]** business entity or municipality which provides medical services to patients on an outpatient basis and which maintains stocks of drugs for dispensing of drugs on a regular basis to patients for use off the premises;

**[**(13)**]** (18) "Drug" means: (A) An article recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States or official National Formulary, or any supplement to any of them; (B) an article intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or other animals; (C) an article, other than food, intended to affect the structure

or any function of the body of humans or any other animal; and (D) an article intended for use as a component of any article specified in this subdivision, but does not include a device;

(19) "Final verification" means the last review that: (A) Is conducted to complete the dispensing process by verifying that the product to be dispensed conforms to the product ordered or prescribed by the prescribing practitioner; and (B) includes, at a minimum, comparing, for accuracy, the original prescription, the contents of the prescription label and the contents of the prescription container;

**[**(14)**]** (20) "Health care institution" means institution, as defined in section 19a-490;

**[**(15)**]** (21) "Health care institutional pharmacy" means an institutional pharmacy located within a health care institution;

**[**(16)**]** (22) "Institutional pharmacy" means that area within a care-giving institution or within a correctional or juvenile training institution, commonly known as the pharmacy, that is under the direct charge of a pharmacist and in which drugs are stored and dispensed;

**[**(17)**]** (23) "Legend device" means a device that is required by applicable federal or state law to be dispensed pursuant only to a prescription or is restricted to use by prescribing practitioners only or that, under federal law, is required to bear either of the following legends: (A) "RX ONLY" IN ACCORDANCE WITH GUIDELINES ESTABLISHED IN THE FEDERAL FOOD, DRUG AND COSMETIC ACT; or (B) "CAUTION: FEDERAL LAW RESTRICTS THIS DEVICE FOR USE BY OR ON THE ORDER OF A LICENSED VETERINARIAN.";

**[**(18)**]** (24) "Legend drug" means a drug that is required by any applicable federal or state law to be dispensed pursuant only to a prescription or is restricted to use by prescribing practitioners only, or means a drug that, under federal law, is required to bear either of the following legends: (A) "RX ONLY" IN ACCORDANCE WITH GUIDELINES ESTABLISHED IN THE FEDERAL FOOD, DRUG AND

COSMETIC ACT; or (B) "CAUTION: FEDERAL LAW RESTRICTS THIS DRUG FOR USE BY OR ON THE ORDER OF A LICENSED VETERINARIAN.";

**[**(19)**]** (25) "Medical device and oxygen provider" means a person who distributes devices or oxygen pursuant to a medical order or prescription, except if such person already maintains an active pharmacy license;

**[**(20)**]** (26) "Medication reconciliation" means a process of comparing the medications a patient is taking and should be taking with newly ordered medications: (A) For the purpose of addressing duplications, omissions and interactions and the need to continue current medications; and (B) by looking at information such as the medication name, dose, frequency, route of administration and purpose;

**[**(21)**]** (27) "Nonlegend device" means a device that is not a legend device;

**[**(22)**]** (28) "Nonlegend drug" means a drug that is not a legend drug;

**[**(23)**]** (29) "Nonresident pharmacy" has the same meaning as provided in section 20-627;

(30) "Order entry" means the process by which prescription data is entered into an electronic data processing system used by a pharmacy to record dispensed products, which prescription data shall include, but need not be limited to: (A) Patient demographic data; (B) drug name and strength; (C) drug quantity; (D) directions for use; and (E) the number of authorized refills, including, but not limited to, any use of "PRN" or "ad lib" in lieu of a specific number of authorized refills;

(31) "Patient" means a human or other animal who receives any health care service provided by a health care provider, including, but not limited to, a pharmacist, for: (A) The purpose of curing, diagnosing, mitigating, palliating, preventing, screening for or treating a past, current or future medical condition; or (B) any research-related purpose;

**[**(24)**]** (32) "Person" means an individual, corporation, business trust, estate trust, partnership, association, joint venture or any other legal or commercial entity;

**[**(25)**]** (33) "Pharmacist" means an individual who is licensed to practice pharmacy under the provisions of section 20-590, 20-591, 20-592 or 20-593, and who is thereby recognized as a health care provider by the state of Connecticut;

**[**(26)**]** (34) "Pharmacy" means a place of business where drugs and devices may be sold at retail and for which a pharmacy license has been issued to an applicant under the provisions of section 20-594;

**[**(27)**]** (35) "Pharmacy intern" means an individual registered under the provisions of section 20-598;

**[**(28)**]** (36) "Pharmacy technician" means an individual who is registered with the department and qualified in accordance with section 20-598a, as amended by this act;

**[**(29)**]** (37) "Polypharmacy" means the use of multiple drugs by a patient, including any medication that is inappropriate or not medically necessary, such as those not indicated, not effective or constituting a therapeutic duplication;

**[**(30)**]** (38) "Practice of pharmacy" or "to practice pharmacy" means the sum total of knowledge, understanding, judgments, procedures, securities, controls and ethics used by a pharmacist to assure optimal safety and accuracy in the distributing, dispensing and use of drugs and devices;

**[**(31)**]** (39) "Prescribing practitioner" means an individual licensed by the state of Connecticut, any other state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any territory or insular possession subject to the jurisdiction of the United States who is authorized to issue a prescription within the scope of the individual's practice;

**[**(32)**]** (40) "Prescription" means a lawful order of a prescribing practitioner transmitted either orally, in writing or by electronic means for a drug or device for a specific patient;

(41) "Redispense" means to reprocess any drug: (A) That is prescribed to a patient, was previously dispensed in compliance packaging and has been returned to the dispensing pharmacy due to a change in the patient's prescription or prescriptions; (B) by comparing the directions on the prescription label with the directions on the prescription to ensure accuracy; (C) by selecting such drug from the returned compliance packaging or from stock to fill a current prescription for such drug; (D) by counting such drug and placing such drug in the proper container or compliance packaging compartment for return to the patient; and (E) by affixing to the container or compliance packaging a label containing (i) the prescription information set forth in section 20-617 and required under section 4 of this act, and (ii) any additional notations required due to the prescribing practitioner's directions;

**[**(33)**]** (42) "Sale" includes barter, exchange or gift or offer and each such transaction made by a person whether as principal proprietor, agent, servant or employee;

**[**(34)**]** (43) "Substitute" means to dispense without the prescribing practitioner's express authorization a different drug product than the drug product prescribed;

**[**(35)**]** (44) "Third-party logistics provider" means a person who distributes drugs, devices or cosmetics while taking possession of the drugs, devices or cosmetics but who does not take title of the drugs, devices or cosmetics;

**[**(36)**]** (45) "Virtual manufacturer" means a person who engages in the manufacture of drugs, devices or cosmetics for which such person: (A) Owns the new drug application or abbreviated new drug application number, if a prescription drug; (B) owns the unique device identification number, as available, for a prescription device; (C) contracts with a contract manufacturing organization for the physical manufacture of

the drugs, devices or cosmetics; (D) is not involved in the physical manufacture of the drugs, devices or cosmetics; and (E) at no time takes physical possession of or stores the drugs, devices or cosmetics; and

**[**(37)**]** (46) "Virtual wholesale distributor" means a person who facilitates or brokers the transfer of drugs, devices or cosmetics without taking physical possession of the drugs, devices or cosmetics.

