

REGISTRATION OF PRACTITIONERS FOR CONTROLLED SUBSTANCES

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Sec. 21a-326-1. Definitions

(a) "Abuse or Excessive Use of Drugs" means the personal use of controlled substances by a practitioner or other registrant in such dosage and frequency not warranted by an existing medical condition or use of controlled substances solely for a stimulant, depressant, or hallucinogenic effect which use is not within the medical consensus or stated in the medical literature as acceptable or proper.

(b) "Controlled Substance Schedules" means the grouping of drugs, schedules 1 through 5, as delineated in Section 21a-242 of Chapter 420b, Connecticut General Statutes or in regulations promulgated under the Code of Federal Regulation. Any particular controlled substance shall be deemed to be in the schedule wherein such controlled substance appears by its chemical or generic name within Sec. 21a-242 of Chapter 420b, Connecticut General Statutes or in regulations promulgated under the Code of Federal Regulation.

(c) "Course of Professional Practice" means the limitation of prescribing, dispensing, or administering of controlled substances for professional treatment authorized pursuant to regulations and/or statutes of the appropriate state licensing authority under which situations there must be a bona fide practitioner-patient relationship. The prescribing or dispensing of controlled substances for patients, friends, relatives, associates, and/or employees wherein a bona fide practitioner-patient relationship does not exist or wherein the practitioner has not medically evaluated the need for controlled substances shall not be considered to be in the "course of professional practice."

(d) "Effective Controls Against Diversion" means the implementation of the following controls on a regular basis necessary for the prevention of diversion of controlled substances:

- (1) Prescribing, dispensing, or administering of controlled substances only after a proper medical evaluation.
- (2) Maintaining of controlled substance record keeping and security requirements pursuant to Chapter 420b of the Connecticut General Statutes.
- (3) Providing for adequate security of prescription blanks to prevent thefts and/or illegal use.
- (4) Regular monitoring of patient(s) conditions in instances wherein continued or prolonged treatment with controlled substances is indicated.
- (5) Refraining from knowingly prescribing controlled substances for persons abusing such

controlled substances and/or using such controlled substances for purposes of maintenance of drug dependency unless pursuant to state and federal regulations pertaining to treatment of drug dependent persons.

(6) Compliance with all state and federal statutes and regulations concerning controlled substances.

(e) "Therapeutic or Other Proper Medical or Scientific Purposes" means the following:

(1) The prescribing, dispensing, or administering of a controlled substance for treatment of a specific disease or medical condition, recognized by medical consensus and/or stated in the literature of the manufacturers of the controlled substances as being the purposes for which the controlled substance is intended.

(2) Investigational use of a controlled substance by a researcher or scientist wherein documentation of necessity of use of such controlled substances is maintained.

(f) "Legend drug" is any article, substance, preparation or device which bears the legend: "CAUTION: FEDERAL LAW PROHIBITS DISPENSING WITHOUT A PRESCRIPTION."

(Effective July 27, 1984.)

Sec. 21a-326-2. Registration applications and renewals

Registration applications and renewals shall be on such forms as furnished by the Commissioner of Consumer Protection and shall whenever so indicated be signed by the applicant.

(a) All registration applications shall contain all information required by the Commissioner of Consumer Protection. Applications not inclusive of required data or those which are illegibly executed may be returned for correction.

(b) It shall be the responsibility of all practitioners, hospitals, or other institutions who propose to engage in distributing, prescribing, administering, dispensing, or using any controlled substance within this state to submit an application for registration with the appropriate fee to the Commissioner of Consumer Protection. The Commissioner shall issue a certificate of registration in accordance with the provisions of Chapter 420c of the General Statutes.

(c) It shall be the responsibility of the applicant to submit his/her registration renewal application to the Commissioner at least one month prior to the expiration of his/her current registration.

(d) All practitioners, hospitals, clinics, or other authorized persons or facilities wishing to prescribe, administer, or dispense controlled substances shall obtain a certificate of registration issued by the commissioner of consumer protection as mandated by Section 21a-317 of the

General Statutes. No controlled substance shall be prescribed, administered, or dispensed until such registration has been approved by the commissioner. Regulation fees shall not be prorated.

(e) For registration purposes applicants shall be classified as follows:

- (1) Practitioner;
- (2) Hospital;
- (3) Clinic;
- (4) Others.

All practitioners shall designate their specific professional practice; e.g., M.D., dentist, veterinarian, osteopath or podiatrist on their application for registration. Other applicants shall designate their appropriate title; i.e., Ph.D., Director, Director of Pharmacy, Administrator, President, Manager, etc.

(Effective July 27, 1984.)

Sec. 21a-326-3. Notification of failure to obtain or renew registration

The Commissioner of Consumer Protection shall notify the Federal Drug Enforcement Administration or its successor, of the failure of any practitioner or researcher to obtain or renew a valid state registration; or of any administrative action taken by the Commissioner resulting in the denial, surrender, suspension, or revocation of a registration or the limitation of the controlled substance schedules of a registration.

(Effective July 27, 1984.)

Sec. 21a-326-4. Responsibility of registrant

(a) It shall be the responsibility of a registrant who ceases to practice or who goes out of business to notify the Commissioner in writing five (5) days before such occurrence.

(b) It shall be the responsibility of the registrant to notify the Commissioner within thirty (30) days of any changes in information or data required on the registration application pursuant to which any registration is issued.

(Effective July 27, 1984.)

Sec. 21a-326-5. Registration of controlled substances

(a) It shall be the responsibility of the registrant to be registered in accordance with state and federal controlled substance laws for those particular controlled substance schedules incorporating those drugs used or to be used within the scope of his/her professional practice.

(b) A registrant may voluntarily surrender his/her controlled substance registration privileges in any or all controlled substance schedules to the Commissioner of Consumer Protection or may voluntarily refrain from registering in those controlled substance schedules not applicable to his/her professional practice or scientific research.

(c) The Commissioner of Consumer Protection may in accordance with Sections 21a-323 and 21a-324 of the General Statutes limit the schedules for which the practitioner is registered.

(Effective July 27, 1984.)