

**PA13-86**

SB0903

Government Admin. & Elections	1184-1186, 1323	4
House	6544-6550	7
Senate	1769-1773, 2068-2070	8
		<b>19</b>

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**GOVERNMENT  
ADMINISTRATION  
AND ELECTIONS  
PART 4  
1000 - 1350**

**2013**

jf/gbr GOVERNMENT ADMINISTRATION &  
ELECTIONS COMMITTEE

11:00 A.M.

the annual deposit to address prevention and cessation issues. And this last year they made recommendations to spend a good portion of that on the state quit line, on local programs in local hospitals, on a counter-marketing campaign which is tough in Connecticut because we're in between Massachusetts and New York, so the television ad dollars are through the roof.

And so it's a lot harder to -- to be able to purchase ad time on TV stations here because it's so costly. But ideally there's any number of programs that -- that have been proven to work in the past. You don't want to restrict it to just -- to just one type because some people are going to respond better to counseling, for example, while others will respond to counseling and perhaps nicotine replacement therapy, things along those lines. So there's any number of programs that would work. I think that we just need to be able to sit down and kind of focus on, you know, see what kind of money we have to be able to -- and what we can afford.

REP. HWANG: Thank you, Mr. Chair. Thank you for your time.

BRYTE JOHNSON: Thank you.

REP. JUTILA: Other questions from members of the Committee?

Thank you for your testimony.

BRYTE JOHNSON: Thank you so much.

REP. JUTILA: Next speaker is Benjamin Davis followed by Betsy Gara and Luther Weeks.

BENJAMIN DAVIS: Good afternoon members of the Government Administration and Elections

JB 903

jf/gbr GOVERNMENT ADMINISTRATION &  
ELECTIONS COMMITTEE

11:00 A.M.

Committee. My name is Benjamin Davis, I'm a pharmacist with Walgreens. I'm here today to testify on behalf of Walgreens as well as the Connecticut Association of Community Pharmacies which represents chain pharmacies around the state, in support of Senate Bill 903 increasing the membership of the Commission of Pharmacy.

For years the chain pharmacy community has had representation on the Board of Pharmacy. They along with Drug Control are the front line regulators of our industry. We've worked diligently with this board to propel our industry forward and to make important changes for the good of the patients that use our health care services. Currently chain pharmacies fill approximately 80 percent of all prescriptions in Connecticut. There was always a gentleman's agreement that the two retail -- the current two retail positions on the board would be filled by both business models, chain and independent. When the chain representative stepped down under Governor Rell, she appointed a second independent retail pharmacist.

Because our business models are very different than that of an independent, it's important to our community that we be represented on the Board of Pharmacy. As examples, most of our pharmacies do have drive-thru pick-up windows where independents do not. Many of our members are transitioning into clinic models where total health care needs can be met, independents are not. In addition, chain pharmacies are using advanced technologies that independents may not be able to afford.

Their business models as well as ours should be recognized with equal importance. It is for these reasons that we are seeking to change the law and add a seventh member to the Board of

Pharmacy and reflect positions for both chain and independent retail representatives. We have and will continue to work diligently with those that have been appointed, but feel it is of great important that chain pharmacies have a seat at the table. If you have any questions or concerns, I'd be more than happy to discuss them with you, and I thank you for your time.

REP. JUTILA: Thank you.

Questions from members of the Committee?

Seeing none, thank you for your testimony.

BENJAMIN DAVIS: Thank you.

REP. JUTILA: Betsy Gara followed by Luther Weeks and Brian Anderson.

BETSY GARA: Good afternoon. My name is Betsy Gara, I am the Executive Director of the Connecticut Council of Small Towns. We've submitted testimony on a lot of bills, but I really just want to highlight our support for Senate Bill 902, AN ACT CONCERNING THE PUBLICATION OF LEGAL NOTICES IN THE NEWSPAPER. Towns talk a lot about the need for mandate relief particularly during this difficult economic times. State aid to municipalities has been flat-funded for almost a decade and costs for things associated with pensions, wages, road construction, public safety, are all increasing. So we are at a very difficult juncture.

However, there's only a handful of bills this session that would actually provide towns with some mandate relief. This is one of them. And I hope that we can finally get this moving. I think the time has come for this bill. In the past a lot of times people have said that there

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Page Number 22

**Testimony of Benjamin Davis**  
**Before the Government Administration and Elections Committee**  
**SB 903 AA Increasing the Membership of the Commission of Pharmacy**

Senator Musto, Representative Jutila and members of the Government Administration and Elections Committee. My name is Benjamin Davis and I am a pharmacist with Walgreens. I am here to testify today on behalf of Walgreens as well as the Connecticut Association of Community Pharmacies, which represents chain pharmacies around the State.