Sec. 2. (NEW) (*Effective October 1, 2024*) (a) (1) No pharmacy technician may perform the duties of an advanced pharmacy technician in this state, including, but not limited to, dispensing or redispensing to patients compatible drugs in compliance packaging under section 4 of this act, unless such pharmacy technician has applied for and received an advanced pharmacy technician designation in accordance with the provisions of this section.

(2) Each advanced pharmacy technician designation issued under this section shall be issued in a form and manner prescribed by the commissioner, shall be valid for one year and may be renewed for successive one-year periods upon submission of a complete application and payment of the renewal fee required in section 20-601 of the general statutes, as amended by this act.

(b) The department shall issue an advanced pharmacy technician designation to a pharmacy technician who:

(1) Submits to the department, in a form and manner prescribed by the commissioner, (A) a complete application for designation as an advanced pharmacy technician, and (B) the application fee required in section 20-601 of the general statutes, as amended by this act;

(2) Is actively registered and qualified as a pharmacy technician in accordance with section 20-598a of the general statutes, as amended by this act;

(3) Was continuously registered as a pharmacy technician in accordance with section 20-598a of the general statutes, as amended by

this act, for the three-year period immediately preceding the date on which such pharmacy technician applies for an advanced pharmacy technician designation under this section;

(4) Continuously held a certification from the Pharmacy Technician Certification Board, or any other equivalent pharmacy technician certification program approved by the department, for the three-year period immediately preceding the date on which such pharmacy technician applies for an advanced pharmacy technician designation under this section, and maintains such certification in good standing;

(5) Successfully completed (A) an educational course, during the one-year period immediately preceding the date on which such pharmacy technician applies for an initial advanced pharmacy technician designation under this section, that (i) is accredited by the Accreditation Council for Pharmacy Education or another appropriate national accrediting body, or (ii) the commissioner, in the commissioner's discretion, deems equivalent to an educational course accredited as set forth in subparagraph (A)(i) of this subdivision, and (B) a competency assessment performed by a pharmacist in accordance with requirements established by the commissioner in regulations adopted pursuant to subsection (e) of this section;

(6) Is employed by a pharmacy or institutional pharmacy that satisfies the requirements established in subsection (d) of this section; and

(7) (A) Works under the direct supervision of a pharmacist who satisfies the requirements established in subdivision (1) of subsection (c) of this section; or

(B) Is supervised (i) in the manner set forth in section 20-609a of the general statutes, or (ii) in any manner approved by the commissioner or commission.

(c) (1) The pharmacist who directly supervises an advanced pharmacy technician may delegate to the advanced pharmacy

technician:

(A) The pharmacist's authority to perform final verifications, provided the pharmacy or institutional pharmacy that employs such advanced pharmacy technician satisfies the requirements established in subsection (d) of this section;

(B) The pharmacist's authority to administer vaccines in accordance with the provisions of section 20-633 of the general statutes, as amended by this act, and the regulations adopted pursuant to subsection (d) of said section; and

(C) The pharmacist's authority to administer COVID-19-related tests, influenza-related tests and HIV-related tests in accordance with the provisions of section 20-633f of the general statutes, as amended by this act, and the regulations adopted pursuant to subsection (g) of said section, except the pharmacist shall not delegate such pharmacist's responsibility to present the results of any such test to the patient.

(2) No pharmacist who makes any delegation to an advanced pharmacy technician under subdivision (1) of this subsection shall delegate to the advanced pharmacy technician any discretionary decision-making authority concerning the propriety of any drug in relation to a patient's medical condition or treatment plan.

(d) (1) The pharmacy or institutional pharmacy that employs an advanced pharmacy technician:

(A) Shall use bar code technology, or another technology approved by the department, to assist in dispensing drugs and confirm accuracy in dispensing; and

(B) Shall not permit the ratio of advanced pharmacy technicians to pharmacists physically present in the pharmacy premises or institutional pharmacy to exceed one advanced pharmacy technician to one pharmacist providing direct supervision, except such pharmacy or institutional pharmacy may deviate from such ratio if such deviation is

authorized by the commissioner or commission, including, but not limited to, in any regulation adopted by the commissioner pursuant to subsection (e) of this section. The commissioner or commission shall not provide for a ratio of pharmacy technicians to supervising pharmacists that is lower than three-to-one, and no advanced pharmacy technician shall be counted toward such ratio.

(2) If a pharmacy employs an advanced pharmacy technician, the pharmacy shall, in addition to satisfying the requirements set forth in subdivision (1) of this subsection, not allow the advanced pharmacy technician to perform any final verification under subparagraph (A) of subdivision (1) of subsection (c) of this section unless such advanced pharmacy technician, in performing such final verification, uses a technology that includes images of each drug that such advanced pharmacy technician reviews in performing such final verification. The provisions of this subdivision shall not apply to an institutional pharmacy.

(3) If an institutional pharmacy employs an advanced pharmacy technician, the institutional pharmacy shall, in addition to satisfying the requirements set forth in subdivision (1) of this subsection, not allow the advanced pharmacy technician to perform any final verification under subparagraph (A) of subdivision (2) of subsection (c) of this section unless such institutional pharmacy uses bar code scanning, or another technology or process approved by the department, at the point of administration to confirm accuracy in dispensing.

(e) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section. Such regulations shall, at a minimum, establish: (1) Requirements for performance of the competency assessment required under subparagraph (B) of subdivision (5) of subsection (b) of this section; (2) ratios of pharmacists to advanced pharmacy technicians; and (3) additional requirements concerning the duties of advanced pharmacy technicians.

