LEGISLATIVE COMMITTEE MINUTES

SB35

Bill as Introduced

SB 35 - AS INTRODUCED

2023 SESSION

23-0834
05/04

SENATE BILL ***35***

AN ACT relative to RSV vaccine administration.

SPONSORS: Sen. Rosenwald, Dist 13; Sen. Fenton, Dist 10; Sen. Perkins Kwoka, Dist 21; Sen. Gannon, Dist 23; Rep. Merchant, Sull. 6; Rep. Rochefort, Graf. 1

COMMITTEE: Health and Human Services

ANALYSIS

This bill authorizes pharmacists, pharmacy interns, and licensed advanced pharmacy technicians to administer an RSV vaccine to adults.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 35 - AS INTRODUCED

23-0834
05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to RSV vaccine administration.

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

1 Vaccine Administration; RSV Added. Amend the introductory paragraph of RSA 318:16-b to read as follows:

318:16-b Pharmacist Administration of Vaccines. A pharmacist, pharmacy intern, licensed advanced pharmacy technician, or certified pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer influenza and a COVID-19 vaccine, if available, to the general public. A pharmacist, pharmacy intern, or licensed advanced pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer haemophilus influenza, hepatitis A, hepatitis B, hepatitis A and B, human papillomavirus, meningococcal, pneumococcal, tetanus and diphtheria, varicella, zoster, ***RSV (respiratory syncytial virus),*** MMR (measles, mumps, and rubella), and Tdap (tetanus, diphtheria and pertussis) vaccines, which have been approved by the Food and Drug Administration, to individuals 18 years of age or older as ordered by an immunizing pharmacist. The pharmacist, pharmacy intern, licensed advanced pharmacy technician, or certified pharmacy technician shall:

2 Effective Date. This act shall take effect upon its passage.

SB 35 - VERSION ADOPTED BY BOTH BODIES

2023 SESSION

23-0834
05/04

SENATE BILL ***35***

AN ACT relative to RSV vaccine administration.

SPONSORS: Sen. Rosenwald, Dist 13; Sen. Fenton, Dist 10; Sen. Perkins Kwoka, Dist 21; Sen. Gannon, Dist 23; Rep. Merchant, Sull. 6; Rep. Rochefort, Graf. 1

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2 Effective Date. This act shall take effect upon its passage.

CHAPTER 53
SB 35 - FINAL VERSION

2023 SESSION

23-0834
05/04

SENATE BILL ***35***

AN ACT relative to RSV vaccine administration.

SPONSORS: Sen. Rosenwald, Dist 13; Sen. Fenton, Dist 10; Sen. Perkins Kwoka, Dist 21; Sen. Gannon, Dist 23; Rep. Merchant, Sull. 6; Rep. Rochefort, Graf. 1

COMMITTEE: Health and Human Services

ANALYSIS

This bill authorizes pharmacists, pharmacy interns, and licensed advanced pharmacy technicians to administer an RSV vaccine to adults.

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.

CHAPTER 53
SB 35 - FINAL VERSION

23-0834
05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to RSV vaccine administration.

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

53:1 Vaccine Administration; RSV Added. Amend the introductory paragraph of RSA 318:16-b to read as follows:

318:16-b Pharmacist Administration of Vaccines. A pharmacist, pharmacy intern, licensed advanced pharmacy technician, or certified pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer influenza and a COVID-19 vaccine, if available, to the general public. A pharmacist, pharmacy intern, or licensed advanced pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer haemophilus influenza, hepatitis A, hepatitis B, hepatitis A and B, human papillomavirus, meningococcal, pneumococcal, tetanus and diphtheria, varicella, zoster, ***RSV (respiratory syncytial virus),*** MMR (measles, mumps, and rubella), and Tdap (tetanus, diphtheria and pertussis) vaccines, which have been approved by the Food and Drug Administration, to individuals 18 years of age or older as ordered by an immunizing pharmacist. The pharmacist, pharmacy intern, licensed advanced pharmacy technician, or certified pharmacy technician shall:

53:2 Effective Date. This act shall take effect upon its passage.

Approved: June 01, 2023
Effective Date: June 01, 2023

Committee Minutes

SENATE CALENDAR NOTICE
Health and Human Services

Sen Regina Birdsell, Chair
Sen Kevin Avard, Vice Chair
Sen Jeb Bradley, Member
Sen Rebecca Whitley, Member
Sen Suzanne Prentiss, Member

Date: January 11, 2023

HEARINGS

Wednesday	01/18/2023
(Day)	(Date)

Health and Human Services	Legislative Office Building 101	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	**SB 32-FN**	relative to the opioid abatement trust fund.
9:15 a.m.	**SB 35**	relative to RSV vaccine administration.
9:30 a.m.	**SB 36-FN**	relative to systems of care for healthy aging.
9:45 a.m.	**SB 34-FN**	relative to the controlled drug prescription health and safety program.
10:00 a.m.	**SB 30**	relative to membership of the New Hampshire council on developmental disabilities.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 32-FN

Sen. Rosenwald	Sen. Gannon	Sen. Soucy	Rep. Nordgren
Rep. Rochefort	Rep. Tellez	Rep. Telerski	Rep. J. Murphy

SB 35

Sen. Rosenwald	Sen. Fenton	Sen. Perkins Kwoka	Sen. Gannon
Rep. Merchant	Rep. Rochefort		

