DESIGNATION OF CONTROLLED DRUGS

Current with material published in Conn.L.J. through 6/10/08

Sec. 21a-243-1. Volatile substances

(a) The following volatile substances are hereby designated as controlled drugs to the extent that said chemical substances or compounds containing said chemical substances are sold, prescribed, dispensed, compounded, possessed or controlled or delivered or administered to another person, with the purpose that said chemical substances shall be breathed, inhaled, sniffed or drunk to induce a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system: Acetone; toluol; trichloroethylene; isopropanol; methanol; ether; methyl cellosolve acetate; toluene; hexane; butyl alcohol; benzene; methyl ethyl ketone; cyclohexanone; pentochlorophenol; ethyl acetate; methyl isobutyl ketone; trichloroethane, and dichlorodifluoromethane.

(b) Insofar as it is the express.intent of these regulations to provide medical treatment whenever possible, there is hereby created the presumption that one who is found to have inhaled or to be under the influence of the above-described volatile substances shall be deemed to be psychologically dependent upon said volatile substances.

(c) To the extent that it is possible, medical treatment rather than criminal sanctions shall be afforded individuals who breathe, inhale, sniff or drink the above-named volatile substances.

(Effective July 27, 1984.)

Sec. 21a-243-2. Criminal liability of vendor

No vendor of the aforementioned volatile substances shall be deemed to have violated the provisions of chapter 420b of the general statutes insofar as sale, dispensing or delivering of one or more of said volatile substances or compounds containing said chemical substances is concerned, unless he knew or should have known of the improper purpose to which said substance was to be put.

(Effective July 27, 1984.)

Sec. 21a-243-3. When volatile substances not controlled drug

The above drugs are designated as controlled drugs only for the limited purpose stated in section 21a-243-1. Insofar as substances containing said drugs are possessed, sold, dispensed, compounded or delivered for licit purposes, i.e., other than to produce a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system by breathing, inhaling, sniffing or drinking, such substances are expressly not controlled and neither the

regulatory provisions, including but not limited to record keeping, licensing, and the writing of prescriptions nor the criminal sanctions and proscriptions of chapter 420b of the general statutes shall apply.

(Effective July 27, 1984.)

Sec. 21a-243-4. Anesthesia

The breathing, inhalation, sniffing or drinking of anesthesia for medical or dental purposes under the direction of a physician, dentist or osteopath acting in the course of his professional practice, is determined to be a licit purpose and not in contravention of these regulations or the provisions of chapter 420b of the general statutes.

(Effective July 27, 1984.)

Sec. 21a-243-5. Controlled drugs

The following substances are hereby designated as controlled drugs for all purposes of chapter 420b of the general statutes: Datura stramonium hyoscyamus niger, atropa belladonna or the alkaloids atropine, hyoscyamine, belladonnine, apoatropine, or any mixture of these alkaloids such as daturine, or the synthetic homatropine or any salts of these alkaloids. Any drug or preparation containing any of the above-mentioned substances which is permitted by federal food and drug laws to be sold or dispensed without a prescription or written order shall not be a controlled drug.

(Effective July 27, 1984.)

Sec. 21a-243-6. Amyl nitrate

Amyl nitrate is hereby designated as a controlled drug as defined under chapter 420b of the general statutes.

(Effective July 27, 1984.)

SCHEDULES OF CONTROLLED SUBSTANCES

Sec. 21a-243-7. Controlled substances in schedule I

The controlled substances listed in this regulation are included by whatever official, common, usual, chemical, or trade name designation in Schedule I:

(a) Any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, unless specifically excepted, whenever the existence of these isomers, esters,

ethers and salts is possible within the specific chemical designation:

(1) Acetylalpha-methylfentanyl;

(2) Acetylmethadol;

(3) Allylprodine;

(4) Alphacetylmethadol (except Levo-alphacetylmethadol or LAAM);

(5) Alphameprodine;

(6) Alphamethadol;