Sec. 3. (NEW) (*Effective October 1, 2024*) (a) Except for an individual who is otherwise registered with, or licensed by, the department under chapter 400j of the general statutes, each individual who will physically work in an area of a pharmacy or institutional pharmacy where controlled substances or other legend drugs are dispensed by, or under the supervision of, a pharmacist shall register with the department as a clerk in accordance with the provisions of this section. For the purposes of this section, an institutional pharmacy shall not be deemed to include any patient care area or automated prescription dispensing machine that is located outside of the area commonly known as the pharmacy.

(b) (1) The department shall register as a clerk any individual who submits to the department, in a form and manner prescribed by the commissioner, (A) a complete application for registration as a clerk, and (B) the application fee required in section 20-601 of the general statutes, as amended by this act.

(2) Each clerk registration issued under this section shall be issued in a form and manner prescribed by the commissioner, shall be valid for two years and may be renewed for successive two-year periods upon application and payment of the renewal fee required in section 20-601 of the general statutes, as amended by this act.

(3) The department shall not refuse to issue any clerk registration under this section, or refuse to renew any clerk registration issued under this section, because the applicant for such registration or renewal has been convicted of a felony, unless such refusal is rendered in accordance with the provisions of section 46a-80 of the general statutes.

(c) A clerk may, under the direct supervision of a pharmacist, (1) handle dispensed drugs and deliver such drugs to patients, (2) collect patient demographic information, (3) collect a prescription number for the purposes of a refill, (4) deliver a drug to an automated prescription dispensing machine or other care-giving area within a care-giving institution or within a correctional or juvenile training institution, (5) perform the duties of a cashier, including, but not limited to, receiving

payment for dispensed drugs, (6) conduct inventory management, (7) return to stock any product used to fill a prescription but not sold to a patient, and (8) perform any other duties set forth in regulations adopted by the commissioner pursuant to subsection (e) of this section.

(d) No clerk shall (1) review any drug to determine whether such drug is an appropriate treatment, (2) verify the accuracy of the prescription data entered into an electronic data processing system used by a pharmacy, an original prescription, the contents of a prescription label or the contents of a prescription container, (3) perform any task that requires any professional pharmaceutical judgment, or (4) participate in order entry.

(e) The commissioner may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section, including, but not limited to, regulations establishing additional requirements for registration as a clerk.

Sec. 4. (NEW) (*Effective October 1, 2024*) (a) (1) A pharmacist or advanced pharmacy technician may, at the request of a patient, the patient's representative or the patient's prescribing practitioner, dispense to the patient compatible drugs in compliance packaging.

(2) (A) If a patient's prescribing practitioner modifies the patient's prescription or prescriptions by, among other things, issuing any new prescription or discontinuing or deprescribing any drug that was previously dispensed to the patient in compliance packaging, the pharmacy that first dispensed such previously dispensed drug in such compliance packaging may, at the request of such patient, representative or prescribing practitioner and if such pharmacy documents such modification in writing, (i) accept such compliance packaging from such patient or representative, (ii) receive and remove any drugs from such returned compliance packaging and redispense such drugs to such patient, and (iii) dispense any newly prescribed and compatible drugs in the redispensed compliance packaging.

(B) Any pharmacy that accepts any compliance packaging returned

under this subdivision shall do so exclusively to (i) dispense to the patient any compatible drugs that are newly prescribed to such patient, and (ii) redispense to the patient any drugs contained in such returned compliance packaging in the same quantities that were contained in such returned compliance packaging when such pharmacy accepted such returned compliance packaging.

(C) Each pharmacy that redispenses any drug contained in any compliance packaging returned under this subdivision shall redispense such drug to the patient in (i) compliance packaging that exclusively contains drugs currently prescribed to such patient, or (ii) a separate container that is labeled in accordance with the provisions of section 20-617 of the general statutes and subparagraph (D) of this subdivision.

(D) If a pharmacy accepts any compliance packaging returned under this subdivision and such returned compliance packaging contains one or more drugs that have been deprescribed, discontinued or have otherwise been deemed to be inappropriate for inclusion in compliance packaging, as determined by the patient's prescribing practitioner or a pharmacist, the pharmacy shall redispense such drugs to the patient in one or more separate containers, each of which shall (i) include not more than one drug type or dosage, and (ii) bear a label that includes the patient's name, the original prescription serial number or serial numbers, the drug name or names, the dosage form or forms, the quantity or quantities redispensed and instructions for use or disposal, as applicable, which instructions shall disclose, at a minimum, (I) the procedures for any lawfully available means of destroying such drug or drugs at home, and (II) the nearest location where such drug or drugs may be deposited for destruction, including, but not limited to, the nearest retail location allowed to accept such drug or drugs under the regulations adopted pursuant to section 20-576a of the general statutes.

(E) No pharmacy, pharmacist, pharmacy intern or advanced pharmacy technician shall return to a pharmacy's general inventory or regular stock any returned drug that was previously contained in any compliance packaging returned under this subdivision, unless

accepting such drug for return to the pharmacy's general inventory or regular stock is otherwise permitted or required by law.

(b) Compliance packaging shall:

(1) Exclusively contain (A) individual compartments that are tamper-evident, and (B) drugs that (i) are currently prescribed to a single patient pursuant to an order or prescription by the patient's prescribing practitioner, and (ii) dispensed or redispensed to a single patient by a pharmacist or an advanced pharmacy technician;

(2) Be labeled or relabeled by a pharmacist in accordance with the provisions of section 20-617 of the general statutes, except if the compliance packaging contains an opioid drug, as defined in section 20-14o of the general statutes, only one sticker or label shall be affixed to such compliance packaging pursuant to section 20-636 of the general statutes and not to each individual compartment contained in such compliance packaging;

(3) Be child-resistant unless the pharmacy provides to the patient, and the patient acknowledges and returns to the pharmacy, a waiver explaining that the drugs contained in the compliance packaging are not in a child-resistant container;

(4) Identify, on each individual compartment, the name and strength of the drug or drugs contained in such compartment;

(5) Not contain more than a ninety-day supply of any drug, as prescribed, except as otherwise provided in any applicable state or federal law; and

(6) Be compliant with all applicable provisions of the United States Pharmacopeia, as amended from time to time.

(c) (1) An individual compartment of compliance packaging may contain multiple prescribed drugs, provided:

(A) A pharmacist has determined that all drugs contained in such

compartment are compatible drugs;

(B) All drugs contained in such compartment are subject to the same instructions concerning time of administration; and

(C) No drug contained in such compartment has instructions for use that permit such drug to be used on an as needed basis.