SB 36-FN

Sen. Gannon	Sen. Watters	Sen. D'Allesandro	Sen. Avard
Sen. Bradley	Sen. Ricciardi	Sen. Carson	Sen. Rosenwald
Sen. Whitley	Sen. Ward	Sen. Pearl	Sen. Perkins Kwoka
Rep. Hobson			

SB 34-FN

Sen. Gray	Sen. Bradley	Sen. Birdsell	Sen. Avard

SB 30

Sen. Whitley	Sen. Prentiss	Sen. Rosenwald	Sen. Chandley
Sen. D'Allesandro	Sen. Perkins Kwoka	Sen. Gannon	Sen. Watters
Sen. Altschiller	Sen. Fenton	Sen. Soucy	Rep. Grossman
Rep. Cornell	Rep. Staub		

Cameron Lapine 271-2104

Regina Birdsell
Chairman

Senate Health and Human Services Committee

Cameron Lapine 271-2104

SB 35, relative to RSV vaccine administration.

Hearing Date: January 18, 2023

Time Opened: 9:34 a.m. **Time Closed:** 9:59 a.m.

Members of the Committee Present: Senators Birdsell, Avard, Bradley, Whitley and Prentiss

Members of the Committee Absent: None

Bill Analysis: This bill authorizes pharmacists, pharmacy interns, and licensed advanced pharmacy technicians to administer an RSV vaccine to adults.

Sponsors:

Sen. Rosenwald	Sen. Fenton	Sen. Perkins Kwoka
Sen. Gannon	Rep. Merchant	Rep. Rochefort

Who supports the bill: Senator Rebecca Perkins Kwoka (Senate District 21), Mary Lacroix, Mark Lie, Dan Wise, Jodi Grimbilas (CVS Health), Elizabeth Sargent (NH Pharmacists Association; NH Society of Health System Pharmacists), Karen Ulmier Dorsch, Stephen Karadine, Glenn Perreault, Rick Newman, Laura Anderson, Bruce Berke (Coalition of NH Chain Drug Stores), Andrew Hosmer (NH Public Health Association), David Rochefort (New Hampshire Board of Pharmacy), Timothy Sullivan (GSK), Allyson Schaaf, Ruth Perencevich, Kathy Sue Spielman, Susan Richman, Elissa Rasmussen, Nancy Brennan, Sharon Racusin, Louise Hobden, Laura Anderson, and Louise Spencer.

Who opposes the bill: Julie Smith.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Senator Cindy Rosenwald
Senate District 13

- Senator Rosenwald said that she anticipates that the Food and Drug Administration (FDA) will give approval for a vaccine for Respiratory Syncytial Virus (RSV) in the spring of 2023. She said that SB 35 adds RSV to the list of vaccinations that adults can receive at pharmacies.
- Sen. Rosenwald said that RSV usually afflicts children and there has been a recent increase in pediatric admissions for RSV. She said that RSV is one of the leading causes of respiratory deaths for older adults.

- Sen. Rosenwald said that the FDA approval for a RSV vaccine will likely be for adults over the age of 65.
- Sen. Rosenwald said that adults have been able to receive vaccinations at pharmacies for the last 15 years. She said that this process is more convenient and less expensive than going to a doctor for a vaccination. She said that this encourages vaccinations.
- Sen. Rosenwald said that the Board of Pharmacy supports SB 35.
- Senator Birdsell asked if, since the FDA approval will not received until the spring, the effective date could be changed to "30 days following FDA approval of a RSV vaccine".
    - Sen. Rosenwald said that it could be.
- Sen. Birdsell asked if pharmacists were currently administering RSV vaccines.
    - Sen. Rosenwald said that they cannot currently and could not, even if a RSV vaccine had FDA approval, before the passage of SB 35. She said that she anticipates an approval date in May. She said that the Office of Legislative Services originally had an effective date of "60 days after passage" but representatives from one of the companies pursuing a RSV vaccine asked for an "upon passage" date so that pharmacists can begin administering the vaccines as soon as possible.
- Sen. Birdsell said that by the time SB 35 goes through the legislative process it could be April or May anyway before the bill becomes law.
    - Sen. Rosenwald said that it could actually be June or July by the time the Governor signs SB 35. She said even if FDA approval is given in May, pharmacists could not administer vaccines prior to the enactment of SB 35.

Laura Anderson

- Ms. Anderson is a nurse practitioner.
- Ms. Anderson said that SB 35 enables pharmacists, advanced pharmacy technicians, and pharmacy interns to administer a RSV vaccine to adults.
- Ms. Anderson said that she previously worked at New England College and they held several vaccination drives with pharmacy staff.
- Ms. Anderson encouraged the Committee to consider expanding SB 35 to mirror language in 47 other states which allows pharmacists to administer any vaccine with FDA, Centers for Disease Control and Prevention (CDC), and the Advisory Committee on Immunization Practices (ACIP) approval. She said that there should not be specific legislation required for each new vaccine and this change would allow for a faster spread of vaccinations.
- Ms. Anderson said that there should be as many avenues as possible for people from birth to age 110 to receive vaccinations.
- Ms. Anderson said that two years of COVID-19 mitigation measures and masking have lead to an increase in RSV cases and hospitals are understaffed to respond to such an increase.
- Ms. Anderson said that RSV has traditionally been a childhood illness. She described to the Committee her son's battle with RSV when he was eight months old. She said that many of the people being admitted with RSV now are older adults.
- Ms. Anderson said that there is a vaccine for RSV coming through the proper testing protocols. She said that children tend to be able to bounce back from illnesses more quickly than adults.
- Ms. Anderson said that RSV is highly contagious but is usually mild, although a person's lungs and airways can be severely affected.