(7) Alpha-methylfentanyl;

(8) Alphamethylthiofentanyl;

(9) Benzethidine;

(10) Benzylfentanyl;

(11) Betacetylmethadol;

(12) Beta-hydroxy-fentanyl;

(13) Beta-hydroxy-3-methylfentanyl;

(14) Betameprodine;

(15) Betamethadol;

(16) Betaprodine;

(17) Clonitazene;

(18) Dextromoramide;

(19) Diampromide;

(20) Diethylthiambutene;

(21) Difenoxin;

(22) Dimenoxadol;

(23) Dimepheptanol;

(24) Dimethylthiambutene;

(25) Dioxaphetyl Butyrate;

(26) Dipipanone;

(27) Ethylmethylthiambutene;

(28) Etonitazene;

(29) Etoxeridine;

(30) Furethidine;

(31) Hydroxypethidine;

(32) Ketobemidone;

(33) Levomoramide;

(34) Levophenacylmorphan;

(35) 3-methylfentanyl;

(36) 3-methylthiofentanyl;

(37) Morpheridine;

(38) Noracymethadol;

(39) Norlevorphanol;

(40) Normethadone;

(41) Norpipanone;

(42) Para-fluorofentanyl;

(43) Phenadoxone;

(44) Phenampromide;

(45) Phenomorphan;

(46) Phenoperidine;

(47) Piritramide;

(48) Proheptazine;

(49) Properidine;

(50) Propiram;

(51) Racemoramide;

(52) Thenylfentanyl;

(53) Thiofentanyl;

(54) Tilidine;

(55) Trimeperidine.

(b) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine;

(2) Acetyldihydrocodeine;

(3) Benzylmorphine;

(4) Codeine methylbromide;

(5) Codeine-N-oxide;

(6) Cyprenorphine;

(7) Desomorphine;

(8) Dihydromorphine;

(9) Drotebanol;

(10) Etorphine, except hydrochloride salts;

(11) Heroin;

(12) Hydromorphinol;

(13) Methyldesorphine;

(14) Methyldihydromorphine;

(15) Morphine methylbromide;

(16) Morphine methylsulfonate;

(17) Morphine-N-oxide;

(18) Myrophine;

(19) Nicocodeine;

(20) Nicomorphine;

(21) Normorphine;

(22) Pholcodine;

(23) Thebacon.

(c) Any material, compound, mixture or preparation which contains their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within, the specific chemical designation:

(1) 4-bromo-2,5-dimethoxyamphetamine; or 4-bromo-2,5-DMA;

(2) 2,5-dimethoxyamphetamine; or 2,5-DMA;

(3) 2,5-Dimethoxy-4-ethylamphetamone or DOET;

(4) 3,4-Methylenedioxy-N-ethylamphetamine;

(5) 1-methyl-4-phenyl-4-propionoxypiperidine; or MPPP;

(6) 3 ,4-methylenedioxymethamphetamine; or MDMA;

(7) 4-methoxyamphetamine; or PMA;

(8) 5-methoxy-3,4-methylenedioxy-amphetamine;

(9) 5-methoxy-nn-diisopropyltryptamine (5-methoxy-dipt);

(10) 4-methyl-2,5-dimethoxyamphetamine; or DOM; or STP

(11) 3,4-methylenedioxy amphetamine; or MDA;

(12) 3,4,5-trimethoxy amphetamine;

(13) benzylpiperazine or BZP;

(14) Bufotenine or Mappine;

(15) Alphaethyltryptamine;

(16) Diethyltryptamine or DET;

(17) Dimethyltiyptamine or DMT;

(18) Ibogaine;

(19) Lysergic acid diethylamide;

(20) Marihuana;

(21) Mescaline;

(22) Parahexyl or Synhexyl;

(23) Peyote, meaning all parts of the plants;

(24) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine; or PEPAP;

(25) N-ethyl-3-piperidyl benzilate;

(26) N-methyl-3-piperidyl benzilate;

(27) Psilocybin;

(28) Psilocyn;

(29) Tetrahydrocannabinols except Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved product;

(30) Ethylamine analog of phencyclidine, Cyclohexamine or PCE;

(31) 4-Bromo-2,5-dimethoxyphenethylamine;

(32) Pyrrolidine analog of phencyclidine, PCP or PHP;

(33) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine;

(34) Thiophene analog of phencyclidine, TPCP or TCP.