For years the chain pharmacy community has had representation on the Board of Pharmacy. They, along with Drug Control, are the front line regulators of our industry. We have worked diligently with this Board to propel our industry forward and to make important changes for the good of the patients that use our healthcare services. Currently chain pharmacies fill approximately 80% of prescriptions in Connecticut. There was always a "gentleman's" agreement that the two retail positions on the Board would be filled by both business models, chain and independent. When the chain representative stepped down, under Governor Rell, she appointed a second independent retail pharmacist.

Because our business models are very different than that of an independent it is important to our community that we be represented on the Board of Pharmacy. As examples, most of our pharmacies have drive thru pick up windows, where independents do not. Many of our members are transitioning into clinic models where total healthcare needs can be met, independents are not. In addition chain pharmacies are using advanced technologies that independents may not be able to afford. Their business models, as well as our's, should be recognized with equal importance. It is for these reasons we are seeking to change the law to add a seventh member to the Board of Pharmacy and reflect positions for **chain and independent** retail representatives. We have and will continue to work diligently with those that have been appointed but feel it is of great importance chain pharmacies have a seat at the table. If you have any questions or concerns, I would be more than happy to discuss them with you. Thank you for your consideration.

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**H – 1169**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2013**

**VOL.56  
PART 20  
6540 – 6911**

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

5  
May 28, 2013

Mr. Speaker, on page 26 of today's calendar, House Calendar 582, favorable report of the joint standing committee on General Law, Senate Bill 903, AN ACT INCREASING THE MEMBERSHIP OF THE COMMISSION OF PHARMACY.

SPEAKER SHARKEY:

Representative Lesser.

REP. LESSER (100th):

Thank you, Mr. Speaker. Good morning,

Mr. Speaker, I move acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER SHARKEY:

The question is acceptance of the joint committee's favorable report and passage of the bill.

Will you remark, sir?

REP. LESSER (100th):

Yes, Mr. Speaker.

Mr. Speaker, this bill simply increases from six to seven, the membership of the Commission of Pharmacy. It adds a fifth pharmacist to the commission. It ensures that both independent retail pharmacies and larger chain pharmacies are represented on the commission.

Mr. Speaker, I urge my colleagues to support this



cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

6  
May 28, 2013

legislation.

Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark on the bill before us?

Representative Hwang of the 134th.

REP. HWANG (134th):

Good morning, Mr. Speaker.

SPEAKER SHARKEY:

Good morning, sir.

REP. HWANG (134th):

Thank you.

Through you, a couple questions to the proponent  
of this bill?

SPEAKER SHARKEY:

Please proceed, sir.

REP. HWANG (134th):

Thank you.

Is this panel entirely appointed by the governor,  
or are there any other appointees through the General  
Assembly legislative leadership?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Lesser.

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

7  
May 28, 2013

REP. LESSER (100th):

Through you, Mr. Speaker, the panel is entirely appointed by the governor.

Through you.

SPEAKER SHARKEY:

Representative Hwang.

REP. HWANG (134th):

Thank you, Mr. Speaker.

Through you, again, can you share with me the business models that is being cited here for a chain pharmacy versus an independent retail setting?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Lesser.

REP. LESSER (100th):

Thank you, Mr. Speaker.

My understanding from the testimonies submitted to the GAE Committee is that there is several differences in business models. Larger chain pharmacies are more likely to have pharmacy windows, drive-through windows, they also provide a clinic setting that's not often, not necessarily available on an independent basis. They are differently structured and so the intent with this legislation is to make

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

8  
May 28, 2013

sure that all aspects of the pharmacy business are represented on the commission.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Hwang.

REP. HWANG (134th):

Through you, Mr. Speaker, now this commission which is actually within the Department of Consumer Protections, could you share with me what jurisdiction it has related to the pharmacy industry?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Lesser.

REP. LESSER (100th):

Yes, Mr. Speaker.

Mr. Speaker, the commission has jurisdiction over many aspects of pharmacy practice. It approves the licensure and registration of pharmacies, pharmacists and pharmacy interns.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Hwang.

REP. HWANG (134th):

Through you, Mr. Speaker, does it also include

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

9  
May 28, 2013

internships and apprenticeship education programs?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Lesser.

REP. LESSER (100th):

Through you, Mr. Speaker, I believe the ranking member is correct in that.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Hwang.

REP. HWANG (134th):

Thank you.

Through you, Mr. Speaker, now this increase of membership accounts for an independent chain. Could the good representative share with me the rationale for increasing the membership and what purpose did that serve?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Lesser.