(2) No controlled substance shall be contained in any compliance packaging that contains any other drug, unless such other drug is a controlled substance of the same drug type prescribed at a different dose.

(d) A pharmacy that provides compliance packaging services shall:

(1) Maintain an area dedicated to the preparation of drugs that are to be dispensed or redispensed in compliance packaging, which area shall include all equipment necessary to:

(A) Ensure that all compliance packaging is accurately prepared; and

(B) Prevent any contamination of such drugs;

(2) Maintain standard operating procedures:

(A) For the use of compliance packaging and associated equipment, which procedures shall include, at a minimum, provisions concerning (i) inspections of compliance packaging integrity, (ii) cleaning, (iii) labeling, (iv) dispensing and redispensing, (v) proper hand hygiene, (vi) quarantine, and (vii) handling of dispensed drugs that are removed from compliance packaging and redispensed to patients in the manner set forth in subdivision (2) of subsection (a) of this section; and

(B) That specify which drugs (i) are not compatible drugs, (ii) are suitable to be dispensed or redispensed in compliance packaging, or (iii) require special consideration to be dispensed or redispensed in compliance packaging; and

(3) Maintain the following records:

(A) A record of all drugs that the pharmacy dispenses to a patient in compliance packaging, which record shall include at least the following for each such drug:

(i) The patient's name and address;

(ii) The identification number, if any, for the compliance packaging in which such pharmacy dispensed such drug, the date such compliance packaging was prepared, the initials of the individual who prepared such compliance packaging and the initials of the individual who performed a final verification for such compliance packaging;

(iii) The name, strength, lot number and national drug code number for such drug;

(iv) The serial number of the prescription for such drug; and

(v) A visual description of such drug;

(B) A record of all items of compliance packaging that the pharmacy accepts from a patient for return and redispensing to the patient in the manner set forth in subdivision (2) of subsection (a) of this section, which record shall include at least the following for each such item of compliance packaging:

(i) The patient's name and address;

(ii) The identification number, if any, for such item of compliance packaging;

(iii) The date on which such pharmacy accepted such item of compliance packaging for return and redispensing in such manner;

(iv) The name of the pharmacist or pharmacy technician who documented the return of such item of compliance packaging; and

(v) The name, formulation and quantity of each drug contained in such item of compliance packaging when such pharmacy accepted such item of compliance packaging for return and redispensing in such

manner, including a designation disclosing whether any such drug was deprescribed if the patient's prescribing practitioner has discontinued the prescription;

(C) A record of all items of compliance packaging in which the pharmacy redispenses any drug to a patient in the manner set forth in subdivision (2) of subsection (a) of this section, which record shall include at least the following for each such item of compliance packaging:

(i) The patient's name and address;

(ii) The identification number, if any, for such item of compliance packaging;

(iii) The date such item of compliance packaging was prepared for redispensing in such manner;

(iv) The serial number of the prescription for each drug redispensed in such item of compliance packaging in such manner;

(v) The name, formulation and quantity of each drug redispensed in such item of compliance packaging in such manner;

(vi) The name or initials of the redispensing pharmacist;

(vii) The initials of the individual who prepared such item of compliance packaging for redispensing in such manner; and

(viii) The initials of the individual who performed a final verification for such item of compliance packaging for redispensing in such manner; and

(D) A record of all drugs that the pharmacy redispenses to a patient in any container, other than compliance packaging, in the manner set forth in subdivision (2) of subsection (a) of this section, which record shall include at least the following for each such drug:

(i) The patient's name and address;

(ii) The date such drug was prepared for redispensing in such container in such manner;

(iii) The serial number of the prescription for such drug;

(iv) The name and formulation of such drug and the quantity of such drug that was redispensed in such container in such manner; and

(v) The name or initials of the redispensing pharmacist.

(e) Each pharmacy shall maintain all records that such pharmacy is required to maintain pursuant to this section for a period of at least three years. Not later than forty-eight hours after the department requests that a pharmacy disclose a copy of any record the pharmacy is required to maintain pursuant to this section, such pharmacy shall disclose such copy to the department in electronic form or, if such pharmacy is unable to disclose such copy in electronic form, in paper form.

(f) The commissioner may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section.

Sec. 5. Subsection (a) of section 20-579 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(a) The commission may refuse to authorize the issuance of a temporary permit to practice pharmacy, may refuse to authorize the issuance or renewal of a license to practice pharmacy, a license to operate a pharmacy or a registration of a pharmacy intern or pharmacy technician, and may revoke, suspend or place conditions on a license or temporary permit to practice pharmacy, a license to operate a pharmacy, or a registration of a pharmacy intern or a pharmacy technician, and may assess a civil penalty of up to one thousand dollars per violation of any provision of this chapter or take other action permitted in subdivision (7) of section 21a-7 if the applicant or holder of the license, temporary permit or registration: (1) Has violated a statute or regulation

relating to drugs, devices or the practice of pharmacy of this state, any state of the United States, the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or insular possession subject to the jurisdiction of the United States or a foreign jurisdiction; (2) has been convicted of violating any criminal statute relating to drugs, devices or the practice of pharmacy of this state, any state of the United States, the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or insular possession subject to the jurisdiction of the United States or a foreign jurisdiction; (3) has been disciplined by, or is the subject of pending disciplinary action or an unresolved complaint before, the duly authorized pharmacy disciplinary agency of any state of the United States, the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or insular possession subject to the jurisdiction of the United States or a foreign jurisdiction; (4) has been refused a license or registration or renewal of a license or registration by any state of the United States, the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or insular possession subject to the jurisdiction of the United States or a foreign jurisdiction based on grounds that are similar to grounds on which Connecticut could refuse to issue or renew such a license or registration; (5) has illegally possessed, diverted, sold or dispensed drugs or devices; (6) abuses or excessively uses drugs, including alcohol; (7) has made false, misleading or deceptive representations to the public or the commission; (8) has maintained exclusive telephone lines to, has maintained exclusive electronic communication with, or has exclusive access to computers located in offices of prescribing practitioners, nursing homes, clinics, hospitals or other health care facilities; (9) has substituted drugs or devices except as permitted in section 20-619; (10) has accepted, for return to regular stock, any drug already dispensed in good faith or delivered from a pharmacy, and exposed to possible and uncontrolled contamination or substitution; (11) has accepted, for return to general inventory or regular stock, any drug sold or delivered to a patient, unless accepting such drug for return to general inventory or regular stock is otherwise permitted or required by law; (12) has split