- Ms. Anderson said that RSA is spread through coughs or sneezes and can viral shedding can persist for up to four weeks. She said that 177,000 older adults are hospitalized each year with RSV and 8% of those older adults die.
- Ms. Anderson encouraged the Committee to help make vaccinations available for everyone, especially the homeless and the uninsured.
- Ms. Anderson said that there has been a spread in vaccine-preventable diseases, including polio, the measles, and the mumps.
- Ms. Anderson encouraged the Committee to promote efforts similar to the vaccination drives for COVID-19: vouchers for free or reduced vaccinations, rides to pharmacies, mobile vans, and more.

Glenn Perreault

- Mr. Perreault owns a community pharmacy.
- Mr. Perreault said that he has immunized thousands of people and works with a local physician to administer vaccinations for people down to the age of three years old.
- Mr. Perreault said that he has run several vaccination clinics at high schools and local business and allowing pharmacies to administer vaccines greatly increases access to vaccines.
- Mr. Perreault said that he did not see a reason why a RSV vaccine should not be added to the list of vaccinations a pharmacist is able to administer.

Steve Karadine

- Mr. Karadine is a pharmacist.
- Mr. Karadine said that it was shown during the COVID-19 pandemic that greater community access helps to get vaccines in arms.
- Mr. Karadine said that he supports Ms. Anderson's comments about expanding pharmacy-administrable vaccinations to all FDA, CDC, and ACIP-approved vaccinations. He said that there may be other opportunities in the future to make such a change.

Bruce Berke
Coalition of NH Chain Drug Stores

- Mr. Berke submitted a letter to the Committee. He said that his letter included suggestions on making the changes Ms. Anderson and Mr. Karadine suggested.
- Senator Bradley asked if there were any vaccines pharmacists could not currently administer.
    - Mr. Berke said that he was unsure.

Glenn Perreault
Speaking for a Second Time

- Mr. Perreault said that there are some vaccines that pharmacies are unable to administer simply due to staffing problems.
- Mr. Perreault said that most vaccines that are travel-related, such as typhoid, yellow fever, and malaria, are typically administered at a travel-related clinic.

Laura Anderson
Speaking for a Second Time

- Ms. Anderson said that she is not a pharmacist but has seen from her experience with vaccination clinics that pharmacists are able to give a broad spectrum of vaccinations, including shingles, hepatitis B, and tetanus, diphtheria, and pertussis (Tdap).

- Ms. Anderson said that many students arrived at New England College without certain vaccinations.
- Ms. Anderson said that every pharmacy is different but there is a broad list of vaccinations currently available to be administered.

Glenn Perreault
Speaking for a Third Time

- Senator Avard asked why some vaccinations were not available for pharmacists to administer.
    - Mr. Perreault said that he honestly did not know.
- Sen. Avard asked if a pharmacist needed a doctor's prescription to administer certain vaccines.
    - Mr. Perreault said that even with a doctor's prescription, in New Hampshire, a pharmacist can only administer a select panel of vaccinations allowed under RSA 318:16-b for adults. He said his pharmacy is allowed to administer vaccines to children through a signed protocol from a local physician.
- Mr. Perreault said that the New Hampshire statute for the administration of vaccines is very specific. He said that at one point in time the regulations allowed pharmacists to administer vaccines for Tdap but not tetanus alone.

Senator Rosenwald
Speaking for a Second Time

- Sen. Rosenwald said that newer vaccines are regularly added to the list of pharmacy-administrable vaccines. She said that the statute currently requires pharmacists to continually appear before the General Court and ask for permission.
- Sen. Rosenwald said that it makes sense that the vaccine for malaria is not available at a pharmacy as there is only a limited, specific need for that vaccine. She said that, similarly, it makes sense that someone should see an infectious disease expert for a mpox (formerly called monkeypox) vaccine.
- Sen. Rosenwald said that over the last 15 years they have learned that pharmacies are a great site for vaccinations. She said that if the Committee wanted to expand the pharmacist's abilities to administer vaccines to any FDA, CDC, ACIP-approved vaccine it would probably be alright, as long as the Committee limited it to adults.
- Sen. Rosenwald said that she sent SB 35 to Dr. Jonathan Ballard, the Chief Medical Officer for the State, and his feedback was that it was important to limit pharmacy administration to adults. She said that he said childhood vaccinations should be limited to the pediatric system to ensure there is coordination of care.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

cml
Date Hearing Report completed: January 19, 2023

Speakers

Senate Health & Human Services Committee
SIGN-IN SHEET

Date: Wednesday January 18th, 2023 **Time:** 9:15 a.m.

SB 35 AN ACT relative to relative to RSV vaccine administration.

Name/Representing *(please print neatly)*

Andrea Hosmer NH Public Health Assoc.	Support ☒	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☒
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Health & Human Services Committee
SIGN-IN SHEET

Date: Wednesday January 18th, 2023 **Time:** 9:15 a.m.

SB 35 AN ACT relative to relative to RSV vaccine administration.

