

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-489		8220	4	7	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Public Health & Safety</i> 450-452 • <i>Public Health & Safety</i> 486 				<u>House Pages:</u> <ul style="list-style-type: none"> • 3275-3280 • 4302 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 2580

H-114

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

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PART 7
3011-3376**

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concerning the widening...

CARL R. AJELLO, JR.:

Mr. Speaker, may this item be passed temporarily.

MR. SPEAKER:

So ordered.

THE CLERK:

Calendar No. 993, Substitute for H.B. No. 8220, an Act requiring prescriptions for the purchase of hypodermic needles and syringes.

MORRIS N. COHEN:

Mr. Speaker, I move acceptance and passage of the Joint Committee's favorable report.

MR. SPEAKER:

Will you remark.

MORRIS N. COHEN:

The Clerk has an Amendment.

MR. SPEAKER:

The Clerk call House Amendment Schedule "A".

MORRIS N. COHEN:

Could the Clerk please read the Amendment.

THE CLERK:

Offered by Mr. Cohen, of the 41st. In Line 6, after the word "dentist", insert a comma and delete the word "or". In Line 7, after the word "veterinarian", insert "or podiatrist".

MORRIS N. COHEN:

Mr. Speaker, I move adoption of House Amendment Schedule "A".

EFH

MR. SPEAKER:

EFH

Will you remark on Amendment "A".

MORRIS N. COHEN:

Mr. Speaker, this Amendment merely adds to the list of people who may purchase these syringes the profession of podiatry. It's a good Amendment, and I move it's adoption.

MR. SPEAKER:

Further remarks on the Amendment. If not, all those in favor of Amendment Schedule "A" indicate by saying "aye". Opposed. Amendment "A" is adopted. It's ruled technical.

MORRIS N. COHEN:

Mr. Speaker, this is a very good Bill. It sets forth regulations under which wholesalers can sell hypodermic needles and syringes to legitimate users such as physicians, dentists, veterinarians and now podiatrists. It also sets up regulations under which a pharmacist can sell, or an individual can buy, a hypodermic needle and syringe only by a prescription from a physician practicing medicine in the State of Connecticut. Proof of this must remain on file for a year. Every three months it can be renewed. The main purpose of this Bill is to prevent the indiscriminate, easy purchase of syringes, which would encourage the use of injurious drugs, especially to the young in our State.

MR. SPEAKER:

Further remarks on the Bill as amended.

ALAN H. NEVAS:

Mr. Speaker, through you a question to Dr. Cohen.

MR. SPEAKER:

Please proceed.

EFH

ALAN H. NEVAS:

In Line 5, where it permits the sale to a manufacturer, wholesaler, or licensed pharmacist, there doesn't seem to be any limitation as to what kind of manufacturer or wholesaler that can be.

MORRIS N. COHEN:

I presume it would apply to the definition of those people that you question.

MR. SPEAKER:

Further remarks on the Bill as amended.

ALAN H. NEVAS:

I don't understand the answer.

MR. SPEAKER:

Would the gentleman from the 144th please restate his question.

ALAN H. NEVAS:

It says that a...that a needle or syringe can be sold by a manufacturer or wholesaler to a manufacturer, wholesaler, or licensed pharmacist, but it doesn't limit the kind of manufacturer or wholesaler.

MORRIS N. COHEN:

Well, I presume, without knowing too much about this, one man might manufacture a certain part of a syringe and sell it to another man...the man could manufacture the needle. Would that take care of your question?

ALAN H. NEVAS:

Well, under the...through you, Mr. Speaker, actually under the wording of the statute it could be to any kind of manufacturer...someone who had no relationship at all to the manufacturer of needles or syringes. EFH

MR. SPEAKER:

Further remarks on the Bill as amended.

ROBERT D. KING:

Mr. Speaker. Through you, Mr. Speaker, a question to Dr. Cohen. I do not find stated clearly in the Bill any restriction on mail order sales of syringes or needles. I understand that at the present time there are specialty houses that are available that do provide this service and that they do a fairly lucrative business. Is it the aim of this Bill, and if it is the aim of this Bill, where is it stated that this particular practice would in any way be controlled?

MR. SPEAKER:

Does the gentleman from the 41st care to respond?