fees for professional services, including a discount or rebate, with a prescribing practitioner or an administrator or owner of a nursing home, hospital or other health care facility; **[**(12)**]** (13) has entered into an agreement with a prescribing practitioner or an administrator or owner of a nursing home, hospital or other health care facility for the compounding or dispensing of secret formula or coded prescriptions; **[**(13)**]** (14) has performed or been a party to a fraudulent or deceitful practice or transaction; **[**(14)**]** (15) has presented to the commission a diploma, license or certificate illegally or fraudulently obtained, or obtained from a college or school of pharmacy not approved by the commission; **[**(15)**]** (16) has performed incompetent or negligent work; **[**(16)**]** (17) has falsified a continuing education document submitted to the commission or department or a certificate retained in accordance with the provisions of subsection (d) of section 20-600; **[**(17)**]** (18) has permitted a person not licensed to practice pharmacy in this state to practice pharmacy in violation of section 20-605, to use a pharmacist license or pharmacy display document in violation of section 20-608, or to use words, displays or symbols in violation of section 20-609; **[**(18)**]** (19) has failed to maintain the entire pharmacy premises, its components and contents in a clean, orderly and sanitary condition; **[**(19)**]** (20) has failed to demonstrate adherence to applicable provisions of United States Pharmacopeia, Chapter 797, Pharmaceutical Compounding - Sterile Preparations, as amended from time to time; or **[**(20)**]** (21) has failed to demonstrate adherence to applicable provisions of United States Pharmacopeia, Chapter 795, Pharmaceutical Compounding – Nonsterile Preparations, as amended from time to time.

Sec. 6. Subsections (a) to (c), inclusive, of section 20-598a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(a) No person shall act as a pharmacy technician unless registered with, or certified with, the department, except an individual who is enrolled in an accredited pharmacy technician education program may engage in the duties of a pharmacy technician, as part of the curriculum of such program, under the direct supervision of a pharmacist who is an

instructor for such program.

(b) The department shall **[**, upon authorization of the commission,**]** register as a pharmacy technician any person who presents evidence satisfactory to the department that such person is qualified to perform, under the **[**direct**]** supervision of a pharmacist, routine functions in the dispensing of drugs that do not require the use of professional judgment. The qualifications for registration as a pharmacy technician under this section shall be in accordance with (1) the standards of an institutional pharmacy, a care-giving institution or a correctional or juvenile training institution, in the case of employment in any such pharmacy or institution, or (2) the standards established by regulation adopted by the commissioner in accordance with the provisions of chapter 54, in the case of employment in a pharmacy. **[**As used in this subsection, "direct supervision" means a supervising pharmacist (A) is physically present in the area or location where the pharmacy technician is performing routine drug dispensing functions, and (B) conducts in-process and final checks on the pharmacy technician's performance.**]**

(c) The department shall **[**, upon authorization of the commission,**]** certify as a pharmacy technician any person who meets the requirements for registration as a pharmacy technician, pursuant to subsection (b) of this section, and who holds a certification from the Pharmacy Technician Certification Board or any other equivalent pharmacy technician certification program approved by the department.

Sec. 7. Section 20-601 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

The department shall collect the following nonrefundable fees:

(1) The fee for issuance of a pharmacist license is two hundred dollars, payable at the date of application for the license.

(2) The fee for renewal of a pharmacist license is the professional

services fee for class A, as defined in section 33-182*l*. Before the commission or commissioner grants a license to an applicant who has not held a license authorized by the commission or commissioner within five years of the date of application, the applicant shall pay the fee required in subdivision (1) of this section.

(3) The fee for issuance of a pharmacy license is seven hundred fifty dollars.

(4) The fee for renewal of a pharmacy license is one hundred ninety dollars.

(5) The late fee for an application for renewal of a license to practice pharmacy, a pharmacy license or a permit to sell nonlegend drugs is the amount set forth in section 21a-4.

(6) The fee for notice of a change in officers or directors of a **[**corporation**]** business entity holding a pharmacy license is sixty dollars for each pharmacy license held. A late fee for failing to give such notice within ten days of the change is fifty dollars in addition to the fee for notice.

(7) The fee for filing notice of a change in name, ownership or management of a pharmacy is ninety dollars. A late fee for failing to give such notice within ten days of the change is fifty dollars in addition to the fee for notice.

(8) The fee for application for registration as a pharmacy intern is sixty dollars.

(9) The fee for application for a permit to sell nonlegend drugs is one hundred forty dollars.

(10) The fee for renewal of a permit to sell nonlegend drugs is one hundred dollars.

(11) The late fee for failing to notify the **[**commission**]** department of a change of ownership, name or location of the premises of a permit to

sell nonlegend drugs within five days of the change is twenty dollars.

(12) The fee for issuance of a nonresident pharmacy certificate of registration is seven hundred fifty dollars.

(13) The fee for renewal of a nonresident pharmacy certificate of registration is one hundred ninety dollars.

(14) The fee for notice of a change in officers or directors of a **[**corporation**]** business entity holding a nonresident pharmacy certificate of registration is sixty dollars for each pharmacy license held. A late fee for failing to give such notice within ten days of the change is fifty dollars, in addition to the fee for notice.

(15) The fee for filing notice of a change in name, ownership or management of a nonresident pharmacy is ninety dollars. A late fee for failing to give such notice within ten days of the change is fifty dollars, in addition to the fee for notice.

(16) The fee for application for registration as a pharmacy technician is one hundred dollars.

(17) The fee for renewal of a registration as a pharmacy technician is fifty dollars.

(18) The fee for application for designation as an advanced pharmacy technician is twenty-five dollars, which fee shall be in addition to the fee required in subdivision (16) of this section.

(19) The fee for renewal of a designation as an advanced pharmacy technician is twenty-five dollars, which fee shall be in addition to the fee required in subdivision (17) of this section.

**[**(18)**]** (20) The fee for issuance of a temporary permit to practice pharmacy is two hundred dollars.

(21) The fee for application for registration, and renewal of a registration, as a clerk is twenty-five dollars.

Sec. 8. Section 20-601 of the 2024 supplement to the general statutes, as amended by section 7 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

The department shall collect the following nonrefundable fees:

(1) The fee for issuance of a pharmacist license is two hundred dollars, payable at the date of application for the license.

