

Rep. Nagel, Belk. 6
Rep. Polozov, Merr. 10
March 10, 2026
2026-1120h
05/09

Floor Amendment to HB 1335

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 New Subdivision; Public Health; Disclosure of Preferential Promotions Received by Health
4 Care Providers; When Required. Amend RSA 125 by inserting after section 25-c the following new
5 subdivision:

6 Disclosure of Preferential Promotions Received by Health Care Providers

7 125:25-d Definitions. In this subdivision:

8 (a) "Preferential promotion" means any financial arrangement, incentive, or
9 compensation provided by a manufacturer, distributor, or third party that is intended to influence
10 the recommendation, prescription, or use of a specific drug, device, treatment, or service.

11 (b) "Compensation" includes payments, honoraria, travel, lodging, meals, gifts, or any
12 other transfer of value.

13 (c) "Reasonable costs" means expenses directly related to attendance at a medical
14 conference, including registration fees, travel, lodging, and meals, not exceeding \$5,000 in aggregate
15 per event.

16 (d) "Informed consent" means the process by which a patient voluntarily confirms their
17 willingness to undergo a particular medical intervention, after having been informed of all relevant
18 facts, risks, benefits, and alternatives.

19 (e) "Health care provider" includes physicians licensed under RSA 329, podiatrists
20 licensed under RSA 315, chiropractors licensed under RSA 316-A, dentists licensed under RSA 317-
21 A, nurse practitioners licensed under RSA 326-B, optometrists licensed under RSA 327, physical
22 therapists licensed under RSA 328-A, physician associates licensed under RSA 328-D, naturopathic
23 health care practitioners licensed under RSA 328-E, acupuncturists licensed under RSA 328-G, and
24 pharmacists licensed under RSA 318.

25 125:25-e Disclosure Requirement.

26 I. Any health care provider who receives compensation exceeding \$5,000 in aggregate within
27 a calendar year from a single source as the result of a preferential promotion shall disclose this
28 financial relationship to any patient prior to recommending, prescribing, or administering a product
29 or service associated with that source.

30 II. The disclosure shall be made in writing and included as part of the informed consent
31 process and shall include:

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- 1 (a) The name of the entity providing the compensation.
- 2 (b) The nature and amount of compensation received.
- 3 (c) A statement that the compensation may present a potential conflict of interest.
- 4 (d) An affirmation that the recommendation is based on the practitioner's independent
- 5 clinical judgment.
- 6 2 Effective Date. This act shall take effect January 1, 2027.

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AMENDED ANALYSIS

This bill requires a health care provider who receives compensation exceeding \$5,000 or more as the result of a preferential promotion to disclose this information to the patient prior to prescribing any treatment associated with the source of the promotion.