(35) Tiletamine or 2-(ethylamino)-2-(2-thienyl)-cyclohexanone;

(36) Trifluoromethylphenylpiperazine or TFMPP.

(d) Any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, their salts, isomers and salts of isomers unless specifically excepted, wherever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Gamma-hydroxy butyric acid, except if contained in a drug product for which an application has been approved under section 505 of the federal food, drug and cosmetic act;

(2) Gamma-butyrolactone;

(3) Mecloqualone;

(4) Methaqualone; or

(5) Zolazepam.

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Aminorex;

(2) 4-Methylaminorex;

(3) Cathinone;

(4) Fenethylline;

(5) Methcathinone;

(6) N-ethylamphetamine;

(7) N,N-Dimethylamhetamine.

(Effective July 23, 1987; Amended effective August 22, 1995; Amended effective March 6, 2000; Amended effective June 10, 2003.)

Sec. 21a-243-8. Controlled substances in schedule II

The controlled substances listed in this regulation are included by whatever official, common, usual, chemical, or trade name designation in Schedule II:

(a) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate excluding Apomorphine, Dextrorphan, Nalbuphine, Naloxone, Naltrexone, and their salts, but including the following: Raw opium, opium extracts, opium fluid extracts, powdered opium, granulated opium, tincture of opium, codeine, ethylmorphine, etorphine hydrochloride, hydrocodone, hydromorhone, metopon, morphine, oxycodone, oxymorphone and thebaine;

(2) any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical

with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine;

(5) concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrine alkaloids of opium poppy).

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation, Dextrorphan and Levopropoxyphene excepted:

(1) Alfentanil;

(2) Aiphaprodine;

(3) Anileridine;

(4) Bezitramide;

(5) bulk Dextropropoxyphene (nondosage forms);

(6) Carfentanil;

(7) Dihydrocodeine;

(8) Diphenoxylate;

(9) Fentanyl;

(10) Isomethadone;

(11) Levo-aiphacetylmethadol or LAAM;

(12) Levomethorphan;

(13) Levorphanol;

(14) Metazocine;

(15) Methadone;

(16) Methadone-Intermediate,4-cyano-2-dimethylamino-4,4-diphenylbutane;

(17) Moramide-Intermediate,2-methyl-3-morpholino-1,1-diphenyl-propane-carboxylic acid;

(18) Pethidine (Meperidine);

(19) Pethidine-Intermediate-A,4-cyano-1-methyl-4-phenylpiperidine;

(20) Pethidine-Intermediate-B,ethyl-4-phenylpiperidine-4-carboxylate;

(21) Pethidine-Intermediate-C, 1-methyl 4-phenylpiperidine-4-carboxylic acid;

(22) Phenazocine;

(23) Piminodine;

(24) Racemethorphan;

(25) Racemorphan;

(26) Remifentanil;

(27) Sufentanil.

(c) Unless excepted or placed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;

(2) any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers;

(3) Methylphenidate;

(4) Phenmetrazine and its salts.

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Amobarbital;

(2) Glutethimide;

(3) Pentobarbital;

(4) Phencyclidine; and

(5) Secobarbital.

(e) **Hallucinogenic Substances:**

(1) Nabilone.

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances:

(1) Immediate precursor to Amphetamine and Methamphetamine; Phenylacetone (some trade names or other names); phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone;

(2) immediate precursors to phencyclidine (PCP);

(i) 1-phencylohexylamine;

(ii) 1-piperidinocyclohaxanecarbonitrile (PCC).