Name/Representing *(please print neatly)*

	Support	Neutral	Oppose	Speaking?	Yes	No
Senator Rebecca Perkins Kwoka (SD 21)	☑	☐	☐		☐	☑
Mary Lasky	☑	☐	☐		☐	☐
Dan Hill	☑	☐	☐		☐	☐
Dan Wise	☑	☐	☐		☐	☑
Jodi Grimbilas, CVS Health	☑	☐	☐		☐	☑
Elizabeth Sargent NH Pharmacists Association	☒	☐	☐		☐	☑
Elizabeth Sargent NH Society Health System Pharmacists	☒	☐	☐		☐	☑
Karen Ulmer Dorsch	☑	☐	☐		☐	☐
Stephen Kavadas	☑	☐	☐		☑	☐
Glenn Perreault	☑	☐	☐		☑	☐
Rick Newman	☑	☐	☐		☑	☐
Laura Anderson	☑	☐	☐		☑	☐
Bruce Berke- Coalition of NH Chain Drug Stores	☒	☐	☐		☐	☒

Senate Remote Testify

Health and Human Services Committee Testify List for Bill SB35 on 2023-01-

Support: 12 Oppose: 1

Name	Title	Representing	Position
Rochefort, David	An Elected Official	New Hampshire Board of Pharmacy	Support
Sullivan, Timothy	A Lobbyist	GSK	Support
Schaaf, Allyson	A Member of the Public	Myself	Support
perencevich, ruth	A Member of the Public	Myself	Support
Spielman, Kathy Sue	A Member of the Public	Myself	Support
Richman, Susan	A Member of the Public	Myself	Support
Rasmussen, Elissa	A Member of the Public	Myself	Support
Brennan, Nancy	A Member of the Public	Myself	Support
Racusin, Sharon	A Member of the Public	Myself	Support
Hobden, Louise	A Member of the Public	Myself	Support
Anderson, Laura	A Member of the Public	Myself	Support
Spencer, Louise	A Member of the Public	Myself	Support
Smith, Julie	A Member of the Public	Myself	Oppose

Testimony

Cameron Lapine

From: david.rochefort574@gmail.com
Sent: Thursday, January 12, 2023 1:12 PM
To: Regina Birdsell; Kevin Avard; Jeb Bradley; Becky Whitley; Suzanne Prentiss; Cameron Lapine
Cc: 'John Genovese'
Subject: Board of Pharmacy Supports SB 35

Caution! This message was sent from outside your organization.

Good Afternoon Members of Senate Health and Human Services,

I'm writing today on behalf of the New Hampshire Board of Pharmacy to convey our support for SB35. The board voted to support this bill when it was an LSR at the December Board of Pharmacy meeting.

New Hampshire pharmacists are well-suited and very experienced in the administration of immunizations and have been doing so for a number of years.

During the COVID-19 pandemic pharmacists showed themselves to be a safe, accessible, and qualified source for patients to receive the immunizations they desired. According to statistics published in Governing.com, *"More than 245 million COVID-19 vaccines have been administered via ..... retail pharmacy partners. This accounts for more than 40 percent of the COVID-19 vaccines administered in the U.S., though the proportion is growing: As of December 2021, pharmacies were administering more than two-thirds of COVID-19 vaccines. And the impact extends beyond COVID-19. For example, CDC data show that 40.4 million people have received a flu vaccine at a pharmacy during the 2021-22 flu season, compared with 30.8 million at a physician's office."*

SB35 will further expand the vaccines that are available in pharmacies and the Board of Pharmacy fully supports this bill.

If you have any questions please don't hesitate to contact me.

Sincerely,

Rep. David Rochefort, RPh
Vice President, NH Board of Pharmacy

January 13th, 2023

Dear Honorable Members of the Senate
Committee on Health and Human Services,

SAFE
Science And Families Engaging Communities Coalition and Action Fund

We are SAFE Communities Coalition, a non-profit organization whose purpose is to support pro-vaccine lawmakers and legislation. We strongly support SB35, "relative to RSV vaccine administration." We applaud your efforts to be proactive for the health and safety of the communities you represent.

Allowing pharmacists to administer RSV vaccines for adults will greatly improve health outcomes for all New Hampshire residents, allowing more people to have the life-saving coverage that will decrease the spread of RSV in vulnerable populations. Pharmacists can also help dispel common myths and misconceptions about vaccines and address patient concerns and fears, leading to decreased vaccine hesitancy and healthier communities.

SAFE Communities Coalition supports you and wants to thank you for your efforts to provide safe schools and communities for the state of New Hampshire. Please feel free to contact us with any questions or concerns.

Becky Christensen
Campaigns Director

Northe Saunders
Executive Director

SAFE Communities Coalition
safecommunitiescoalition.org
info@safecommunitiescoalition.org

Cameron Lapine

From: lakeview clock repair <lakeviewclockrepair@protonmail.com>
Sent: Monday, January 16, 2023 12:22 AM
To: ~Senate Health and Human Services Committee
Subject: SB35

Caution! This message was sent from outside your organization.

I oppose this bill because it allows interns and others that are untrained to administer medical treatments to do so.