(2) The fee for renewal of a pharmacist license is **[**the professional services fee for class A, as defined in section 33-182*l*] one hundred five dollars. Before the commission or commissioner grants a license to an applicant who has not held a license authorized by the commission or commissioner within five years of the date of application, the applicant shall pay the fee required in subdivision (1) of this section. On or before the last day of January, April, July and October in each year, the commissioner shall transfer five dollars of each renewal fee collected pursuant to this subdivision to the pharmacy professional assistance program account established in section 20-638c.

(3) The fee for issuance of a pharmacy license is seven hundred fifty dollars.

(4) The fee for renewal of a pharmacy license is one hundred ninety dollars.

(5) The late fee for an application for renewal of a license to practice pharmacy, a pharmacy license or a permit to sell nonlegend drugs is the amount set forth in section 21a-4.

(6) The fee for notice of a change in officers or directors of a business entity holding a pharmacy license is sixty dollars for each pharmacy license held. A late fee for failing to give such notice within ten days of the change is fifty dollars in addition to the fee for notice.

(7) The fee for filing notice of a change in name, ownership or management of a pharmacy is ninety dollars. A late fee for failing to give such notice within ten days of the change is fifty dollars in addition to

the fee for notice.

(8) The fee for application for registration as a pharmacy intern is **[**sixty dollars**]** sixty-five dollars. On or before the last day of January, April, July and October in each year, the commissioner shall transfer five dollars of each fee collected pursuant to this subdivision to the pharmacy professional assistance program account established in section 20-638c.

(9) The fee for application for a permit to sell nonlegend drugs is one hundred forty dollars.

(10) The fee for renewal of a permit to sell nonlegend drugs is one hundred dollars.

(11) The late fee for failing to notify the department of a change of ownership, name or location of the premises of a permit to sell nonlegend drugs within five days of the change is twenty dollars.

(12) The fee for issuance of a nonresident pharmacy certificate of registration is seven hundred fifty dollars.

(13) The fee for renewal of a nonresident pharmacy certificate of registration is one hundred ninety dollars.

(14) The fee for notice of a change in officers or directors of a business entity holding a nonresident pharmacy certificate of registration is sixty dollars for each pharmacy license held. A late fee for failing to give such notice within ten days of the change is fifty dollars, in addition to the fee for notice.

(15) The fee for filing notice of a change in name, ownership or management of a nonresident pharmacy is ninety dollars. A late fee for failing to give such notice within ten days of the change is fifty dollars, in addition to the fee for notice.

(16) The fee for application for registration as a pharmacy technician is one hundred dollars.

(17) The fee for renewal of a registration as a pharmacy technician is fifty dollars.

(18) The fee for application for designation as an advanced pharmacy technician is twenty-five dollars, which fee shall be in addition to the fee required in subdivision (16) of this section.

(19) The fee for renewal of a designation as an advanced pharmacy technician is twenty-five dollars, which fee shall be in addition to the fee required in subdivision (17) of this section.

(20) The fee for issuance of a temporary permit to practice pharmacy is two hundred dollars.

(21) The fee for application for registration, and renewal of a registration, as a clerk is twenty-five dollars.

Sec. 9. Section 20-633 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(a) (1) Any person licensed as a pharmacist under part II of this chapter may order, prescribe and administer:

(A) Any vaccine, approved or authorized by the United States Food and Drug Administration that is listed on the National Centers for Disease Control and Prevention's **[**Adult Immunization Schedule**]** age-appropriate immunization schedule, to any patient who is: (i) Eighteen years of age or older; or (ii) at least twelve years of age but younger than eighteen years of age with (I) the consent of such patient's parent, legal guardian or other person having legal custody of such patient, or (II) proof that such patient is an emancipated minor; **[**.**]**

(B) Any vaccine not included on the National Centers for Disease Control and Prevention's Adult Immunization Schedule to any patient who is eighteen years of age or older, provided the vaccine administration instructions for such vaccine are available on the National Centers for Disease Control and Prevention's Internet web site;

and

(C) Any vaccine pursuant to a verbal or written prescription of a prescribing practitioner for a specific patient.

(2) A pharmacist shall make a reasonable effort to review a patient's vaccination history to prevent any inappropriate use of a requested vaccine.

(3) All vaccines administered pursuant to this section shall be administered in accordance with the: (A) Vaccine manufacturer's package insert or the orders of a prescribing practitioner; and (B) regulations adopted pursuant to subsection (d) of this section.

(4) A pharmacist may delegate to an advanced pharmacy technician the pharmacist's authority to administer a vaccine described in subparagraph (A) of subdivision (1) of this subsection to a patient described in said subparagraph, provided the advanced pharmacy technician administers the vaccine: (A) Under the direct supervision of such pharmacist; and (B) in accordance with the provisions of this section and the regulations adopted pursuant to subsection (d) of this section.

(b) A pharmacist who has completed the training required in regulations adopted pursuant to subsection (d) of this section may administer an epinephrine cartridge injector, as defined in section 19a-909, to a patient whom the pharmacist reasonably believes, based on such pharmacist's knowledge and training, is experiencing anaphylaxis, regardless of whether such patient has a prescription for an epinephrine cartridge injector. Such pharmacist, or such pharmacist's designee, shall call the 9-1-1 emergency telephone number either before or immediately after such pharmacist administers the epinephrine cartridge injector to such patient. Such pharmacist shall document the date, time and circumstances in which such pharmacist administered such epinephrine cartridge injector, and maintain such documentation for at least three years.

(c) (1) A certified and registered pharmacy technician may administer a vaccine to a patient at a pharmacy if: (A) The managing pharmacist of such pharmacy is authorized to administer vaccines under this section; and (B) such pharmacy technician (i) has successfully completed a course of hands-on training, certified by the American Council for Pharmacy Education, concerning the administration of vaccines, (ii) has been trained at such pharmacy regarding the process for administering vaccines to patients at such pharmacy, (iii) successfully completes at least one hour of annual continuing education concerning immunization, (iv) has been evaluated by the managing pharmacist of such pharmacy, and (v) administers such vaccine at the direction of the pharmacist on duty at such pharmacy.

(2) During the period beginning on September first and ending on March thirty-first of the succeeding calendar year, a certified and registered pharmacy technician shall not count toward the pharmacist-to-technician ratio set forth in section 20-576-33 of the regulations of Connecticut state agencies if such pharmacy technician: (A) Is authorized to administer vaccines under this section; and (B) exclusively performs duties related to the administration of vaccines during such period.