(Effective July 23, 1987; Amended effective August 22, 1995; Amended effective March 6, 2000; Amended effective June 10, 2003.)

Sec. 21a-243-9. Controlled substances in schedule III

The controlled substances listed in this regulation are included by whatever official, common, usual, chemical, or trade name designation in Schedule III:

(a) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Benzphetamine;

(2) Chlorphentermine

(3) Clortermine;

(4) Phendimetrazine.

(b) Unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

(1) Any compound, mixture or preparation containing Amobarbital, Secobarbital, Pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;

(2) Any suppository dosage form containing Amobarbital, Secobarbital, Pentobarbital or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

(3) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules, except that the following analgesic products shall not be considered to be controlled substances:

(A) Products containing a ratio of fifteen milligrams of long or intermediate acting barbiturates combined with at least one of the following:

(i) 188 mg aspirin;

(ii) 375 mg salicylamide; or

(iii) 70 mg phenacetin, acetanilid or acetaminophen;

(B) Products containing a ratio of fifteen milligrams of short acting barbiturates combined with at least one of the following:

(i) 307 mg aspirin;

(ii) 614 mg salicylamide; or

(iii) 106 mg phenacetin, acetanilid or acetaminophen;

(4) Any compound, mixture or preparation containing equal weights of both tiletamine and zolazepam or any salt thereof and not mixed with other psychoactive substances;

(5) Chlorhexadol;

(6) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product;

(7) Ketamine or any salt thereof;

(8) Lysergic acid;

(9) Lysergic acid amide;

(10) Methyprylon;

(11) Sulfondiethylmethane;

(12) Sulfonethylmethane;

(13) Sulfonmethane.

(c) Buprenorphine.

(d) Nalorphine.

(e) Any material, compound, mixture or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

(1) Not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) not more than 300 milligrams of dihydrocodeinone, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(4) not more than 300 milligrams of dihydrocodeinone, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;

(7) not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(8) not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) Unless expressly intended for administration through implants to nonhuman species and approved for such use by the Federal Food and Drug Administration, any anabolic steroid including but not limited to, any of the following, or any isomer, ester, salt or derivative of the following that acts in the same manner on the human body:

(1) Boldenone;

(2) Chlorotestosterone;

(3) Clostebol;

(4) Dehydrochlormethyltestosterone;

(5) Dihydrotesterone;

(6) Drostanolone;

(7) Ethylestrenol;

(8) Fluoxymesterone;

(9) Formebulone;

(10) Mesterolone;

(11) Methandienone;

(12) Methandranone;

(13) Methandriol;

(14) Methandrostenolone;

(15) Methenolone;

(16) Methyltesterone;

(17) Mibolerone;

(18) Nandrolone;

(19) Norethandrolone;

(20) Oxandrolone;

(21) Oxymesterone;

(22) Oxymetholone;

(23) Stanolone;

(24) Stanozolol;

(25) Testolactone;

(26) Testosterone;

(27) Trenbolone.

(g) Chorionic gonadotropin.

(h) Any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers and salts of such isomers, and esters:

(1) Gamma-hydroxy butyric acid if contained in a product for which an application has been approved under section 505 of the federal food, drug and cosmetic act; or

(2) Gamma-butyrolactone.

(Effective September 22, 1989; Amended November 25, 1991; Amended effective March 6, 2000; Amended effective June 10, 2003.)