Thank you for your time and service to our state,

J Grenier
Nashua, NH

KIMBERLY COFFEY FOUNDATION

The Emily Stillman Foundation

January 16, 2023

New Hampshire Health and Human Services Senate Committee
107 North Main Street
Concord, NH 03301

Dear Committee Chairman, Vice Chairman and Members,

We are writing on behalf of the Kimberly Coffey Foundation and the Emily Stillman Foundation, two organizations that work to prevent vaccine-preventable diseases, in support of Bill SB 35. The Bill would make it possible for the Respiratory Syncytial Virus (RSV) vaccine to be administered to adults by a pharmacist or under a pharmacist's supervision in New Hampshire. As mothers who each lost their teenage daughters, Kimberly and Emily, to Meningitis B, a vaccine-preventable disease, we firmly believe that vaccinations must be made as accessible as possible and thus strongly support policy initiatives that facilitate the expansion of vaccine administration throughout the state.

RSV is an RNA virus primarily spread via respiratory droplets when an infected person coughs or sneezes. Transmission can also occur when a person touches their face after having direct contact with a contaminated surface. In the United States, RSV infections occur primarily during the fall and winter cold and flu season. A typical RSV infection, in adults, usually results in mild, cold-like symptoms. However, it may lead to severe complications such as pneumonia, exacerbation of underlying asthma, COPD or congestive heart failure, hospitalization, and death (an estimated 14,000 deaths annually in adults aged 65 years and older).

Enactment of SB 35 would multiply the network of providers who can administer and advocate for this critical vaccine, which would undoubtedly help increase adult immunization rates and help prevent future vaccine-preventable hospitalizations or deaths in New Hampshire. This is particularly important given the ongoing COVID-19 pandemic.

Citizens of New Hampshire deserve easier and increased access to all life-saving vaccines. We founded our organizations to bring more awareness to the need for vaccination, and the devastating effects these otherwise preventable diseases have on individuals, families, and whole communities. Throughout the COVID-19 pandemic, we have seen the impact that disparities in healthcare access can have. Not allowing pharmacists to administer all recommended adult vaccines deepens these disparities.

Whether or not you know someone who has been impacted by a vaccine-preventable disease or are shocked by the numbers of those who have been infected or died, vaccine availability should be a priority for all of us.

At the time of Kimberly and Emily's deaths, the MenB vaccine was not yet available to help protect them. It is today. As mothers who lost our young daughter too soon to a now vaccine-preventable disease, we strongly urge you to please help us ensure that no other life is unnecessarily affected or lost to a vaccine-preventable disease like RSV by enacting SB 35 now!

Thank you in advance for your support. Should you have any further questions, or require further information, please don't hesitate to contact us at info@meningitisbactionproject.org.

Sincerely,

Patti Wukovits

Patti Wukovits, BSN, RN
Executive Director, Kimberly Coffey Foundation
Co-Founder, Meningitis B Action Project

Alicia Stillman

Alicia Stillman, MBA, MPH
Executive Director, Emily Stillman Foundation
Co-Founder, Meningitis B Action Project

January 17, 2023

New Hampshire State Senate
Health and Human Services Committee
107 N. Main St.
Concord, NH 03301

Re: Strong Support for SB 35 Relative to RSV Vaccine Administration

Dear Health and Human Services Committee,

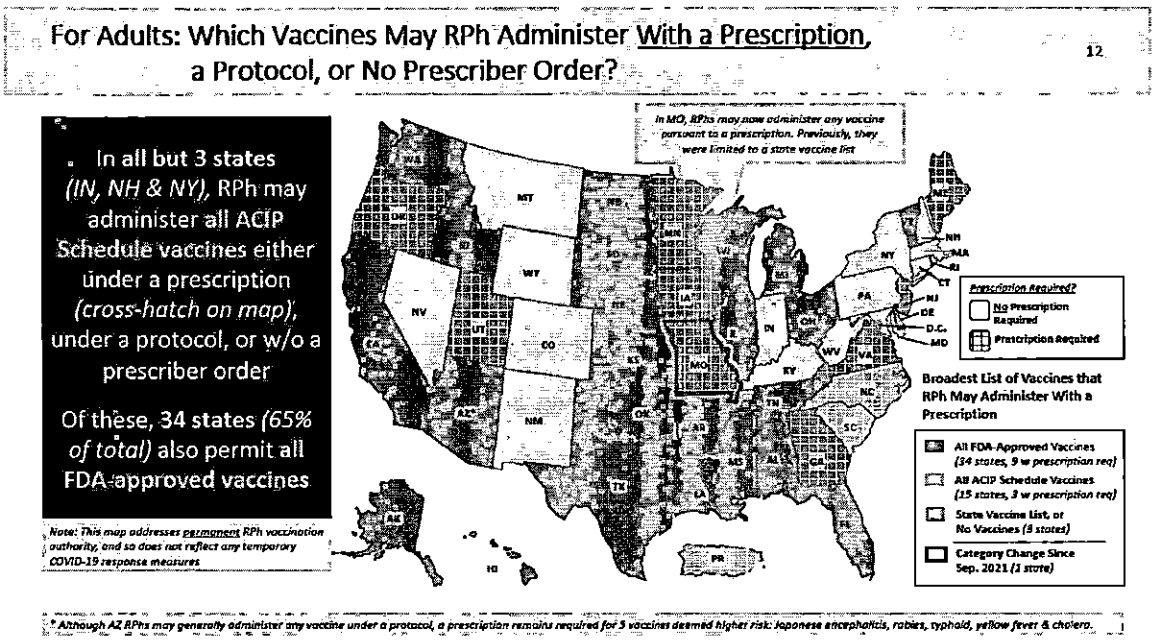
On behalf of Albertsons Companies Inc. ("ACI"), we appreciate the opportunity to provide support for SB 35. ACI operates 11 community pharmacies in New Hampshire under the Shaws banner. This bill authorizes pharmacists, pharmacy interns, and licensed advanced pharmacy technicians to administer an RSV vaccine to adults. I respectively encourage you to consider broadening this legislation that mirrors 47 states who allow pharmacists to administer all CDC ACIP-recommended or FDA approved. By doing this, NH will not have to continuously legislate for every vaccine approved for patients. This legalization will help ensure our communities are protected from vaccine-preventable diseases and individuals are as healthy as possible.