(d) (1) The Commissioner of Consumer Protection, in consultation with the Commissioner of Public Health and the Commission of Pharmacy, shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section. Such regulations shall: **[**(1)**]** (A) Require any pharmacist who administers a vaccine pursuant to this section to successfully complete an immunization training program for pharmacists; **[**(2)**]** (B) define the basic requirements of such training program, which shall include training and instruction in pre-administration education and screening, vaccine storage and handling, subcutaneous and intramuscular injections, recordkeeping, vaccine safety, cardiopulmonary resuscitation, basic cardiac life support and adverse event reporting; **[**(3)**]** (C) identify qualifying training programs, which are accredited by the National Centers for Disease Control Prevention, the Accreditation Council for Pharmacy Education

or another appropriate national accrediting body; and **[**(4)**]** (D) establish a system of control and reporting.

(2) The Commissioner of Consumer Protection may amend the regulations adopted pursuant to subdivision (1) of this subsection, in accordance with the provisions of chapter 54, to: (A) Establish additional requirements concerning delegations by pharmacists to advanced pharmacy technicians under this section; and (B) the administration of vaccines by advanced pharmacy technicians under this section.

Sec. 10. Section 20-633f of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(a) For the purposes of this section:

(1) "COVID-19" means the respiratory disease designated by the World Health Organization on February 11, 2020, as coronavirus 2019, and any related mutation thereof recognized by said organization;

(2) "COVID-19-related test" means any laboratory test, or series of laboratory tests, for any virus, antibody, antigen or etiologic agent thought to cause, or indicate the presence of, COVID-19;

(3) "HIV-related prophylaxis" means any drug approved by the federal Food and Drug Administration or any successor agency as a pre-exposure or post-exposure prophylaxis for the human immunodeficiency virus;

(4) "HIV-related test" has the same meaning as provided in section 19a-7o; and

(5) "Influenza-related test" means any laboratory test, or series of laboratory tests, for any virus, antibody, antigen or etiologic agent thought to cause, or indicate the presence of, influenza disease.

(b) (1) Any pharmacist licensed under this chapter may order, and administer to a patient, a COVID-19-related test or influenza-related test

if: (A) Such pharmacist (i) is employed by a pharmacy that has submitted to the Department of Public Health a complete clinical laboratory improvement amendment application for certification for the COVID-19-related test or influenza-related test and the Department of Public Health has approved such application, and (ii) has completed any training required by the Department of Consumer Protection; and (B) the patient is (i) eighteen years of age or older, or (ii) at least twelve years of age but younger than eighteen years of age with (I) the consent of such patient's parent, legal guardian or other person having legal custody of such patient, or (II) proof that such patient is an emancipated minor.

(2) Any pharmacist licensed under this chapter may order, and administer to a patient, a COVID-19-related test or influenza-related test if: (A) Such pharmacist is employed by a hospital; and (B) the patient is (i) eighteen years of age or older, or (ii) at least twelve years of age but younger than eighteen years of age with (I) the consent of such patient's parent, legal guardian or other person having legal custody of such patient, or (II) proof that such patient is an emancipated minor.

(3) Any pharmacist licensed under this chapter may delegate to an advanced pharmacy technician the pharmacist's authority to administer to a patient a COVID-19-related test or influenza-related test under this subsection if: (A) The advanced pharmacy technician has completed any training required by the Department of Consumer Protection concerning the proper administration of the COVID-19-related test or influenza-related test; and (B) the advanced pharmacy technician administers the COVID-19-related test or influenza-related test (i) under the direct supervision of such pharmacist, and (ii) in accordance with the provisions of this section and the regulations adopted pursuant to subsection (g) of this section.

(c) (1) On or after the adoption of regulations pursuant to subsection (g) of this section, any pharmacist licensed under this chapter may order, and administer to a patient, an HIV-related test if: (A) Such pharmacist (i) is employed by a pharmacy that has submitted to the

Department of Public Health a complete clinical laboratory improvement amendment application for certification for the HIV-related test and the Department of Public Health has approved such application, and (ii) has completed the training required under regulations adopted pursuant to subsection (g) of this section; and (B) the patient is (i) eighteen years of age or older, or (ii) at least twelve years of age but younger than eighteen years of age with (I) the consent of such patient's parent, legal guardian or other person having legal custody of such patient, or (II) proof that such patient is an emancipated minor.

(2) On or after the adoption of regulations pursuant to subsection (g) of this section, any pharmacist licensed under this chapter may order, and administer to a patient, an HIV-related test if: (A) Such pharmacist is employed by a hospital; and (B) the patient is (i) eighteen years of age or older, or (ii) at least twelve years of age but younger than eighteen years of age and such pharmacist has obtained (I) the consent of such patient's parent, legal guardian or other person having legal custody of such patient, or (II) proof that such patient is an emancipated minor.

(3) Any pharmacist licensed under this chapter may delegate to an advanced pharmacy technician the pharmacist's authority to administer to a patient an HIV-related test under this subsection and the regulations adopted pursuant to subsection (g) of this section if: (A) The advanced pharmacy technician has completed any training required by the Department of Consumer Protection concerning the proper administration of the HIV-related test; and (B) the advanced pharmacy technician administers the HIV-related test (i) under the direct supervision of such pharmacist, and (ii) in accordance with the provisions of this section and the regulations adopted pursuant to subsection (g) of this section.

(d) (1) If a pharmacist orders and administers, or if a pharmacist orders and an advanced pharmacy technician working under the pharmacist's direct supervision administers, a COVID-19-related test or influenza-related test under subsection (b) of this section, or an HIV-

related test under subsection (c) of this section, the pharmacist shall: **[**(1)**]** (A) Provide the results of such test to **[**(A)**]** (i) the patient, in writing, **[**(B)**]** (ii) the patient's primary care provider, if the patient identifies any such primary care provider, and **[**(C)**]** (iii) the Commissioner of Consumer Protection or said commissioner's designee, upon request by said commissioner or such designee; **[**(2)**]** (B) report the results of such test to the director of health of the town, city or borough in which such case resides and to the Department of Public Health in the manner set forth in section 19a-215 and applicable regulations; and **[**(3)**]** (C) maintain a record of the results of such test for three years.

(2) No pharmacist shall delegate to an advanced pharmacy technician the pharmacist's duty to provide to the patient the results of: (A) A COVID-19-related test or influenza-related test ordered and administered under subsection (b) of this section; or (B) an HIV-related test ordered and administered under subsection (c) of this section.

