Bill as Introduced

HB 334-FN – AS INTRODUCED

2013 SESSION

13-0545
10/09

HOUSE BILL *334-FN*

AN ACT requiring pharmacy interns to register with the pharmacy board.

SPONSORS: Rep. P. Schmidt, Straf 19; Rep. Flanagan, Hills 26

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill requires pharmacy interns to register with the pharmacy board and comply with rules concerning the functions of pharmacy interns adopted by the board.

This bill is a request of the pharmacy board.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

13-0545
10/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT requiring pharmacy interns to register with the pharmacy board.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Section; Pharmacy and Pharmacists; Pharmacy Interns. Amend RSA 318 by inserting after section 15-a the following new section:

318:15-b Pharmacy Interns. No person shall perform the functions or duties of a pharmacy intern unless such person is registered by the board to perform certain functions, and does so under standards of supervision established by rules of the board adopted pursuant to RSA 541-A.

2 New Paragraphs; Rulemaking; Internships and Registration Fees Added. Amend RSA 318:5-a by inserting after paragraph XI the following new paragraphs:

XI-a. Registration of pharmacy interns, including:

(a) Requirements for registration;

(b) The duties, functions, and standards of conduct of pharmacy interns;

(c) Requirements for the supervision of pharmacy interns by licensed pharmacists;

(d) Standards for denial and revocation of registration;

(e) Establishment of the effective period of registration;

(f) Requirements for renewal of registration; and

(g) Requirements for reinstatement of registration.

XII-b. The establishment of fees for registration of pharmacy interns, including fees for renewal or reinstatement.

3 Effective Date. This act shall take effect 60 days after its passage.

LBAO
13-0545
01/15/13

HB 334-FN - FISCAL NOTE

AN ACT requiring pharmacy interns to register with the pharmacy board.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill, as **introduced**, as it is awaiting information from the Department of Health and Human Services. When completed, the fiscal note will be forwarded to the House Clerk's Office.

LBAO
13-0545
Revised 01/31/13

HB 334 FISCAL NOTE

AN ACT requiring pharmacy interns to register with the pharmacy board.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, **as introduced**, has a total fiscal impact of less than $10,000 in each of the fiscal years 2013 through 2017.

Amendments

Rep. P. Schmidt, Straf. 19
March 1, 2013
2013-0625h
10/03

Amendment to HB 334-FN

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Definition Added; Pharmacy Intern. Amend RSA 318:1, XI-a to read as follows:

XI-a. ***"Pharmacy intern" means a person who is registered by the board pursuant to RSA 318:15-b and:***

(a) Is enrolled in a professional degree program of a school or college of pharmacy that has been approved by the board and is satisfactorily progressing toward meeting the requirements for licensure as a pharmacist starting no earlier than 4 months prior to the third year of study; or

(b) Is a graduate of an approved professional degree program of a school or college of pharmacy or is a graduate who has established educational equivalency by obtaining a Foreign Pharmacy Graduate Examination Committee (FPGEC) Certificate, who is currently licensed by the board of pharmacy for the purpose of obtaining practical experience as a requirement for licensure as a pharmacist; or

(c) Is a qualified applicant awaiting examination for licensure or meeting board requirements for re-licensure; or

(d) Is participating in a residency or fellowship program.

XI-b. "Pharmacy technician" means a person, other than a pharmacist ***or a pharmacy intern***, either registered or certified by the board for the purpose of assisting a pharmacist in the practice of pharmacy.

2013-0625h

AMENDED ANALYSIS

This bill requires pharmacy interns to register with the pharmacy board and comply with rules concerning the functions of pharmacy interns adopted by the board.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 334-FN Date 1/30/13

Committee Exec. Depts. & Adm.

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
NH Society of Health-System Pharmacists			esargent@sheehan.com	X	
NHPA, Elizabeth Sargent			esargent@sheehan.com	X	

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 334-FN

BILL TITLE: requiring pharmacy interns to register with the pharmacy board.