Interesting facts on RSV:

- Respiratory syncytial virus (RSV) is a contagious virus that is usually mild but can severely affect the lungs and respiratory airways in older adults.
- RSV can spread from a cough or sneeze and can be contagious for as long as 4 weeks.
- In the US, approximately 177,000 hospitalizations in older adults due to RSV are reported each year and approximately 8% of cases result in death.
- Surge of RSV infections is straining capacity at N.H. hospitals.

Interesting facts if SB 35 were to include all CDC ACIP -recommended or FDA approved:

- New Hampshire, Indiana, and New York are the **only** 3 states that have statutes which specifically list each ACIP scheduled vaccine that may administered by a pharmacist.



It is our preference that SB 35 includes language permitting pharmacists, pharmacy interns, and licensed advanced pharmacy technicians be authorized to administer all CDC ACIP-recommended or FDA approved vaccines hence avoiding legislation every time a new vaccine becomes available.

I appreciate the opportunity to provide strong support, and we urge quick adoption to ensure pharmacies are best able to care for our citizens through immunization. If you have questions, please contact Rob Geddes at Rob.Geddes@Albertsons.com or at 208-513-3470.

Sincerely,

Rob Geddes, PharmD
Director, Pharmacy Legislative and Regulatory Affairs
Albertsons Companies Inc.

AMERICAN DISEASE PREVENTION COALITION

VACCINES SHOULDN'T WAIT

January 17, 2023

Chairwoman Regina Birdsell
Health and Human Services Committee
New Hampshire State Senate
LOB Room 101
107 North Main Street
Concord, NH 03301

Re: Strong Support for SB 35, Expanding Patient Access to Pharmacy Vaccine Services

Dear Chairwoman Birdsell,

Members of the American Disease Prevention Coalition write to support SB 35. This legislation would allow pharmacists, pharmacy interns and pharmacy technicians to administer vaccines for RSV (respiratory syncytial virus).

RSV is a common and contagious virus that typically produces mild, cold-like symptoms but can put older adults at risk for severe outcomes. RSV is a respiratory tract infection that affects the lungs and breathing passages. Approximately 177,000 Americans aged 65 years and older are hospitalized due to RSV each year, resulting in an estimated 14,000 deaths. The CDC states that adults at highest risk for severe RSV infection include older adults, especially those 65 years and older, adults with chronic heart or lung disease, and adults with weakened immune systems. Infection with RSV may put some older adults and adults with certain chronic medical conditions at increased risk.[1,2,3,4,5]

Vaccination is an essential part in maintaining the health and well-being of individuals by reducing the risk of illness, disability, and death due to vaccine-preventable diseases. Vaccines help prevent serious diseases, including COVID-19, influenza (flu), pneumonia, tetanus, pertussis (whooping cough), herpes zoster (shingles), meningitis, and hepatitis A and B. **With new vaccines for RSV on the horizon, pharmacists, pharmacy interns, and pharmacy technicians are uniquely positioned to serve as active participants in the vaccination effort.**

Pharmacist-administered vaccines can improve access and convenience, especially in low-income and rural communities.[6,7] Pharmacists, pharmacy interns and pharmacy technicians play an essential role in preventing

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[1] Mesa-Frias M, Rossi C, Emond B, et al. Incidence and economic burden of respiratory syncytial virus among adults in the United States: a retrospective analysis using 2 insurance claims databases. J Manag Care Spec Pharm. 2022;28(7):753-765. doi:10.18553/jmcp.2022.21459

[2] https://www.cdc.gov/rsv/high-risk/older-adults.html

[3] Belongia EA, King JP, Kieke BA, et al. Clinical features, severity, and incidence of RSV illness during 12 consecutive seasons in a community cohort of adults ≥60 years old. Open Forum Infect Dis. 2018;5(12):ofy316. doi:10.1093/ofid/ofy316

[4] Tseng HF, Sy LS, Ackerson B, et al. Severe morbidity and short- and mid- to long-term mortality in older adults hospitalized with respiratory syncytial virus infection. J Infect Dis. 2020;222(8):1298-1310. doi:10.1093/infdis/jiaa361

[5] Branche AR, Saiman L, Walsh EE, et al. Incidence of respiratory syncytial virus infection among hospitalized adults, 2017–2020. Clin Infect Dis. 2022;74(6):1004-1011. doi:10.1093/cid/ciab595

[6] https://ghlf.org/ghlf-news/global-healthy-living-foundation-study-finds-that-empowering-pharmacists-to-more-widely-immunize-can-increase-vaccine-access-reduce-health-disparities-in-low-income-communities/

[7] https://pubmed.ncbi.nlm.nih.gov/24019274/

and treating disease, especially given their rigorous professional education and training around medications and vaccines, vaccine practice management, adverse reactions to vaccines, vaccine guidance and recommendations, as well as possessing a skill set at administering vaccines and medication.[8] As part of their work, they also enhance awareness of vaccines by assessing a patient's immunization status, recommending vaccines, administering vaccines, and reporting vaccinations to maintain coordination with all immunizing providers.

