

New Hampshire Board of Pharmacy

Rulemaking initiatives

Updated 9/13/18 by Mike Bullek, NH BOP

Number	Subject matter	Latest status
209	EXPLANATION OF ADOPTED RULES	Public hearing 9/20/17
300	Licensing of pharmacists	– In State Pharmacies – ready for Board review 2/21/18 to coincide with Ph 300 Ph 300 – Licensing of Pharmacists – ready for Board review 2/21/18 to coincide with Ph 1900 <b><i>the 300 and 700 rules are being updated and broken up to place rules in specific groups. The 300 rules will be for pharmacists, 700 rules will be standards of practice, and we will add 1900 rules that will be for pharmacies. This is still in development as we are waiting on the hospital pharmacy group to update their rules. We will also discuss moving all institutional rules to their own section. There will be new rules added on opioids, specifically identification requirements, reduction in counseling rules, and bringing rules to current standards. Anticipate this done summer of 2019.</i></b>
403	Continuing education requirements	6/20/18 update: – update continuing education requirements – to legislative services for review. <b><i>This has been approved by board, adding 2 credits of law and 2 credits for quality assurance (once 1700's are approved)</i></b>
500	Ethical standards	2/14/18 Initial Proposal & Fiscal Impact. 6/20/18 update: - pulled back for board review and update. <b><i>There is a lot of work to be done on these and currently no date as to completion.</i></b>
600	LIMITED RETAIL DRUG DISTRIBUTOR	<b><i>Due to changes the marketplace we will be developing new rules for Manufacturer/retailer/wholesaler to include jobbers, virtual everything, reverse distributors etc etc etc. This has become a big issue with us in licensing.</i></b>
700	Standards of practice	As of May 2018: Doing a rewrite and will see a reduction in the rules in this area, according to M. Bullek. 5/29/18 Posted on website. In review process as of 6/20/18. <b><i>See above.</i></b>
704.01 (c)	Part that deals with pharm techs	Hearing 8/31/17. – In review process and on agenda for February 21st, meeting discussion. <b><i>Included with 700 update</i></b>
800	Pharmacy technicians	BOP to review final version at June meeting. Then to JLCAR. As of 6/20/18: In public comment 5/16/18, final review for July . <b><i>Will be in front of JLCAR on September 20<sup>th</sup> for approval</i></b>
807.01	Part that deals with pharm techs	Hearing 8/31/17. From minutes Nov. 17 <sup>th</sup> : 14 Ph 800 Two changes need to be made: 1. (6) A technician in training program to achieve certification must complete the program and attain certification status within one year of the date of the beginning of the program. 2. Ph 807.01 (d) needs to be kept in the rules. The pharmacist on duty or the supervising pharmacist may further limit the duties of a pharmacy technician. On motion from Commissioner Laliberti to approve Ph 800 rules with the changes as stated above and move forward in the process and second from Commissioner Pervanas vote 6-0-0. Board. 2/14/18 In legislative services for fiscal impact. BOP hearing on rules proposal

		May 2018. Pending at BOP. <i>See above</i>
1100	Collaborative practice	Approved by JLCAR <i>final approval, rules written and pharmacists can participate.</i>
1200	CENTRAL PRESCRIPTION PROCESSING	Hearing 9/20/17 <i>Expired rules have been reviewed, updated and current. May need to open to change pending new rule development for Telepharmacy.</i>
1300	Pharmacist administration of vaccines	From May 2018 BOP minutes: Rules Ph1304.01 adding additional vaccines. On motion from Commissioner Genovese with a second from Commissioner Rochefort to accept the change to the rules and move to fiscal impact statement, with a Board Vote of 5-0-0. 10 <i>In effect</i>
1500	PDMP	2/14/18 Prescription drug monitoring program funding update to legislative services. <i>Funding proposal for JLCAR review September 20th</i>
1600	Pharmacy interns	2/14/18 Initial proposal & Fiscal impact. Public comments 4/18/18. <i>Proposed rules for JLCAR review September 20<sup>th</sup>. Update to rules adding vaccine information approved by Board September 12<sup>th</sup>, 2018 will be added to rules pipeline</i>
1700	CQI	Dec. 2017. Pending before LBA for fiscal impact. Then back to BOP, then to Rulemaking Register. 2/14/18 Initial Proposal & Fiscal Impact. BOP hearing April 2018 on wrong version of the proposed rules. BOP to consider proposed changes. As of May 29, 2018, MB said he had a discussion with G. Merchant and he wants to hold a stakeholder meeting to discuss recommended changes. Board to review 6/20/18. <i>Rules for public comment October 2018. Issues with many versions of this, should be on right track for implementation January 2019</i>
1800	Advanced pharmacy techs	From 11/17 Board minutes: Ph 1800 Tabled to fix the rules to be exactly what we want them to be. 1From Mike B. 11/27/17: We discussed the technician rules (ph800's) at our last meeting and moved them forward to fiscal impact/legislative review with all the new changes. If all passes through the system, I would think our rules change would be in effect by April. The rules will give 1 year for technicians to obtain certification once they are entered into a training program. Looking at the numbers, it would be summer 2019 when new rules would be requiring certification. The biggest issue is data entry, as only certified techs will be able to do that function unless they are in a training program. 2/21/18 on board agenda for approval to move to legislative services. As of 5/29/18 waiting for them to come back from Legislative Services so they can schedule a public hearing. From May 2018 BOP meeting minutes: Ph1800 rules approval to move to fiscal impact. One amendment to the rules is to take out 1806.04 (c) 2. On motion from Commissioner Genovese with a second from Commissioner Pervanas to approve with the amendment, with a Board Vote of 5-0-0. 6/20/18 update: – For review and board approval to move to fiscal impact 5/16/18 <i>Sent for fiscal impact, waiting for response from legislative services as to next steps. Stand alone rules may require statutory development for separate license. Possibility we may be able to add them to current 800 rule update. For further discussion</i>
1900	Instate pharmacies	– In State Pharmacies – ready for Board review 2/21/18 to coincide with Ph 300 Ph 300 – Licensing of Pharmacists – ready for Board review 2/21/18 to coincide with Ph 300.

		<i>See above.</i>
2000	LICENSING OF OUTSOURCING FACILITIES IDENTIFIED AS 503B FACILITIES	<i>No update at this time. May need some definition work as we update all facilities that send into state.</i>
2100	Pharmacy inspections	5/29/18: Draft will be on the website later in the week. Comments welcome. Draft posted. Sent to members. <b><i>Lot of work done on both 2100 and 2200 to meet requirements of rules for audit. On our calendar for early 2019. Compliance developing risk based identification for</i></b>
2200	Investigations	
2300	Violations	<b><i>Delete. Will be rolled into 2100 and 2200</i></b>
???	Contraceptive rules	Starting the process in mid June with DHHS. Won't see anything until this fall according to MB 5/29/18 <b><i>Rules and protocol development in draft form for meeting scheduled for Monday September 17<sup>th</sup> for review and discussion. State wide standing order will be needed for program success.</i></b>