(e) (1) If a pharmacist orders and administers, or if a pharmacist orders and an advanced pharmacy technician working under the pharmacist's direct supervision administers, an HIV-related test under subsection (c) of this section and the result of such test is negative, the pharmacist may prescribe and dispense to the patient any HIV-related prophylaxis according to the manufacturer's package insert, provided: (A) Such pharmacist has completed the training required under the regulations adopted pursuant to subsection (g) of this section; (B) such patient satisfies the criteria established in such package insert; and (C) such HIV-related prophylaxis is prescribed and dispensed in accordance with all applicable requirements established in (i) this section, (ii) this chapter, or (iii) any regulations adopted pursuant to subsection (g) of this section or this chapter.

(2) If a pharmacist prescribes any HIV-related prophylaxis under subdivision (1) of this subsection, the pharmacist shall provide to the Commissioner of Consumer Protection or the commissioner's designee, upon request by said commissioner or such designee: (A) A copy of the results of the HIV-related test described in subdivision (1) of this

subsection; (B) prescription information maintained pursuant to this chapter; and (C) any other documentation the commissioner may require in regulations adopted pursuant to subsection (g) of this section.

(f) Notwithstanding the provisions of section 1-210, all information a pharmacist submits to the Department of Consumer Protection pursuant to this section, or any regulation adopted pursuant to subsection (g) of this section, shall be confidential. The department shall use such information to perform the department's duties concerning pharmacy, to ensure compliance with and enforce provisions of the general statutes and regulations of Connecticut state agencies concerning pharmacy and for no other purpose. If the department brings an enforcement action and uses any such information as part of such action, the department may disclose such information to the parties to such action only if such disclosure is required by applicable law. No such party shall further disclose such information except to a tribunal, the Commission of Pharmacy, an administrative agency or a court with jurisdiction over such action. Such tribunal, commission, agency or court shall ensure that such information is subject to a qualified protective order, as defined in 45 CFR 164.512(e), as amended from time to time.

(g) (1) The Commissioner of Consumer Protection, in consultation with the Commissioner of Public Health, the Commission of Pharmacy, a state-wide professional society representing the interests of physicians practicing medicine in this state and a state-wide organization representing the interests of health care professionals and scientists specializing in the control and prevention of infectious diseases, shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section. Such regulations shall, at a minimum: **[**(1)**]** (A) Ensure compliance with all applicable guidance issued by the federal Centers for Disease Control and Prevention; **[**(2)**]** (B) ensure that each HIV-related prophylaxis prescribed and dispensed under subsection (e) of this section is prescribed and dispensed in accordance with the approval the federal Food and Drug Administration has granted for such HIV-related prophylaxis; **[**(3)**]** (C)

establish permissible routes of administration; **[**(4)**]** (D) establish prescription duration limits not to exceed **[**(A)**]** (i) sixty days for any pre-exposure HIV-related prophylaxis, or **[**(B)**]** (ii) thirty days for any post-exposure HIV-related prophylaxis; **[**(5)**]** (E) specify **[**(A)**]** (i) how frequently a pharmacist shall provide treatment to a patient under this section, **[**(B)**]** (ii) when a pharmacist providing treatment to a patient under this section shall refer such patient to such patient's primary care provider or any other health care provider identified by such patient, and **[**(C)**]** (iii) the circumstances in which a pharmacist shall recommend that a patient undergo screenings for sexually transmitted infections other than the human immunodeficiency virus; **[**(6)**]** (F) establish requirements concerning private areas for consultations between pharmacists and patients; **[**(7)**]** (G) establish training requirements concerning **[**(A)**]** (i) methods to obtain a patient's complete sexual history, **[**(B)**]** (ii) delivering a positive HIV-related test result to a patient, **[**(C)**]** (iii) referring a patient who has tested positive for the human immunodeficiency virus to the services that are available to such patient, and **[**(D)**]** (iv) using HIV-related prophylaxes for patients who have tested negative for the human immunodeficiency virus; **[**(8)**]** (H) identify qualifying training programs, which are accredited by the National Centers for Disease Control and Prevention, the Accreditation Council for Pharmacy Education or another appropriate national accrediting body; and **[**(9)**]** (I) establish a system of control and reporting.

(2) The Commissioner of Consumer Protection may amend the regulations adopted pursuant to subdivision (1) of this subsection, in accordance with the provisions of chapter 54, to: (A) Establish additional requirements concerning delegations by pharmacists to advanced pharmacy technicians under this section; and (B) the administration of COVID-19-related tests, influenza-related tests and HIV-related tests by advanced pharmacy technicians under this section.

Sec. 11. (*Effective from passage*) (a) There is established a task force to study the impact of unannounced retail pharmacy closures. Such study shall include, but need not be limited to, an examination of any available

means of ensuring that patients are able to maintain access to their prescriptions in the event of an unannounced retail pharmacy closure.

(b) The task force shall consist of the following members:

(1) Two appointed by the speaker of the House of Representatives;

(2) Two appointed by the president pro tempore of the Senate;

(3) One appointed by the majority leader of the House of Representatives;

(4) One appointed by the majority leader of the Senate;

(5) One appointed by the minority leader of the House of Representatives;

(6) One appointed by the minority leader of the Senate;

(7) The Commissioner of Consumer Protection, or the commissioner's designee; and

(8) Two persons appointed by the Governor.

(c) Any member of the task force appointed under subdivision (1), (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member of the General Assembly.

(d) All initial appointments to the task force shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the task force from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section.

(f) The administrative staff of the joint standing committee of the

General Assembly having cognizance of matters relating to consumer protection shall serve as administrative staff of the task force.

(g) Not later than January 1, 2025, the task force shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or January 1, 2025, whichever is later.

Sec. 12. Section 259 of public act 23-204 is repealed. (*Effective October 1, 2024*)"

| This act shall take effect as follows and shall amend the following sections: | | |
|---|---|---|
| Section 1 | *October 1, 2024* | 20-571 |
| Sec. 2 | *October 1, 2024* | New section |
| Sec. 3 | *October 1, 2024* | New section |
| Sec. 4 | *October 1, 2024* | New section |
| Sec. 5 | *October 1, 2024* | 20-579(a) |
| Sec. 6 | *October 1, 2024* | 20-598a(a) to (c) |
| Sec. 7 | *October 1, 2024* | 20-601 |
| Sec. 8 | *July 1, 2025* | 20-601 |
| Sec. 9 | *October 1, 2024* | 20-633 |
| Sec. 10 | *October 1, 2024* | 20-633f |
| Sec. 11 | *from passage* | New section |
| Sec. 12 | *October 1, 2024* | Repealer section |