

Senate Executive Departments and Administration Committee

Kevin Condict 271-7875

SB 61-FN, relative to prescriptions for state prisoners paid for by the department of corrections.

Hearing Date: January 22, 2025

Time Opened: 9:45 a.m.

Time Closed: 9:49 a.m.

Members of the Committee Present: Senators Pearl, Altschiller and Reardon

Members of the Committee Absent : Senators McGough and Gannon

Bill Analysis: This bill permits the department of corrections to enter into purchasing agreements with drug manufacturers, if that agreement is cost beneficial to the state. This bill also eliminates the requirement for notification to be completed in the pharmacist's own handwriting.

Sponsors:

Sen. Gray

Who supports the bill: Senator James Gray (SD 5), Paula Mattis (NHDOC), and Jake Berry.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented:

Senator James Gray, Senate District 6

- Senator Gray introduced Senate Bill 61.
- Senator Gray explained that he was approached as Chair of Finance because this matter concerns cost savings. He said that generic drugs are often not cheap.
- Senator Gray brought attention to coupons or promotional deals that can alter the price of the individual drug in some instances, as well as special buying privileges within various pharmaceutical companies.

- Senator Gray said this bill was submitted at the request of the Department of Corrections.

Paula Mattis, Director of Medical and Forensic Services, New Hampshire Department of Corrections

- Director Mattis explained that generic medications or “brand name” medications can in some instances be less expensive to purchase for patients.
- Director Mattis stated that this should be removed from the statute so that the Department of Corrections is not violating the law when better pricing is found, either directly from the manufacturer or via pricing agreements made with various pharmaceutical groups.
- Director Mattis also pointed out a final piece of the bill that is in her opinion antiquated. She explained how it is rare to find statutes in writing anymore, and that electronic health records maintain justification in rare instances for when a brand name is required for a patient’s safety.
- Director Mattis asked the committee members to vote ought to pass so that the Department of Corrections is not in danger of violating the law when finding the best pricing options possible.
- Senator Pearl asked Director Mattis to clarify that nothing within this legislation would cause a resident in the facility to not have access to the medication that they need.
 - o Director Mattis confirmed that was correct.
- Senator Pearl reaffirmed that this would merely be a cost savings measure for the Department that would allow for the best pricing and legal options to be preserved.

KC
Date Hearing Report completed: January 24, 2025