REP. LESSER (100th):

Through you, Mr. Speaker, I think the intent is to preserve the longstanding practice of having representation of both independent retail and chain

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

10  
May 28, 2013

pharmacies on the Commission of Pharmacy.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Hwang.

REP. HWANG (134th):

Thank you, Mr. Speaker.

I want to thank the good representative for his very good answers and good research. I think this is a very good bill that accounts for representation of our independent pharmacies in these very, very difficult economic climates.

I think it emboldens them to be able to have some say in the business of pharmacy that's being threatened from an independent chain perspective so I encourage the body to support this bill.

Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark further? Do you care to remark further on the bill that's before us?

If not, staff and guests to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

11  
May 28, 2013

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please report to the Chamber immediately?

SPEAKER SHARKEY:

Have all of the members voted? Have all members voted? Will members please check the board to make sure your vote is properly cast?

If all of the members have voted, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally?

THE CLERK:

In concurrence with the Senate, SB 903

Total Number Voting	131
Necessary for Passage	66
Those voting Yea	131
Those voting Nay	0
Those absent and not voting	19

SPEAKER SHARKEY:

The bill passes in concurrence with the Senate.

(Deputy Speaker Berger in the Chair.)

DEPUTY SPEAKER BERGER:

Would the Clerk please call House Calendar

**S - 657**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2013**

**VOL. 56  
PART 6  
1512 - 1826**

cah/meb/gdm/gbr  
SENATE

93  
May 14, 2013

the bill, to use the common facilities for political activities, like any other clubhouse or meeting room would be available so that their first amendment rights are not restricted just by the fact of them living in subsidized housing.

It's really all the bill does. I think it's a good idea, and I would urge the -- the Circle's support.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Seeing none -- Senator Musto?

SENATOR MUSTO:

Yes, Madam President.

I'd ask this be placed on the Consent Calendar,  
if there's no objection.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR MUSTO:

Thank you.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 50, Calendar 310, Senate Bill Number 903,  
AN ACT INCREASING THE MEMBERSHIP OF THE  
COMMISSION OF PHARMACY, Favorable Report of the  
Committee on Government Administration and  
Elections.

THE CHAIR:



cah/meb/gdm/gbr  
SENATE

94  
May 14, 2013

Senator Musto.

SENATOR MUSTO:

Hello again, Madam President.

THE CHAIR:

So good to see you.

SENATOR MUSTO:

Madam President, I move the Joint Committee's  
Favorable Report and passage of the bill.

THE CHAIR:

Motion is on passage.

Will you remark, sir?

SENATOR MUSTO:

Yes, Madam President.

This bill increases from six persons to seven  
persons the Commission on Pharmacy. The  
Commission on Pharmacy basically oversees rules  
and pharmacists in the State of Connecticut. And  
what this does is it specifically states that one  
person shall be from an independent retail  
pharmacy setting and one from a chain.

It is, like the last bill, a bill about having  
the proper voices and the proper time to get the  
-- get input that we need in order to run things  
correctly. And so I would urge the Circle's  
adoption of this bill as well.

THE CHAIR:

Will you remark? Will you remark?

Senator McLachlan.

SENATOR MCLACHLAN:

cah/meb/gdm/gbr  
SENATE

95  
May 14, 2013

Thank you, Madam President. Nice to see you today.

THE CHAIR:

Good afternoon, sir.

SENATOR MCLACHLAN:

The idea of involving small, independent businesses in this process, I think, is very important so I stand in support of this bill and thank the leadership for bringing it forward.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Kelly.

SENATOR KELLY:

Thank you, Madam President.

Through you to the proponent of the bill. I have a couple of questions.

THE CHAIR:

Please proceed, sir.

SENATOR KELLY:

The -- we now are going to have a fifth pharmacist, but we've heard that there's one pharmacist from an independent and one from a chain. Where are the other two pharmacists -- or who do the other two pharmacists represent?

THE CHAIR:

Senator Musto.

cah/meb/gdm/gbr  
SENATE

96  
May 14, 2013

SENATOR MUSTO:

Thank you, Madam President.

At least -- the bill -- the original language before -- the current law, rather, is that at least one pharmacist shall be a pharmacist employed full time in a hospital of the state as well. So that will be the third pharmacist.

I don't believe the other two pharmacists have any particular designation. I -- I don't believe the other two pharmacists -- they can be from anywhere, basically. It says at least one shall be from a retail and one from a chain. So you could have two from a retail and two from a chain and then one from the hospital, for example.

Through you, Madam President.

THE CHAIR:  
Senator Kelly.

SENATOR KELLY:

Thank you, Madam President.