MORRIS N. COHEN:

Morris N. I can't answer your question. The Bill requires certain things, and that's what it does. Whether it will prevent you from buying out-of-state, or smuggle them into the State, or get them through the border of the State, I can't answer. But anyone in the State who wants to get a hypodermic needle would have to go to a physician, get a prescription. Certainly it probably won't cover all the possibilities of the use of syringes, but it will certainly cut down to a great extent of the indiscriminate purchase. Today any boy, or any young person, or older person, can

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go into a drug store and buy all the syringes he wants. This Bill EFH
is going to start cutting down on...in this area.

MR. SPEAKER:

Further remarks on the Bill as amended.

JOHN D. PRETE:

Mr. Speaker, the Clerk has another Amendment. Amendment
form that was just placed on his desk.

THE CLERK:

House Amendment Schedule "B", offered by Mr. Tiffany, of
the 70th. In Line 15, before the period, insert a semi-colon and
the following: "(5) to a farmer but only for use on his own ani-
mals or poultry". In Line 20, after the word "physician", insert
the following: "or in the case of a farmer, a veterinarian,".

JOHN D. PRETE:

Mr. Speaker, I'm in complete agreement with the purposes
of this Act. I believe it's good legislation, and it moves far in
the direction of controlling the use of drugs. However, in the
preparation of the Bill, there was a matter that's seemingly left
out of it, and that is a farmer who uses hypodermic needles and
syringes for vaccinations and so forth with his animals. This
Amendment would allow a farmer to obtain the necessary needles
and syringes upon the prescription of a veterinarian. It's a good
Amendment, and I urge that it be adopted.

MR. SPEAKER:

Question's on adoption of Amendment Schedule "B".
Would you remark further on Amendment Schedule "B". If not, all
those in favor indicate by saying "aye". Opposed. "B" is

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adopted. It's ruled technical. Further remarks on the Bill as twice amended.

MARILYN PEARSON:

Thank you, Mr. Speaker. There have been many violations where pharmacies have sold hypodermic needles and syringes to people who really weren't using them for medical purposes. In Fairfield County we've had many violations, and our Fairfield County Undercover Squad is very much in favor of this Bill, as our many of the local police forces in our particular County. I had a similar Bill in. I think it's an excellent Bill, and I do hope that it has unanimous support from the House. Thank you.

MR. SPEAKER:

Will you remark further. If not, all those in favor indicate by saying "aye". Opposed. The Bill is passed. At this time I'd like to invite to the rostrum to preside a good friend of all of us. He will host us next week at his farm. The gentleman who is known for his wit and his charm but above all, someone who is beloved by all in this House, Representative Hogan, from the 177th.

REPRESENTATIVE HOGAN IN THE CHAIR

THE SPEAKER:

I just looked around to see who he was talking about.

THE CLERK:

On Page 7, second item, Calendar No. 999, Substitute for H.B. No. 6511, an Act concerning the definition of podiatry.

RICHARD J. YEDZINIAK:

Mr. Speaker, I move acceptance of the Committee's Joint

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3878-4343**

Tuesday, June 1, 1971

159.

THE SPEAKER:

Question is on acceptance and passage as amended by Senate Amendment Schedule A in concurrence with the Senate. Further remarks. If not, all those in favor indicate by saying AYE. Opposed. THE BILL IS PASSED.

THE CLERK:

Cal. 993. Sub. for H.B. 8220. AN ACT REQUIRING PRESCRIPTIONS FOR THE PURCHASE OF HYPODERMIC NEEDLES AND SYRINGES, as amended by House Amendments A and B and Senate Amendment Schedule A.

THE SPEAKER:

Dr. Cohen of the 41st.

MR. COHEN: (41st)

I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate. The Clerk has an amendment.

THE CLERK:

Senate Amendment Schedule A. In Sec. 1, line 7, after the word veterinarian, insert the word embalmer.

MR. COHEN: (41st)

I move adoption of the amendment.

THE SPEAKER:

Question is on adoption. Will you remark.

MR. COHEN: (41st)

I suggest we keep away from the embalmers but we vote for the amendment.

roc

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THE CHAIR:

Are there any remarks further? If not , all those in favor signify by saying aye. Opposed nay. The bill is passed.

THE CLERK:

The next page, Calendar No. 933. File No. 1279. Favorable report of Joint Standing Committee on Public Health and Safety. Sub. for House Bill 8220. An Act Concerning Requiring Prescriptions for the PURCHASE of Hypodermic Needles and Syringes.

SENATOR JACKSON:

Mr. President. I move acceptance of the Committee's favorable report and passage of the bill as amended by the House Amendments.

THE CHAIR:

Will you remark?

