

Amendment to SB 119-FN

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to Medicaid pharmaceutical services and relative to standing orders for
4 Ivermectin.
5

6 Amend the bill by replacing all after section 2 with the following:

7
8 3 New Section; Pharmacists and Pharmacies; Ivermectin; Dispensing. Amend RSA 318 by
9 inserting after section 47-m the following new section:

10 318:47-n Ivermectin; Dispensing.

11 I. In this section, "standing order" means a written and signed prescription authored by one
12 or more physicians licensed under RSA 329:12, one or more advanced practice registered nurses
13 licensed under RSA 326-B:18, or one or more physician assistants licensed under RSA 328-D. Such
14 standing order shall allow the pharmacist licensed under RSA 318:18 to dispense Ivermectin under
15 the delegated prescriptive authority of the physician, physician assistant, or advanced practice
16 registered nurse, specify a screening protocol for each patient, specify a requirement to document
17 screening performed and the prescription in the patient's medical record, and include a plan for
18 referring for evaluation and treatment of adverse events; provided that the standing order shall not
19 be used if the patient is pregnant or under 18 years of age. Any such prescription shall be regarded
20 as being issued for a legitimate medical purpose in the usual course of professional practice.

21 II. Licensed pharmacists following standing orders may dispense Ivermectin to persons in
22 this state without a prior prescription. Pharmacies may charge a fee for consultation with the
23 patient.

24 III. A pharmacist, pharmacy, physician, physician assistant, advanced practice registered
25 nurse, or a medical facility that employs a pharmacist, physician, physician assistant, or advanced
26 practice registered nurse, issuing or following standing orders shall be prohibited from seeking
27 personal financial benefit by participating in any incentive-based program or accepting any
28 inducement that influences or encourages therapeutic or product changes or the ordering of tests or
29 services.

30 IV. A pharmacist, physician, advanced practice registered nurse, or physician assistant shall
31 be held to the same standard of care as when prescribing and dispensing any other medication.

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1 V. The pharmacist shall provide each recipient of Ivermectin pursuant to this section with
2 an information sheet written in plain language, which shall include, but is not limited to, potential
3 adverse effects, drug interactions, Food and Drug Administration-approved indications for
4 Ivermectin use, the importance of follow-up care, and health care referral information.

5 VI. The board of medicine shall not deny, revoke, suspend, or otherwise take disciplinary
6 action against a physician or physician assistant based on a pharmacist's failure to follow standing
7 orders provided the provisions of this section are satisfied. The board of nursing shall not deny,
8 revoke, suspend, or otherwise take disciplinary action against an advanced practice registered nurse
9 based on a pharmacist's failure to follow standing orders provided the provisions of this section are
10 satisfied. The board of pharmacy shall not deny, revoke, suspend, or otherwise take disciplinary
11 action against a pharmacist who follows standing orders based on a defect in those standing orders
12 provided the provisions of this section are satisfied.

13 4 New Section; Physicians and Surgeons; Prescription and Administration of Ivermectin.
14 Amend RSA 329 by inserting after section 31-b the following new section:

15 329:31-c Prescription and Administration of Ivermectin. The board of medicine shall not deny,
16 revoke, suspend, or otherwise take disciplinary action against a physician based on a pharmacist's
17 failure to follow standing orders provided the provisions of RSA 318:47-n are satisfied.

18 5 New Section; Nurse Practice Act; Prescription and Administration of Ivermectin. Amend RSA
19 326-B by inserting after section 37 the following new section:

20 326-B:37-a Prescription and Administration of Ivermectin. The board of nursing shall not deny,
21 revoke, suspend, or otherwise take disciplinary action against an advanced practice registered nurse
22 based on a pharmacist's failure to follow standing orders provided the provisions of RSA 318:47-n are
23 satisfied.

24 6 New Section; Pharmacists and Pharmacies; Prescription and Administration of Ivermectin.
25 Amend RSA 318 by inserting after section 16-f the following new section:

26 318:16-g Prescription and Administration of Ivermectin. The board of pharmacy shall not deny,
27 revoke, suspend, or otherwise take disciplinary action against a pharmacist who follows standing
28 orders based on a defect in those standing orders provided the provisions of RSA 318:47-n are
29 satisfied.

30 7 New Section; Physician Assistants; Prescription and Administration of Ivermectin. Amend
31 RSA 328-D by inserting after section 6-a the following new section:

32 328-D:6-b Prescription and Administration of Ivermectin. The board of medicine shall not deny,
33 revoke, suspend, or otherwise take disciplinary action against a physician assistant based on a
34 pharmacist's failure to follow standing orders provided the provisions of RSA 318:47-n are satisfied.

35 8 Effective Date. This act shall take effect July 1, 2025.

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AMENDED ANALYSIS

This bill:

I. Directs pharmacists to dispense brand name drugs to Medicaid beneficiaries when the brand name drug is on the department of health and human services preferred drug list.

II. Allows a pharmacist to follow a standing order from a physician, physician assistant, or advance practice registered nurse to dispense Ivermectin without a prior prescription.