Connecticut pharmacists have been under increasing pressure, particularly with their cash flow over the past couple years, ever since I've come to the Circle. And this is one way to at least give pharmacists an extra voice, particularly those that are the independent, private pharmacists who are especially affected by some of the state's policies.

So I believe that this is one way to -- to give them voice, but I believe it's a start and not a finish and would like to see more of this going forward.

Thank you.

THE CHAIR:

Thank you.

cah/meb/gdm/gbr  
SENATE

97  
May 14, 2013

Will you remark further? Will you remark further?

Seeing none, Senator Musto.

SENATOR MUSTO:

Without objection, Madam President, I'd ask this  
-- this item be moved to the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR MUSTO:

Thank you.

THE CHAIR:

Thank you.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk would call as the next item, Calendar page 9, Calendar 303, Senate Bill 1018.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 9, Calendar 303, substitute for Senate Bill Number 1018, AN ACT CONCERNING ENFORCEMENT OF ENVIRONMENTAL CONSERVATION LAWS, Favorable Report of the Committee on Environment.

THE CHAIR:

Senator Meyer.

**S - 658**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2013**

**VOL. 56  
PART 7  
1827 - 2152**

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk might now call the items on the Consent Calendar before proceeding to a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 1, Calendar 545, Senate Resolution Number 27; also on Page 1, Calendar 546, Senate Resolution Number 28. On Page 2, Number 547, Senate Resolution Number 29. On Page 2, Number 549, Senate Resolution Number 31. On Page 5, Number 184, Senate Bill 1026. On Page 7, Calendar Number 253, Senate Bill Number 763. On Page 16, Calendar Number 412, Senate Bill Number 962. On Page 17, Calendar Number 436, Senate Bill Number 673. On Page 18, Calendar Number 438, Senate Bill Number 761. Also on Page 18, Calendar Number 443, Senate Bill Number 1056. On Page 19, Calendar Number 449, Senate Bill Number 828. On Page 20, Calendar Number 461, House Bill Number 6540.

On Page 21, Number 469, House Bill Number 6574. On Page 23, Number 480, Senate Bill Number 238. On Page 25, Calendar Number 501, House Bill Number 5799. Also on Page 25, Number 507, House Bill Number 5117. On Page 26, Calendar Number 508, House Bill Number 6571. On Page 26, Calendar Number 509, House Bill Number 6348. Also on Page 26, Calendar Number 510, House Bill Number 6007 and on Page 26, Calendar Number 512, House Bill Number 6392.

On Page 40, Calendar Number 48, Senate Bill Number 519. On Page 40, Calendar Number 60, Senate Bill Number 859. Also on Page 40, Calendar Number 104, Senate Bill Number 833.

cah/meb/gdm/gbr  
SENATE

393  
May 14, 2013

On Page 41, Calendar Number 107, Senate Bill Number 917. On Page 42, Calendar Number 123, Senate Bill Number 434. On Page 43, Calendar Number 129, Senate Bill Number 898. Also on Page 43, Calendar Number 139, Senate Bill Number 158. On Page 43, Calendar Number 167, Senate Bill Number 879.

On Page 45, Calendar Number 195, Senate Bill Number 816. Also on Page 45, Calendar Number 204, Senate Bill 652. On Page 47, Calendar Number 241, Senate Bill 1040. On Page 48, Calendar Number 269, Senate Bill 1003. Also on Page 48, Calendar Number 270, Senate Bill Number 1007.

On Page 50, Calendar Number 304, Senate Bill 1019. Also on Page 50, Calendar Number 310, Senate Bill 903. And finally on Page 53, Calendar Number 399, Senate Bill 1069.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote. The machine will be open on the Consent Calendar.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Senators please return to the Chamber. Immediate roll call vote in the Senate.

THE CHAIR:

If all members have voted, if all members have voted the machine will be locked. Mr. Clerk, will you please call the tally.

THE CLERK:

On Consent Calendar Number 1.

Total Number Voting	36
Necessary for Adoption	19
Those Voting Yea	36
Those Voting Nay	0
Those Absent and not Voting	0

THE CHAIR:

Consent Calendar is passed.

Are there any points of personal privilege?

Senator Doyle.

SENATOR DOYLE:

Thank you, Madam President.

Yeah for a point of information for the Chamber.

THE CHAIR:

Please proceed, sir.

SENATOR DOYLE:

Yes, thank you, Madam President.

Tomorrow the General Law Committee will be meeting at 11:15 outside the Hall of the House. The bulletin said 15 minutes before the early session so now we're making it definitive. Tomorrow at 11:15 outside the Hall of the House the General Law Committee will be considering one bill that was referred to us.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Duff next.

SENATOR DUFF:

Thank you, Madam President.

For the point of announcement please.

THE CHAIR:

Please proceed, sir.