SENATOR JACKSON:

This bill states that a manufacturer or wholesaler may sell hypodermic needles and syringes without a prescription to five designated categories. As provided under those five categories you will have to have a prescription to obtain a hypodermic needle or syringe. The bill sets out the provisions and the length of time the prescription would be kept on file. The reason for this bill is self-explanatory in this day of ever proliferating drug problems.

THE CLERK:

The Clerk has received a late amendment from Senator Odegard.

THE CHAIR:

Senator Pac , before he left , said he had no objection to the amendment.

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we ask, we humbly ask you to defeat 5488. Now I know there are many other people in the room who know a lot about this subject, Frank Cole being one. They may have something to add and members of the committee may have some questions and I would hope that you might ask these questions so that we can possibly clear the air.

Rep. Cohen: Any questions of this speaker? Would Mr. Cole have a brief statement perhaps? Usually are brief.

Francis Cole: I'm not going to read it, Doctor. O.K.? I have prepared a position paper on the evils of prescription price advertising, and rather than go into the lengthy discussion here, the previous speaker has presented the case very well. I will turn this over to the chairman of the committee. There are eight reasons why this bill should be defeated.

Rep. Cohen: I see a lot of badges so I assume you're all interested in this bill. By a show of hands, how many are against 5488? Are there any, one for the Bill that would like to speak on it? Thank you very much.

Mr. Lyddy: Mr. Chairman, may I also add that there's another bill possibly before your committee by Rep. Sarasin dealing with the same subject, we think is the same type of bill. May our remarks be considered as to that bill also? Thank you.

Mr. Cole: While I'm here, I would like to refer to two or three other bills and state the position of the Connecticut Pharmaceutical Association on these bills. Senate Bill 733 (AN ACT TO LIMIT THE SALE OF DRUGS), we are in favor of this bill. House Bills 7807 concerning labeling and dating of useful life for medicines and drugs sold at retail. I think this is a federal prerogative and a federal law generally takes care of this pretty well, and I think it would be in conflict if we had a bill that tried to regulate this thing on a state level. And since most of your drug products are in interstate commerce I think it's better handled at a federal level. House Bill 8218 (AN ACT REQUIRING THAT THE GENERIC NAME OF ANY DRUG BE PLACED ON THE CONTAINER IN WHICH THE PRESCRIPTION IS DISPENSED). I think this is similar to a bill I testified on week before last placing the name of the drug on the label of the prescription, and I gave my reasons then and if, if you have it in the record and I'm sure you will, I hope you will be against placing of the names on, unless the physician desires it. And then House Bill 8220 (AN ACT REQUIRING PRESCRIPTIONS FOR THE PURCHASE OF HYPODERMIC NEEDLES AND SYRINGES). May I state that at the present time this thing is being taken care of fairly well so far as the sale of hypodermic needles and syringes, the problem is in the theft. There's where your problem is. And this bill would do nothing but place hardship on those people who have a legitimate use for hypodermic needles and hypodermic syringes. Now to my

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knowledge, this is the tenth year that this, a bill of this import has come to the attention of the Public Health and Safety Committee. In other years they have felt it wasn't necessary and I hope that you have the same feeling.

These disposable syringes where the doctor will throw them in an ash can and they'll pilferage them at the, the ash can of the doctor's offices or the (not clear). This is the problem and it raise, this will raise another problem, problem of hepatitis.

Rep. Cohen: Require the doctors to break the syringes.

Mr. Cole: The federal law is, is such now but they're not all doing it.

Rep. Cohen: Any questions of the speaker?

Rep. LaRosa: Question, isn't it at the present time very easily for youngsters to obtain hypodermic needles and syringes in the, in any pharmacy or in any drug store in the State of Connecticut? I think that what the intent of the bill is is to maybe curb that type of, of purchase that youngsters would not be available to them that easily.

Mr. Cole: Mr. LaRosa, I think we have educated our pharmacists and we have a code of ethics where a pharmacist who does deliberately set out needles and syringes for illicit purposes can be taken care of under our present code of ethics which is part of the state law, and I base, daresay that 99 out of every 100 pharmacists will not sell a hypodermic needle or syringe to a stranger or someone who he feels doesn't have a, use of it as a legitimate purpose. Sure, there's probably one or two here and there that would do something and we have had instances where the Pharmacy Commission has called 'em in and told them to cut it out or they'd be, be before the Board for a hearing.

