

General Law Committee

JOINT FAVORABLE REPORT

Bill No.: SB-133

AN ACT CONCERNING REGULATION OF PRESCRIPTION DRUGS AND
Title: RELATED PROFESSIONS.

Vote Date: 3/7/2024

Vote Action: Joint Favorable Substitute

PH Date: 2/20/2024

File No.: 89

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SPONSORS OF BILL:

General Law Committee

REASONS FOR BILL:

This bill revises and makes changes to the laws regarding pharmacies and pharmacists, as well as adds additional licenses such as Advanced Pharmacy Technicians and Pharmacy Clerks. These additional licenses will enhance the ability of pharmacists to more readily take care of patients directly. Pharmacists are an important part of healthcare team, and this will allow them to increase their ability to assist patients. Under current law pharmacists cannot repackage compliance packages, this will allow them to repackage. The current law makes it difficult for patients who rely on these compliance packages, they often must wait for the 30-day refill, end up in the physician's office or the ER. Many patients using these packages need assistance with their medications. There have also been reports of pharmacies closing unannounced. There will be a task force studying this as patients go to their pharmacy only to find out it is closed causing them to not be able to get their medication.

RESPONSE FROM ADMINISTRATION/AGENCY:

Bryan Cafferelli, Commissioner, Department of Consumer Protection

Commissioner Cafferelli wrote in support of this bill. Every year the emergence of new products and drugs, many not approved by the FDA make their way to retail shelves. In the past, products not regulated such as K2 Spice, bath salts and other potentially harmful substances have caused harm in communities, including addiction and overdoses. As a state we need to keep these harmful substances out of the hands of our children and off the retail shelves. DCP supports allowing pharmacists to place medication in convenience packages to make dosage tracking and administration easier for patients. A step towards patient compliance, reducing medication errors from self-administration is to allow pharmacies to repackage medication. Compliance packaging can help patients to take the

correct medications at the correct time. This bill also introduces an advanced pharmacy technician registration. This would allow those who have completed advanced education and training in the practice of pharmacy an opportunity to expand their role within the pharmacy which will make them more valuable to the pharmacists. Many pharmacists are struggling to fill prescriptions, administer vaccines, and provide consultation and guidance to patients. This registration would allow advanced pharmacy technicians effectively perform final medications checks prior to dispensing, which currently can only be done by a pharmacist. This would make the pharmacist more available to do more complex and clinical tasks.

NATURE AND SOURCES OF SUPPORT:

Senator Ceci Maher, State of Connecticut

Senator Maher supports this bill. She does however believe an amendment should be added to existing legislation preventing Connecticut companies from becoming involved in supplying or diverting drugs for use in lethal injections. This practice risks implicating Connecticut companies in torturous botched executions, but also could harm public health. A Connecticut company has recently identified as the likely supplier of lethal injection ingredients for executions in 2020-2021. It also has been suggested it supplied the drug to other death rows in other states. Passing straightforward amendments to existing drug safety laws, the Connecticut legislature can fix these issues.

Shana DiMartino, CPhT-Adv, CSPT

Ms. DiMartino supports this bill. She has taken numerous online and live CE's pertaining to her profession. Pharmacy technicians do not always get the recognition that they deserve. Over the years, there have been a lot of advancement in the pharmacy including the role of the pharmacist. They are more directly involved in patient education and care. By allowing pharmacy technicians to "tech check tech" for medications that are dispensed by automation, the pharmacist will have the opportunity to work directly with patients who need them.

David Girouard, MPH, R.Ph. Regional Director, Hartford Healthcare

Mr. Girouard supports this bill. Over his forty-two years in the pharmacy practice in Connecticut the profession has grown and transitioned from a handler of medications to a cog in patient care. As the role of pharmacist has grown so has the role of pharmacy technicians. It is reasonable and safe to establish the Advanced Pharmacy Technician. By establishing this role, it will improve patient safety as the pharmacist could provide direct care to the patient. This bill is critical as the state is facing a shortage of pharmacists. Please consider the positive effect this would have on the residents of our state.

Tiffany Gray, Ph. Automation/Analytics Coordinator

Ms. Gray supports this bill. Over the years she would have been able to complete tasks that were considered "pharmacists only". If I was allowed to do this task, I would have alleviated some of the responsibility from the pharmacist, so they could provide direct patient care. In the Advanced Technician role my ideas would be realized and improve patient safety, as medication would have more eyes on them.