The U.S. Department of Health and Human Services (HHS) recognized pharmacies' ability to expand access by extending universal authority for pharmacists, pharmacy interns, and pharmacy technicians to initiate, order, and administer COVID-19 vaccines, COVID boosters and all CDC-recommended and FDA-authorized vaccines.[9] However, these authorities are due to lapse in 2024 leaving New Hampshire without continuity to vaccination access. Now more than ever such allowances should be adopted to support the ability for individuals to get vaccinated against life-threatening diseases. We recommend that SB 35 be amended so that **pharmacists, pharmacy interns, and pharmacy technicians may administer all vaccines approved and/or authorized by the Food and Drug Administration (FDA) that are recommended by the Center for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices (ACIP).**

We thank the Senate Health and Human Services Committee for your consideration and urge the swift adoption of SB 35 to ensure that the citizens of New Hampshire continue to have adequate access and choice to all approved and recommended vaccinations. Doing so will increase immunization rates, reduce overall health care costs, and save lives.

Sincerely,

American Disease Prevention Coalition
https://vaccinesshouldntwait.org/

cc.
Senator Cindy Rosenwald; Members of the Senate Health and Human Services Committee

[8] https://vaccinesshouldntwait.org/wp-content/uploads/2022/03/ADPC-Backgrounder-Brochure-030122.pdf
[9] https://www.govinfo.gov/content/pkg/FR-2021-03-16/pdf/2021-05401.pdf

NACDS NATIONAL ASSOCIATION OF CHAIN DRUG STORES

January 17, 2023

Chairman Regina Birdsell
Health and Human Services Committee
New Hampshire State Senate
107 North Main Street
Concord, NH 03301

Re: Support SB 35 – Expanding Patient Access to Pharmacy Vaccine Services

Dear Chairman Birdsell and Distinguished Members of the Senate Health and Human Services Committee,

On behalf of our members operating over 200 pharmacies in the state of New Hampshire, the National Association of Chain Drug Stores (NACDS) is pleased to offer our support for SB 35. This important legislation would expand the portfolio of vaccines that pharmacists, pharmacy interns and pharmacy technicians can administer to adults to include vaccines for respiratory syncytial virus (RSV). With reports of multiple adult RSV vaccines in development and expected to be approved in the next few months, NACDS urges the Health and Human Services Committee to enact needed statutory changes to support efficient patient access for these and other potentially new and coming vaccines at neighborhood pharmacies.

The experience of the COVID-19 pandemic demonstrates the importance of leveraging pharmacies to quickly connect patients with lifesaving vaccine services. As the most accessible provider in communities across the country, pharmacies are a critical access point to vaccine services for most Americans and have proven instrumental in the national effort to ensure widespread availability of vaccine services. In fact, pharmacy vaccinators have administered 2 out of every 3 COVID vaccinations.[1] Additionally, with nearly 50% of pharmacy vaccination sites being in areas of social vulnerability, pharmacies have been critical in improving access to care for underserved populations.

Now more than ever, the people of New Hampshire expect and rely on community pharmacies for vaccine services. In fact, 68% of voters support making permanent the practice allowances authorized under the federal Public Readiness and Emergency Preparedness Act (PREP Act) that include expanded pharmacy vaccine services. Voter support is even higher among those who received COVID vaccines and subsequent boosters at pharmacies – at 78% and 84% respectively.

NACDS applauds the introduction of this needed legislation that will support patient access to adult RSV vaccines in pharmacies. Still, **there is opportunity to further enhance the positive public impact of this legislation by amending the bill to allow pharmacy personnel to administer all vaccines approved and/or authorized by the Food and Drug Administration (FDA) that are recommended by the Center for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices (ACIP)**. In doing so, this would help to ensure that the people of New Hampshire could access the broad array of recommended vaccine services at neighborhood pharmacies, without lawmakers having to revise the law each time a new vaccine becomes available and recommended for different patient populations in the United States.

[1] https://www.cdc.gov/vaccines/covid-19/retail-pharmacy-program/index.html

NACDS thanks the Senate Health and Human Services Committee for the opportunity to share our perspectives on this bill. We urge your leadership and foresight to support patient access to essential vaccine services in the pharmacy setting. For questions or further discussion, please contact NACDS' Mike Ayotte, Senior Vice President, Pharmacy, Transformation & Advocacy at mayotte@nacds.org or 703-837-4360.

Sincerely,



Steven C. Anderson, FASAE, CAE, IOM
President and Chief Executive Officer
National Association of Chain Drug Stores

###

NACDS represents traditional drug stores, supermarkets and mass merchants with pharmacies. Chains operate over 40,000 pharmacies, and NACDS' 80 chain member companies include regional chains, with a minimum of four stores, and national companies. Chains employ nearly 3 million individuals, including 155,000 pharmacists. They fill over 3 billion prescriptions yearly, and help patients use medicines correctly and safely, while offering innovative services that improve patient health and healthcare affordability. NACDS members also include more than 900 supplier partners and over 70 international members representing 21 countries. Please visit NACDS.org.