Sec. 21a-243-10. Controlled substances in schedule IV

The controlled substances listed in this regulation are included by whatever official, common, usual, chemical, or trade name designation in Schedule IV:

(a) Any material, compound, mixture or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

(1) Alprazolam;

(2) Barbital;

(3) Bromazepam

(4) Camazepam;

(5) Chloral betaine;

(6) Chloral hydrate;

(7) Chiordiazepoxide;

(8) Clobazam;

(9) Clonazepam;

(10) Clorazepate;

(11) Clotiazepam;

(12) Cloxazolam;

(13) Delorazepam;

(14) Diazepam;

(15) Dichloralphenazone;

(16) Estazolam;

(17) Etholorvynol;

(18) Ethinamate;

(19) Ethyl-lofiazepate;

(20) Fludiazepam;

(21) Flunitrazepam;

(22) Flurazepam;

(23) Halazepam;

(24) Haloxazolam;

(25) Ketazolam;

(26) Loprazolam;

(27) Lorazepam;

(28) Lormetazepam;

(29) Mebutamate;

(30) Medazepam;

(31) Meprobamate;

(32) Methohexital;

(33) Methylphenobarbital (mephobarbital);

(34) Midazolam;

(35) Nimetazepam;

(36) Nitrazepam;

(37) Nordiazepam;

(38) Oxazepam;

(39) Oxazolam;

(40) Paraldehyde;

(41) Petrichloral;

(42) Phenobarbital;

(43) Pinazepam;

(44) Prazepam;

(45) Quazepam;

(46) Temazepam;

(47) Tetrazepam;

(48) Triazolam;

(49) Zaleplon;

(50) Zolpidem;

(b) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Cathine;

(2) Diethylpropion;

(3) Fencamfamin;

(4) Fenproporex;

(5) Mazindol;

(6) Mefenorex;

(7) Modafinil;

(8) Pemoline

(9) Phentermine

(10) Pipradol;

(11) Sibutramine

(12) SPA [(-)dimethylamino-1,2-diphenylethane].

(c) Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers is possible:

(1) Fenfluramine.

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(1) Not more than 1 milligram of Difenoxin and not less than 25 micrograms of Atropine Sulfate per dosage unit;

(2) Dextropropoxyphene.

(e) Unless specifically exempted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, including its salts:

(1) Butorphanol; or

(2) Pentazocine.

(Effective November 25, 1991, Amended effective August 22, 1995; Amended effective June 3, 1998; Amended effective December 4, 1998; Amended effective June 10, 2003.)

Sec. 21a-243-11. Controlled substances in schedule V

The controlled substances listed in this regulation are included by whatever official, common, usual, chemical, or trade name designation in Schedule V:

(a) Any compound, mixture, or preparation containing limited quantities of any of the following controlled drugs, which also contain one or more noncontrolled active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than those possessed by the controlled drug alone:

(1) not more than 200 milligrams of codeine, or any of its salts, per 100 milliliters or per 100 grams;

(2) not more than 100 milligrams of dihydrocodeine, or any of its salts, per 100 milliliters or per 100 grams;

(3) not more than 100 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or per 100 grams;

(4) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

(5) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;

(6) not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(b) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of such isomers:

(1) Pyrovalerone

(Effective July 23, 1987; Amended effective August 22, 1995; Amended effective June 10, 2003.)

DRUG PRESCRIPTIONS TRANSMITTED BY FACSIMILE MACHINES

Sec. 21a-243-12. Definitions

For the purpose of Sections 21a-243-12 through 21a-243-17 of the Regulations of Connecticut State Agencies, the following terms shall have the meanings indicated:

(a) "Controlled substance" has the meaning given to this term by Connecticut General Statutes, Section 21a-240(9);

(b) "Facsimile machine" means a machine that electronically transmits facsimiles through connection with a telephone network;

(c) "Prescribing Practitioner" means any person licensed by the state of Connecticut, any other state, the District of Columbia or the Commonwealth of Puerto Rico and authorized to prescribe controlled substances within the scope of his or her practice; and

(d) "Long Term Care Facility" means a facility or institution as defined by the federal government in 21 CFR 1300.01.

(Effective October 1, 1991; Amended effective January 11, 1999.)

Sec. 21a-243-13. Dispensing of prescriptions transmitted by means of a facsimile machine

No pharmacist or pharmacy may dispense controlled substances upon a prescription transmitted by means of a facsimile machine unless such prescription fully complies with Sections 21a-243-14 through 21a-243-18, inclusive, of the Regulations of Connecticut State Agencies.