DATE: 1/30/13

LOB ROOM: 306 **Time Public Hearing Called to Order:** 10:35 AM

Time Adjourned: 11:05 AM

(please circle if present)

Committee Members: Reps. Weber, Schuett, P. Schmidt, D. Sullivan, Jeudy, Goley, Gagnon, Booras, Moffett, M. Nelson, Hansberry, C. McGuire, Pratt, Hansen, S. Sweeney, Beaudoin, Bianca Rose Garcia, Sytek, Danais and Byron.

Bill Sponsors: Rep. P. Schmidt, Straf 19; Rep. Flanagan, Hills 26

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Peter Schmidt – Prime Sponsor – Brings forward the bill at the request of the Pharmacy Board. Board wants to make certain interns are "checked out" before beginning the internship.

Rep. Jack Flanagan – Co-sponsor – There is no licensing requirement for an intern.

James Queenan – Supports bill – Member of the Board of Pharmacy. Pharmacy apprenticeships last about one and one-half years. Registering a pharmacy intern will define an intern by law. Interns are never the final check of a prescription order and they are not allowed to do immunizations. Pharmacy interns have access to a lot of drugs. There is not a reporting process to the Board of Pharmacy if an intern were to steal drugs. This bill would adopt such a process for reporting an intern stealing drugs. As it stands now, the Pharmacy Board does not receive reports of thefts by a pharmacy intern. The bill allows for an intern to have a hearing if there are allegations of theft against the intern. Forty-five states currently register interns.

Respectfully submitted,

Daniel Hansberry

Daniel Hansberry, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 334-FN

BILL TITLE: requiring pharmacy interns to register with the pharmacy board.

DATE: 1/30/13

LOB ROOM: 306 **Time Public Hearing Called to Order:** 10:35 a.m.

Time Adjourned: 11:06 a.m.

(please circle if present)

Committee Members: Reps. Weber, Schuett, P. Schmidt, D. Sullivan, Jeudy, Goley, Gagnon, Booras, Moffett, M. Nelson, Hansberry, C. McGuire, Pratt, Hansen, S. Sweeney, Beaudoin, Bianca Rose Garcia, Sytek, Danais and Byron.

Bill Sponsors: Rep. P. Schmidt, Straf 19; Rep. Flanagan, Hills 26

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Peter Schmidt - prime sponsor - Brings forward the bill at the request of the pharmacy board. Board wants to make certain interns are "checked out" before beginning the internship.

Rep. Jack Flanagan, co-sponsor - There is no licensing requirement for an intern.

James Duncan - support bill - Member of the Board of Pharmacy. Pharmacy apprenticeships last about one and one half years. Registering a pharmacy intern will define an intern by law. Interns are never the final check of a prescription order and they are not allowed to do immunizations. Pharmacy interns have

access to a lot of drugs. There is not a reporting process to the Board of Pharmacy if an intern were to steal drugs. This bill would adopt such a process for reporting an intern stealing drugs. As it stands now, the pharmacy board does not receive reports of thefts by a pharmacy intern. The bill allows for an intern to have a hearing if there are allegations of theft against the intern. 45 states currently register interns.

Sub-Committee Actions

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 334-FN

BILL TITLE: requiring pharmacy interns to register with the pharmacy board.

DATE: 2/28/13

Subcommittee Members: Reps. Schmidt, McGuire, Moffett

Comments and Recommendations: OTP/A re technical issue on definition of intern – RSA 318:1

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Schmidt

Seconded by Rep. Moffett

Vote: 3-0

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Howard Moffett (at request of Chairman Schmidt)
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 334-FN

BILL TITLE: requiring pharmacy interns to register with the pharmacy board.

DATE: 2/28/13

Subcommittee Members: Reps. Schmidt, ~~Byron~~ McGuire, Moffett — temp. chair on this bill at Rep. Schmidt's request

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: ~~OTP~~, OTP/A, ITL, Retained (Please circle one.) — with amendment re technical issue on definition of intern RSA 318:1

Moved by Rep. Schmidt

Seconded by Rep. Moffett

Vote: 3-0

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

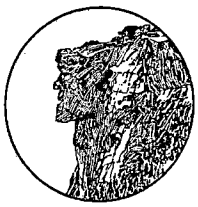
Rep. Moffett
Subcommittee ~~Chairman~~/Clerk

at request of Chairman Schmidt

Testimony

THE STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

57 Regional Drive
Concord, NH 03301-8518
(603) 271-2350
Website: www.nh.gov/pharmacy/
FAX (603) 271-2856



318:15-b Pharmacy Intern Registration

BACKGROUND

A pharmacy intern quite simply is a student enrolled in an approved doctor of pharmacy program that has attained the level of education so they have entered the first year (phase) of their professional education. The Doctor of Pharmacy degree is six years.