NACDS Suggested Amendment to SB 35 to Enhance Patient Access to Pharmacy Vaccine Services

1 Vaccine Administration; ~~RSV Added~~ **Enhanced Access for Vaccines Approved and/or Authorized by FDA**. Amend the introductory paragraph of RSA 318:16-b to read as follows:

318:16-b Pharmacist Administration of Vaccines. A pharmacist, pharmacy intern, licensed advanced pharmacy technician, or certified pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer ~~influenza and a COVID-19 vaccine, if available, to the general public. A pharmacist, pharmacy intern, or licensed advanced pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer haemophilus influenza, hepatitis A, hepatitis B, hepatitis A and B, human papillomavirus, meningococcal, pneumococcal, tetanus and diphtheria, varicella, zoster, *RSV (respiratory syncytial virus)*, MMR (measles, mumps, and rubella), and Tdap (tetanus, diphtheria and pertussis)~~ vaccines, which have been approved **or authorized** by the Food and Drug Administration, to ~~individuals 18 years of age or older~~ **the general public** as ordered by an immunizing pharmacist. The pharmacist, pharmacy intern, licensed advanced pharmacy technician, or certified pharmacy technician shall:

2 Effective Date. This act shall take effect upon its passage.

Voting Sheets

Senate Health and Human Services Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # SB 35

Hearing date: 1-18-23

Executive Session date: 1-18-23

Motion of: OTP **Vote:** 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	X			X	
Sen. Avard, Vice Chair	X			X	
Sen. Bradley	X	X		X	
Sen. Whitley	X			X	
Sen. Prentiss	X		X	X	

Motion of: Consent **Vote:** 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	X			X	
Sen. Avard, Vice Chair	X			X	
Sen. Bradley	X	X		X	
Sen. Whitley	X			X	
Sen. Prentiss	X		X	X	

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair					
Sen. Avard, Vice Chair					
Sen. Bradley					
Sen. Whitley					
Sen. Prentiss					

Reported out by: Sen. Birdsell

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, January 18, 2023

THE COMMITTEE ON Health and Human Services

to which was referred **SB 35**

AN ACT relative to RSV vaccine administration.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Regina Birdsell
For the Committee

SB 35 authorizes pharmacists, pharmacy interns, and licensed advanced pharmacy technicians to administer an RSV vaccine to adults. This is a standard process that the General Court has gone through as new vaccines emerge in an effort to expand the network of availability for vaccines. RSV is a serious illness and expanding access to vaccinations, once FDA and CDC approval have been granted, will be important in creating a healthy population in New Hampshire.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

HEALTH AND HUMAN SERVICES

SB 35, relative to RSV vaccine administration.
Ought to Pass, Vote 5-0.
Senator Regina Birdsell for the committee.

SB 35 authorizes pharmacists, pharmacy interns, and licensed advanced pharmacy technicians to administer an RSV vaccine to adults. This is a standard process that the General Court has gone through as new vaccines emerge in an effort to expand the network of availability for vaccines. RSV is a serious illness and expanding access to vaccinations, once FDA and CDC approval have been granted, will be important in creating a healthy population in New Hampshire.

General Court of New Hampshire - Bill Status System

Docket of SB35

Docket Abbreviations

Bill Title: relative to RSV vaccine administration.

Official Docket of **SB35.**:

Date	Body	Description
1/6/2023	S	**Introduced** 01/05/2023 and Referred to Health and Human Services; **SJ 4**
1/11/2023	S	**Hearing:** 01/18/2023, Room 101, LOB, 09:15 am; **SC 6**
1/18/2023	S	Committee Report: Ought to Pass, 01/26/2023; Vote 5-0; CC; **SC 7**
1/26/2023	S	**Ought to Pass**: MA, VV; OT3rdg; 01/26/2023; **SJ 5**
3/20/2023	H	Introduced (in recess of) 03/16/2023 and referred to Health, Human Services and Elderly Affairs
3/23/2023	H	Public Hearing: 03/29/2023 10:30 am LOB 201-203
4/12/2023	H	Executive Session: 04/19/2023 11:30 am LOB 201-203
4/26/2023	H	Committee Report: Ought to Pass 04/19/2023 **(Vote 17-2; CC)**
5/4/2023	H	**Ought to Pass**: MA VV 05/04/2023 **HJ 13** P. 15
5/23/2023	H	Enrolled (in recess of) 05/18/2023 **HJ 14**
5/23/2023	S	Enrolled Adopted, VV, (In recess 05/18/2023); **SJ 16**
6/2/2023	S	Signed by the Governor on 06/01/2023; Chapter 0053; Effective 06/01/2023

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 35 **Senate Committee:** HHS

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee
X All Calendar Notices
X Hearing Sign-up sheet(s)
X Prepared testimony, presentations, & other submissions handed in at the public hearing
X Hearing Report
___ Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____
___ - amendment # _____ ___ - amendment # _____

X Executive Session Sheet
X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____
___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
___ Enrolled Bill Amendment(s)
___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house
X final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Amerson M. LaPrade 8/9/23

Committee Aide **Date**

Senate Clerk's Office HR