(Effective October 1, 1991; Amended effective January 11, 1999.)

Sec. 21a-243-14. Schedule II controlled substances

(a) Prescriptions for Schedule II controlled substances may be transmitted by a prescribing practitioner or his agent to a pharmacy by means of a facsimile machine provided the original written, signed prescription is provided to the pharmacist for review prior to the actual dispensing of the controlled substance, except as provided for in subsections (b) and (c) of this section. The original written prescription, once received by the pharmacist, shall be reviewed to ensure that it conforms with the requirements of section 21a-249 of the Connecticut General Statutes and shall be maintained as the original record of dispensing. The facsimile prescription order shall not be considered to be the actual prescription, but only a record of the transmission of the prescription order.

(b) Prescriptions for Schedule II narcotic substances to be compounded for direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous or intraspinal infusion may be transmitted by the practitioner or his agent to a pharmacy by facsimile. The prescription transmitted via facsimile will be accepted as the original prescription for purposes of this section.

(c) Prescriptions for Schedule II controlled substances for patients of a long term care facility may be transmitted by a prescribing practitioner or his agent to the dispensing pharmacy by facsimile. The prescription transmitted via facsimile will be accepted as the original prescription for purposes of this section.

(d) Prescriptions transmitted by facsimile machine in accordance with subsections (b) and (c) of this section shall comply with the requirements set forth in subsection (b) of Section 21a-243-15 of the Regulations of Connecticut State Agencies.

(Effective October 1, 1991; Amended effective October 3, 1995; Amended effective January 11, 1999.)

Sec. 21a-243-15. Schedule III, IV and V controlled substances

(a) Prescriptions for Schedule III, IV and V controlled substances may be transmitted by a prescribing practitioner or his agent to a pharmacy by means of a facsimile machine.

(b) All prescriptions transmitted pursuant to subsection (a) of this section must comply with the following in addition to any other requirement of federal or state statute or regulation:

(1) The facsimile prescription shall clearly contain the name of the pharmacy to which the facsimile is being transmitted and the name of the facility from which it is transmitted if the prescription is written for an inpatient of a chronic or convalescent nursing home or a rest home with nursing supervision;

(2) The facsimile prescription shall clearly display a statement in substantially the following form: "This prescription is valid only if transmitted by means of a facsimile machine"; and

(3) The facsimile document may be maintained as the actual prescription only if the nature of the equipment and paper ensures that the prescription will remain non-fading and durable for the minimum amount of time required for the maintenance of prescription records under federal and state statute or regulation. If the document will not remain non-fading or durable, the prescription transmitted by facsimile machine shall be reduced to writing, photocopied or converted to an individual printout.

(Effective October 1, 1991; Amended effective October 3, 1995; Amended effective January 11, 1999.)

Sec. 21a-243-16. Accuracy of prescription

If a pharmacist questions the accuracy or authenticity of a prescription transmitted by facsimile machine, he or she shall contact the prescribing practitioner for verification before dispensing the prescription.

(Effective October 1, 1991; Amended effective October 3, 1995.)

Sec. 21a-243-17. Relationship with prescribing practitioners and health care facilities

(a) No pharmacist or pharmacy shall maintain direct telephone, facsimile machine or computer lines to any health care facility or prescribing practitioner's office.

(b) No pharmacist shall enter into any agreement with a prescribing practitioner or health care facility concerning the provision of facsimile machine services or equipment which adversely affects any person's freedom to choose the pharmacy at which a prescription will be filled.

(Effective October 1, 1991; Amended effective January 11, 1999.)

Sec. 21a-243-18. Control of prescription forms

It shall be the responsibility of the prescribing practitioner to ensure that the prescription form that is used to transmit a prescription by facsimile machine is either destroyed immediately or marked or controlled in such a manner that prevents the use of such form to obtain controlled substances other than as authorized by these regulations.

(Adopted effective October 3, 1995.)