There are Traditional (six years after High School) and Non-traditional (three or more years professional education once core college-level science courses have been completed. New Hampshire hosts a non-traditional pharmacy college - MCPHS in Manchester.

Pharmacy Intern apprenticeship is 1 and ½ years. Most pharmacy students work in a pharmacy setting during their college years.

Pharmacy students therefore have access to controlled and non-controlled substances.

Forty-five states and the District of Columbia register pharmacy interns

Recently the Board discovered that a pharmacy intern, during the final stages of their formal education was diverting drugs to satisfy their personal addiction. The danger of diversion makes the perpetrator the victim and places innocent and trusting patients at risk. The incident at Exeter Hospital has taught valuable lessons about the collateral damage caused by diversion. Without this proposed legislation, the board may inadvertently allow an impaired intern to become an impaired pharmacist without an opportunity to take the appropriate corrective action.

NEED FOR LAW CHANGE

Registering pharmacy interns will:

1.) Define in law - pharmacy intern
2.) Allow the pharmacy board the ability to oversee interns
3.) Allow the pharmacy board to discipline violations committed by interns
4.) Allow the pharmacy board to monitor the recovery of impaired interns
5.) Allow the board to have the latitude to license individuals that no longer place themselves and others at risk. (Re-instatement)
6.) Allow the board the capability to standardize and influence internships training
7.) Allow the board Rulemaking authority over interns

REQUIREMENTS

Requirements for registration will be in the first professional year of an approved pharmacy college or university until the individual has either graduated or withdrawn from the pharmacy college program.

Duties and functions will be developed in rules. Presently an intern has very broad latitude to maximize their learning experience but they cannot be the perform the final approval of prescription and are not permitted to perform immunization.

Interns will still supervised by a pharmacist at all times.

Registration is restricted or denied because of a felony conviction, misdemeanor conviction of drug related charge, or any reason of morale turpitude.

Original registration includes a one-time fee of $ 25.00. Renewal is dependent upon enrollment in professional academic pharmacy degree program.

Reinstatement of status similar to technician reinstatement

James M. Queenan R.Ph MBA
Executive Secretary / Director
NH Board of Pharmacy

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 334-FN

BILL TITLE: **requiring pharmacy interns to register with the pharmacy board.**

DATE: 3/5/13

LOB ROOM: 306

Amendments:

Sponsor: Rep. Schmidt/Sullivan	OLS Document #:	2013	0625h
Sponsor: Rep.	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Schmidt/Sulllivan

Seconded by Rep.

Vote: 20-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 20-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Dianne Schuett, Acting Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 334-FN

BILL TITLE: **requiring pharmacy interns to register with the pharmacy board.**

DATE: 3/5/13

LOB ROOM: 306

Amendments:

Sponsor: Rep. Schmidt / Sullivan OLS Document #: 0625h (20-0)

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Schmidt/Sullivan

Seconded by Rep.

Vote: 20-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.) 20-0

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Daniel C. Hansberry, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 9:17:57 AM
Roll Call Committee Registers Report

2013 SESSION

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: HB 334 Title: reg. pharmacy interns

PH Date: 1/29/2013 Exec Session Date: 3/5/13

Motion: AM Amendment #: 0625h

MEMBER	YEAS	NAYS
Weber, Lucy M, Chairman	20	
Schuett, Dianne E, V Chairman	1	
Schmidt, Peter B	2	
Jeudy, Jean L	3	
Sullivan, Daniel J	4	
Goley, Jeffrey P	5	
Gagnon, Raymond G	6	
Nelson, Mary S	7	
Booras, Efstathia C	8	
Hansberry, Daniel C, Clerk	9	
Moffett, Howard M	10	
McGuire, Carol M	11	
Sytek, John	12	
Pratt, Calvin D	13	
Hansen, Peter T	14	
Beaudoin, Steven P	15	
Byron, Frank A	16	
Danais, Romeo	17	
~~Garcia, Bianca R~~ O'CONNOR	18	
Sweeney, Shawn P	19	
TOTAL VOTE:	20	0

