

Legislative Update
March 26, 2018

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It has been a busy session for pharmacy legislation here in the Granite State.

Compounding of Drugs

SB 581-FN - (New Title) Relative to compounding of drugs.

Sponsored by Senator Sanborn, this bill amends the definition of compounding for the purposes of the law regulating pharmacists and pharmacies.

An amendment was introduced by Anthem and others who expressed concerns about the NH Board of Pharmacy's position on sterile compounding, and they have requested statutory changes to the definition of compounding. The main concerns expressed by certain healthcare providers and insurers included the use of USP 797 as the standard for sterile compounding, the inclusion of reconstitution under the sterile compounding definition, and the potential reduction of where sterile compounding could be performed.

Referred to Senate Health and Human Services Committee
Passed the Senate with Amendment
Referred to House Executive Departments and Administration Committee

Drugs

SB 376-FN - Relative to the sale of certain cold medications.

In response to the opioid crisis in NH, Senator Carson introduced this bill which would regulate the sale and possession of products containing ephedrine and pseudoephedrine.

Referred to Senate Health and Human Services Committee
Passed the Senate with Amendment
Referred to House Health, Human Services and Elderly Affairs Committee

SB 483 - Relative to procedures for dispensing controlled drugs.

Sponsored by Senator Martha Fuller Clark, this bill establishes a procedure for patients or their authorized representatives to pick up a prescription for a schedule II-IV controlled drug at a pharmacy.

Referred to Senate Health and Human Services Committee
Passed the Senate with Amendment
Referred to House Health, Human Services and Elderly Affairs Committee

Immunization Bills

There were four immunization bills introduced, one deleting the requirement for Hepatitis B, one removing tetanus, and two more amending current definitions. They have all been found Inexpedient to Legislate

Pharmacy Benefit Manager Bills

There were seven bills introduced around the Pharmacy Benefit Manager (PBM) issue including extending the sunset of a bill that would have allowed PBMs to credential pharmacists, and a study to continue to look at the issue

HB 1741 - (New Title) Relative to a definition of "contracted copayment" for purposes of the managed care law.

Sponsored by Rep. Butler, this bill allows an insured to pay the least amount for covered prescription medication under the managed care law.

*Referred to House Commerce and Consumer Affairs Committee
Passed the House with Amendment
Referred to Senate Health and Human Services Committee
A public hearing has been scheduled for March 29, 2018*

HB 1746-FN - Relative to the practices of pharmacy benefit managers.

Sponsored by Rep. Hennessey, this bill prohibits certain practices of pharmacy benefit managers.

*Referred to House Commerce and Consumer Affairs Committee
Passed the House with Amendment
Referred to Senate Health and Human Services Committee
A public hearing was held on March 20, 2018
It is awaiting further action by the Committee*

HB 1791-FN - Allowing pharmacists to disclose information relative to lower cost drugs under the managed care law.

Sponsored by Rep. Butler, this bill declares that a contract between an insurance carrier or pharmacy benefit manager and a contracted pharmacy shall not contain a provision prohibiting the pharmacist from providing certain information to an insured.

*Referred to the House Commerce and Consumer Affairs Committee
Passed the House
Referred to Senate Health and Human Services Committee
A public hearing was held on March 20, 2018
It is awaiting further action by the Committee*

SB 354 - Relative to pharmacy claim fees and copayments.

Sponsored by Senator Soucy, this bill prohibits a pharmacy benefits manager or insurer from charging or holding a pharmacy responsible for a fee related to a claim under certain circumstances. This bill also prohibits a pharmacy benefits manager or insurer from charging higher copayments and or inserting gag clauses in contracts.

*Referred to Senate Commerce Committee
Passed the Senate
It will now move to the House for a public hearing*

SB 481 – Establishing a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs.

Sponsored by Senator Soucy, this bill establishes a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs.

*Referred to Senate Health and Human Services Committee
Passed the Senate with Amendment
Referred to House Health, Human Services and Elderly Affairs Committee*

Medication Synchronization

SB 332 - Relative to medication synchronization.

Sponsored by Senator Gray, this bill requires insurers offering health insurance policies with prescription drug coverage to allow covered persons to synchronize the dispensing dates of their prescription drugs.

*Referred to Senate Health and Human Services Committee
Passed the Senate with Amendment
Referred to House Commerce and Consumer Affairs Committee
A public hearing is scheduled for March 27, 2018*

Oral Contraceptives

House Bill 1822-FN - Making hormonal contraceptives available directly from pharmacists by means of a standing order.

Sponsored by Representative Mariellen MacKay, this bill allows pharmacists to dispense hormonal contraceptives pursuant to a standing order entered into by health care providers. This bill is the result of the study commission established pursuant to 2017, 23.

*Referred to House Health, Human Services and Elderly Affairs Committee
Passed the House
Referred to House Commerce and Consumer Affairs Committee
to look at the insurance portion of the bill
Passed the House with Amendment
It will now move to the Senate for a public hearing*

Senate Bill 421 - Relative to insurance coverage for prescription contraceptives.

Sponsored by Senator Soucy, this bill clarifies insurance coverage for prescription contraceptive drugs and prescription contraceptive devices and for contraceptive services. Coverage would allow for a 12-month supply.

*Referred to Senate Commerce Committee
Passed the Senate
It will now move to the House for a public hearing*

Syringe Service Programs

SB 357 – (New Title) Relative to safe school zones and relative to syringe service programs.

Sponsored by Senator Reagan, this bill was amended to allow school district superintendents to grant certain exceptions to the prohibition on locating syringe service programs in a drug-free zone.

*Referred to Senate Education Committee
Passed the Senate with Amendment
It will now move to the House for a public hearing*

Telemedicine

HB 1471-FN – (New Title) Relative to telemedicine and establishing a committee to study health care reimbursement for telemedicine and telehealth.

Sponsored by Rep. Migliore, this bill clarifies the law relating to telemedicine services and also establishes a committee to study health care reimbursement for telemedicine and telehealth.

*Referred to House Health, Human Services and Elderly Affairs Committee
Passed the House with Amendment
Referred to House Commerce and Consumer Affairs Committee
Passed the House with Amendment
The amendment added a study committee to review health care reimbursement
It will now move to the Senate for a public hearing*

Vaccinations

Senate Bill 333 - Relative to pharmacy interns and vaccinations.

Sponsored by Senator Soucy, this bill allows a pharmacy intern under the supervision of a pharmacist to administer hepatitis A, hepatitis B, Tdap, MMR, and meningococcal vaccines. This was a request of the students at Massachusetts College of Pharmacy and Health Sciences, Manchester, New Hampshire campus. Last year, pharmacy interns were granted the authority to immunize, under the direction of a pharmacist, but there was a glitch, and they were not granted authority to administer all that are allowed under NH statute. This is an effort to correct that.

*Referred to Senate Health and Human Services Committee
Passed the Senate
Referred to House Health, Human Services and Elderly Affairs Committee*