Christina Hatfield, PharmD, MBA, Director of Pharmacy, Hartford Hospital

Dr. Hatfield supports this bill. He strongly believes in developing an Advanced Pharmacy Technician role which will aid in safer care. Twenty-one states have already allowed the

advanced technicians in their pharmacy settings. In the hospital she worked in Kentucky, the following trends were noted with allowing the Advanced Pharmacy Technician. There was a decrease in errors, no significant error rates when advanced pharmacy technician was verifying accuracy versus a pharmacist. The pharmacy technicians were more efficient. The pharmacy technicians understood the workflow better and the pharmacists were allowed to prioritize direct patient care. There was increased job satisfaction for both pharmacy technicians and pharmacists. This change is especially important due to the pending shortage of trained pharmacists.

Greg McKenna, RPH, MBA, JD, Nutmeg Pharmacy

Mr. McKenna supports this bill. His pharmacies service the Assisted Living, Group Home and Independent Care clients, as well as those in the Medical at Home market where seniors are trying to remain in their homes. Currently pharmacies are stopped from making changes for these clients as it is not allowed for pharmacies to take the medication packages back to take out medication that has been discontinued by their physician. The law forces the client to make these changes by themselves or wait 28 days, but often these issues cause emergency room visits.

Tiana Patriarca, PharmD

Ms. Patriarca supports this bill. Pharmacy technicians are an essential part of the pharmacy team and often underutilized. The requirements for education and proficiency in this proposed bill highlight further the qualifications and competency of said individuals for this duty. This bill allowing Advanced Pharmacy Technicians to have more responsibility will utilize the pharmacy team members and resources, increasing quality patient care.

Evangeline Sargent, Certified Pharmacy Technician

Ms. Sargent supports this bill. Becoming a Certified Pharmacy Technician requires extensive training, taking a certification test and committing to 26 CEU's every two years. An Advanced Pharmacy Technician's training would not be something one could "breeze" through, in order to complete what is being proposed would require commitment. Having an Advanced Pharmacy Technician will improve patient care in the pharmacy and allow pharmacists more time to do consultations, medication therapy monitoring, handling calls to insurance companies and do other necessary administrative duties.

Edward R. Schreiner, Jr. R.Ph., Owner/Manager, Stoll's Pharmacy

Mr. Schreiner supports this bill. Stoll's Pharmacy goes beyond traditional medication dispensing. Many of their patients are unable to manage daily medications independently. Pharmacists are the perfect healthcare providers to assist patients with multiple medications ordered by multiple physicians by supplying compliance packaging. Section 4 of SB133 allows repacking of the compliance packaging. Giving the pharmacist the ability to do this is a safer solution for many patients. Section 9 will allow pharmacies to order, as well as administer vaccines. Section 3 introduces a definition for pharmacy clerk, it would be a person who can work in the pharmacy but not be involved in prescription data, the dispensing process or preparation of prescription for final verification. SB133 does not indicate if there will be an annual fee for clerk registering. His hope is that pharmacies will not be charged to register these clerks, it would create a significant financial burden.

Nathan Tinker, CEO-CT Pharmacists Association

Mr. Tinker supports this bill. Many of the revisions of Connecticut Pharmacy Law in SB133 are neither novel nor untested. There have been forms of the Advanced Pharmacy Technician's capabilities across the country for over 40 years. Pharmacy Technician are essential members of the healthcare. The creation of the Advanced Pharmacy Technician license endorsement will enhance and optimize patient care services delivered at all pharmacies. They will allow the pharmacists to more effectively and efficiently provide direct patient care. There are many benefits to this bill, product verification, pharmacist time reallocation for advanced patient care roles, and technician job satisfaction. They encourage the committee to support this bill.

NATURE AND SOURCES OF OPPOSITION:

Connecticut Hospital Association (CHA)

CHA opposes this bill. It is rare that CHA urges a whole bill be rejected, but this bill needs to be totally reworked. SB133 may have good intentions and goals by the bill's proponents, but the bill is irretrievably flawed. Most notably the goal of creating more flexibility in pharmacy practice, this could have unintended consequences for patient care, patient access and pharmacy practice. CHA strongly recommends that starting over with additional stakeholders at the table to ensure the right language becomes law. The definitions in SB133 are problematic and would necessarily cause confusion for existing scopes of practice for many healthcare providers. It also contradicts existing statutory and regulatory definitions, fails to leverage the existing structure for professional categories and scope of practices, including pharmacy technician, SB 133 creates a new professional category and fails to ensure other professionals current scopes are not restricted or narrowed.

Reported by: Bonnie Gray, Assistant Clerk

Date: 3/28/2024