

STATE OF CONNECTICUT
REGULATION
of the
DEPARTMENT OF CONSUMER PROTECTION
(NAME OF AGENCY)
concerning
THE SECURITY OF CONTROLLED SUBSTANCES
(SUBJECT MATTER OF REGULATION)

2011 JUN 10 AM 11:57

SECRETARY OF THE STATE
LEGISLATION & ELECTORAL
ADMINISTRATION DIVISION

Section 1. Subsection (f) of section 21a-262-1 of the Regulations of Connecticut State Agencies is hereby amended to read as follows:

(f) An approved safe or safe(s) as used in sections 21a-262-1 to 21a-262-10, inclusive, of the Regulations of Connecticut State Agencies means any safe(s) that has been approved prior to January 1, 1975 or any safe(s) which conforms to or exceeds all of the following standards:

- (1) [Underwriters Laboratories, Inc. certified with a] A minimum of a B Burglary Rate;
- (2) [Underwriters Laboratories, Inc. certification as being equipped] Equipped with a relocking device;
- (3) Weight of 750 pounds or more or rendered immobile by being securely anchored to a permanent structure of the building; and
- (4) Adequate interior space to store all controlled substances required to be kept within the safe.

Sec. 2. Subsection (c) of section 21a-262-5 of the Regulations of Connecticut State Agencies is hereby amended to read as follows:

(c) In every case where loss, theft, burglary, or diversion [other than armed robbery during regular scheduled business hours] of any controlled substance in any schedule has occurred from a licensed pharmacy, [an approved safe shall be required within 90 days of such occurrence for the storage of all schedule II and III controlled substance stock, and additional safeguards shall be required from schedule IV and V controlled substance stock] the Commissioner of Consumer Protection shall determine the appropriate storage and security requirements for all controlled substances in such pharmacy, and shall require additional safeguards to ensure the security of the controlled substances.

STATEMENT OF PURPOSE:

1. **Purpose of Regulation:** This regulation updates existing regulations concerning the storage and security of drugs classified as controlled substances.
2. **Summary of Regulation:** Two sections of existing regulations are amended:
 - a) The standards for safes are changed to permit certifications other than those by Underwriter Laboratories;
 - b) The Commissioner of Consumer Protection is given greater flexibility in requiring added security requirements after a loss or theft of controlled substances occurs.
3. **Legal Effects.** This regulation amends existing regulations as stated above. The amended regulations do not change the enforcement actions that may be taken against a registrant for violations of these regulations.

Be it known that the foregoing:

Regulations Emergency Regulations

Are:

Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Sections 4-168, 21a-243 and 21a-262 of the General Statutes and

Section _____ of the General Statutes, as amended by Public Act No. _____ of the _____ Public Acts.

Public Act No. _____ of the _____ Public Acts.

After publication in the Connecticut Law Journal on 11/30/10 of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on 6th day of Jan 20 11

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.
(OR)

The _____ day of _____, 20 _____.

In Witness Whereof:	DATE <u>2/1/11</u>	SIGNED (Head of Board, Agency or Commission) <i>Jerry Farrell</i>	OFFICIAL TITLE, DULY AUTHORIZED COMMISSIONER
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Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED <i>Joseph Rabin</i>	DATE <u>2/14/11</u>	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL
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- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE <u>5/26/2011</u>	SIGNED (Clerk of the Legislative Regulation Review Committee) <i>Pamela B. Butler</i>
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Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State)	BY
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INSTRUCTIONS

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.