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 9:17:57 AM
Roll Call Committee Registers Report

2013 SESSION

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: HB334 Title: reg pharmacy interns

PH Date: 1/29/2013 Exec Session Date: 3/5/13

Motion: OTP/AM Amendment #: 0625h

MEMBER	YEAS	NAYS
Weber, Lucy M, Chairman	20	
Schuett, Dianne E, V Chairman	1	
Schmidt, Peter B	2	
Jeudy, Jean L	3	
Sullivan, Daniel J	4	
Goley, Jeffrey P	5	
Gagnon, Raymond G	6	
Nelson, Mary S	7	
Booras, Efstathia C	8	
Hansberry, Daniel C, Clerk	9	
Moffett, Howard M	10	
McGuire, Carol M	11	
Sytek, John	12	
Pratt, Calvin D	13	
Hansen, Peter T	14	
Beaudoin, Steven P	15	
Byron, Frank A	16	
Danais, Romeo	17	
~~Garcia, Bianca R~~ O'CONNOR	18	
Sweeney, Shawn P	19	
TOTAL VOTE:	20	0

Committee Report

CONSENT CALENDAR

March 6, 2013

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on EXECUTIVE DEPARTMENTS AND ADMINISTRATION to which was referred HB334-FN,

AN ACT requiring pharmacy interns to register with the pharmacy board. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Peter B Schmidt

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**
Bill Number:	**HB334-FN**
Title:	**requiring pharmacy interns to register with the pharmacy board.**
Date:	**March 6, 2013**
Consent Calendar:	**YES**
Recommendation:	**OUGHT TO PASS WITH AMENDMENT**

STATEMENT OF INTENT

This bill recognizes the responsibility of the pharmacy board with regard to maintaining the greatest possible control over access to prescription drugs and to prevent diversion thereof as much as possible. This oversight would be enhanced, ED&A believes, by registering pharmacy interns.

Vote 20-0.

Rep. Peter B Schmidt
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB334-FN, requiring pharmacy interns to register with the pharmacy board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B Schmidt for EXECUTIVE DEPARTMENTS AND ADMINISTRATION. This bill recognizes the responsibility of the pharmacy board with regard to maintaining the greatest possible control over access to prescription drugs and to prevent diversion thereof as much as possible. This oversight would be enhanced, ED&A believes, by registering pharmacy interns. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: E.D. & A.

BILL NUMBER: HB 334

TITLE: Requiring pharmacy interns to register with the pharmacy board

DATE: 3-5-13 CONSENT CALENDAR: YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS W/ AMENDMENT

Amendment No. 2013-0625h

☐ INEXPEDIENT TO LEGISLATE

☐ ~~INTERIM STUDY~~ (Available only 2nd year of biennium)

STATEMENT OF INTENT:

COMMITTEE VOTE: 20-0

RESPECTFULLY SUBMITTED,

Rep. Peter B. Schmidt
For the Committee

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rev. 02/01/07 - Yellow

HB 334

OTP/A #0625h
Consent Calendar
20-0

This bill recognizes the responsibility of the pharmacy board with regard to maintaining the greatest possible control over access to prescription drugs and to prevent diversion thereof as much as possible. This oversight would be enhanced, ED&A believes, by registering pharmacy interns.

Rep. Peter B. Schmidt for the Committee

Proposed blurb for HB 334, by Peter Schmidt

HB 334, requiring pharmacy interns to register with the pharmacy board. OTPA.

Rep. PBS for ED&A. This bill (ditto ☆) recognizes the ~~oversight~~ responsibility of the phar. bd. with regard to ~~the~~ maintaining ~~the greatest~~ possible control over access to prescription drugs and to prevent diversion ~~thereof~~ as much as possible. This oversight would be enhanced, ED&A believes, by registering phar. interns. VOTE 20-0

Peter S. Schmidt

OK by Wlb