

**Legislative Update  
NH Pharmacists Association  
August 28, 2019**

*prepared by Elizabeth C. Sargent  
Sheehan Phinney Capitol Group*

It was another busy session for pharmacy legislation here in the Granite State.

**Licensed Advanced Pharmacy Technician**

**HB 463-FN – (Second New Title) Relative to licensure of advanced pharmacy technicians.**

Sponsored by Rep. Gary Merchant, this bill establishes the duties of and requirements for the licensure of licensed advanced pharmacy technicians working in a pharmacy under a supervising pharmacist.

This bill was originally introduced with the title, licensed pharmacist assistant. Pharmacists testified that the bill was focused on advancing the pharmacy technician role so the bill should be amended to reflect that.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=465&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=465&txtFormat=html)

*Signed by the Governor on June 5, 2019  
Effective Date: July 1, 2019*

**Regulation of Pharmacies and Pharmacists**

**HB 615 - Relative to the regulation of pharmacies and pharmacists.**

Sponsored by Rep. Gary Merchant, this bill makes various changes to the regulation of pharmacies and pharmacists by the board of pharmacy, including procedures of the board, exceptions to possessing prescription drugs, license expirations and renewals, and establishing the licensure of drug distribution agents.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=650&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=650&txtFormat=html)

*Signed by the Governor on July 19, 2019  
Effective Date: September 17, 2019*

## Prescription Drug Monitoring Program

### **SB 120-FN - Relative to the controlled drug prescription health and safety program.**

Sponsored by Senator Giuda, this bill makes changes to the controlled drug prescription health and safety program, including the transfer of the program from the board of pharmacy to the office of professional licensure and authorizing the program to share certain information with other state departments.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=887&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=887&txtFormat=html)

*Signed by the Governor on July 29, 2019*

*Effective Date: September 27, 2019*

## Pharmacy Benefit Manager Bills and Prescription Drug Prices

There were twelve bills introduced around the Pharmacy Benefit Manager (PBM) issue and rebates and coupons

### **HB 656 - (New Title) Establishing a committee to study the impact of financial initiatives for commercially insured members by drug manufacturers on prescription drug prices and health insurance premiums.**

Sponsored by Rep. Butler, this bill establishes a commission to study the impact of financial initiatives for commercially insured members by drug manufacturers on prescription drug prices and health insurance premiums.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=759&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=759&txtFormat=html)

*Signed by the Governor on July 19, 2019*

*Effective Date; July 19, 2019*

### **HB 657 - (New Title) Relative to prescription drugs under the managed care law.**

Sponsored by Rep. Butler, this bill clarifies the law regarding prescription drugs under the managed care law.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=763&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=763&txtFormat=html)

*Signed by the Governor on July 10, 2019*

*Effective Date: September 8, 2019*

**Pharmacy Benefit Manager Bills and Prescription Drug Prices, cont.**

**HB 670-FN - Relative to the cost of prescription drugs.**

This bill requires health insurance carriers to maintain certain information relative to prescription drug costs within their data systems for purposes of the managed care law.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=768&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=768&txtFormat=html)

*Signed by the Governor on June 25, 2019*

*Effective Date: August 24, 2019*

**SB 226-FN - Relative to registration of pharmacy benefit managers, and reestablishing the commission to study greater transparency in pharmaceutical costs and drug rebate programs.**

Sponsored by Senate President, Senator Donna Soucy, this bill establishes the registration and regulation of pharmacy benefits managers by the insurance commissioner. This bill also reestablishes the commission to study greater transparency in pharmaceutical costs and drug rebate programs.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=1091&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=1091&txtFormat=html)

*Signed by the Governor on August 12, 2109*

*There are several effective dates*

**Red Cap/Orange Sticker Bill**

**HB 359 - Relative to warning labels on prescription drugs containing opiates.**

Sponsored by Rep. Loughman, this bill requires any drug which contains an opiate dispensed by a health care provider or pharmacy to have an **orange sticker** on the cap or dispenser and a warning label regarding the risks of the drug.

This bill also requires the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to develop a handout on the risks of opioids and how to mitigate them for persons who are receiving prescriptions for opioids.

The NH Pharmacists Association and the NH Society of Health-System Pharmacists testified in opposition to this bill. They argued that counseling is most effective.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=738&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=738&txtFormat=html)

*Signed by the Governor on July 12, 2019*

*Effective Date: January 1, 2020*

## Vaccinations

### **Senate Bill 179 - Relative to pharmacist administration of vaccines.**

Sponsored by Senator Chandley, Soucy, this bill modifies the authority for pharmacists and pharmacy interns to administer vaccinations by including vaccines listed in the recommended adult immunization schedule by the Centers for Disease Control and Prevention.

There is no appetite for this bill from the legislature until the vaccine registry is up and running. The bill was re-referred to the Senate Health and Human Services Committee.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=1037&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=1037&txtFormat=html)

*Senate Health and Human Services Committee  
Re-referred to Committee*

## Veterinarians and Compounding

### **House Bill 627 - (Second New Title) Relative to exceptions from certain pharmacy requirements for veterinarians.**

Sponsored by Representative Long, this bill requires the board of pharmacy to adopt rules on exceptions from compliance with the United States Pharmacopeia for practice by veterinarians.

This bill took many twists and turns, at one point being amended, to remove USP standards from NH statute. The bill was amended to go back to its original form.

[http://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2019&id=716&txtFormat=html](http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=716&txtFormat=html)

*Signed by the Governor on July 29, 2019  
Effective Date: September 27, 2019*