Mr. LaRosa: Mr. Chairman, another question. In relation to the same trend of thought, in the event that I as a citizen feel that some pharmacist are a big chain outfit or whatever it may be, has violated the code of ethics, and I have, I can bring action or can bring a complaint to the Pharmacy Commission, then, next question is, what is the penalty other than telling them you're a bad boy, don't do it?

Mr. Cole: The penalty for violation of any part of our code of ethics is either suspension or revocation of the, of the license. This, and this is harsher than any cash penalty that you could put on because it deprives a man of his livelihood for -

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Rep. LaRosa: Is that so stated in the regulations?

Mr. Cole: Yes.

Rep. LaRosa: Or would you object - it is so stated in the regulations now? Because I submitted a bill similar to this in '67 and I think that from '67 to '71 I think there have some, been some violations and abuses and of course -

Mr. Cole: We as members of an ethical profession would be very happy to accept those complaints and turn them over to the proper authority, Mr. LaRosa.

Rep. Cohen: Any other questions?

Rep. Lyons: Can you legally refuse to sell an item that you have for sale to somebody regardless of what his reason is for using it?

Mr. Cole: Yes, you can.

Rep. Lyons: Thank you.

Mr. Cole: It comes under moral turpitude. If you feel, as a matter of fact if a prescription comes into a pharmacy and the pharmacist has reason to believe it's a false, fraudulent prescription, he can refuse to fill it.

Rep. Cohen: Any more questions? Thank you very much Mr. Cole. One more second.

Rep. Stroffolino, 143rd District: Mr. Cole, do you think it would be that much of a hardship on the druggists to obtain a prescription for the sale of hypodermic needles?

Mr. Cole: I'm not concerned about the hardship on the pharmacist. I'm concerned about the hardship on the consumer, the one who has a legitimate use for hypodermic needles and syringes. That's what I'm concerned about.

Rep. Stroffolino: Well aren't they, according to this bill, prescriptions could be used for about a year. Is that right?

Mr. Cole: Yes, yes.

Rep. Stroffolino: Do you think it would lessen the hardship on the consumer?

Mr. Cole: You've made, it makes it a little bit easier but I don't think it's necessary under the present setup that we have in the handling of these items now.

Rep. Cohen: Thank you very much. We'll now go on to any bill at all, and anybody want to speak? Yes - Mr. Harden you say? Mr. Harden please.

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authority to dispense drugs. And the bill itself as its now written would limit the sale among other interests, would limit the sale by a wholesaler or any drug other than to a practicing physician, dentist or veterinarian. I'd like to respectfully point out that, to the committee, that podiatry is not a drugless profession, and we have statutory authority to use drugs under Chapter 359, section 19-460, and also under Chapter 375, section 20-50 which specifically mentions in the Pharmacy Practice Act and in the Pharmacy Code of Ethics insofar as establishing our, our position, insofar as prescribing and, and using drugs and so I would respectfully ask that the committee would, on line 26 of the bill, after the word dentist, if you would add a comma and insert the word podiatrist among those professions that are mentioned in the act.

I was going to speak on another bill, 8220, which is requiring prescriptions for the purchase of hypodermic needles and syringes. This is an exact duplicate of H.B. 7676 which was heard Tuesday of this week, sponsored by Mrs. Pearson of the 128th District, and Tuesday Rep. Pearson appeared at the hearing here and made her own correction to insert the word podiatrist in that bill. So that I don't feel that there's any need of my saying anything more on that score. That's all I have to say. We're in favor of this 733 but we'd like to have ourselves included so there won't be any conflict of law. Thank you.

Sen. Pac: Thank you.

Norma Knipfel: I'm a nutrition consultant with the Visiting Nurse Association of Hartford, and I am concerned about your nutrition. Talking for bill 8221, concerning the sale of flour, bread, corn meal, grits, rice and other grain products which, to be enriched with three B vitamins and iron, I'm certainly for the enrichment with the three B vitamins, but I want to especially talk about the iron because of the incidence of iron deficiency anemia which our nurses see. I think, one of the members of the committee asked about the need for nutrition education. We certainly need it, but I think this committee could do more for nutrition than we could in a lifetime of nutrition education. Just to state a few of the foods that are high in iron, which is needed: liver - that's not exactly a favorite; meat - very expensive; eggs; green leafy vegetables. These aren't favorites with people. If we could put iron, add iron to these very common basic foods like bread, flour, corn meal, and now the rice for our Spanish speaking people, we would be doing a great help for the