

Rep. Nelson, Carr. 5
Rep. Fothergill, Coos 1
Rep. Ticehurst, Carr. 3
Rep. Sherman, Rock. 24
April 7, 2016
2016-1313h
01/09

Amendment to SB 523-FN

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

2

3 AN ACT relative to the controlled drug prescription health and safety program and
4 establishing a commission to study requiring controlled drugs and controlled
5 drug analogs to be provided in abuse-deterrent formulation.
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7 Amend the bill by replacing all after section 1 with the following:

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9 2 New Section; Commission to Study Requiring Controlled Drugs and Controlled Drug Analogs
10 to be Provided in Abuse-Deterrent Formulation. Amend RSA 318-B by inserting after section 40 the
11 following new section:

12 318-B:41 Commission Established; Membership; Duties.

13 I. There is established a commission to study requiring controlled drugs and controlled drug
14 analogs to be provided in abuse-deterrent formulation.

15 (a) The members of the commission shall be as follows:

16 (1) One member of the senate, appointed by the president of the senate.

17 (2) One member of the house of representatives, appointed by the speaker of the
18 house of representatives.

19 (3) The commissioner of the department of health and human services, or designee.

20 (4) A pharmacist, appointed by the board.

21 (5) Three licensed physicians, one of whom shall specialize in pain medicine, one of
22 whom shall specialize in addiction medicine, and one of whom practices in the field of primary care
23 medicine, appointed by the board of medicine.

24 (6) An APRN, appointed by the New Hampshire board of nursing.

25 (7) A representative of an abuse-deterrent drug manufacturer, appointed by the
26 governor.

27 (8) A representative of an insurance company, appointed by the governor.

28 (9) The executive director of New Futures, or designee.

29 (b) Legislative members of the commission shall receive mileage at the legislative rate
30 when attending to the duties of the commission.

31 II.(a) The commission shall study requiring controlled drugs and controlled drug analogs to

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1 be provided in abuse-deterrent formulation when available. The commission's study shall include,
2 but not be limited to:

3 (1) The cost effectiveness of requiring such drugs to be provided in abuse-deterrent
4 formulation.

5 (2) Whether the abuse-deterrent formulation of the drugs work.

6 (3) Whether the abuse-deterrent formulation of such drugs are readily available.

7 (4) The effect requiring such drugs to be provided in abuse-deterrent formulation
8 will have on insurance premiums.

9 (5) A review of current insurance carrier coverage and prior authorization practices.

10 (b) The commission shall solicit information from any person or entity the commission
11 deems relevant to its study.

12 III. The members of the commission shall elect a chairperson from among the members.
13 The first meeting of the commission shall be called by the senate member. The first meeting of the
14 commission shall be held within 45 days of the effective date of this section. Six members of the
15 commission shall constitute a quorum.

16 IV. The commission shall make a report on or before November 1, 2016 indicating its
17 findings and any recommendations for proposed legislation to the president of the senate, the
18 speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the
19 state library.

20 3 Repeal. RSA 318-B:41, relative to a commission to study requiring controlled drugs and
21 controlled drug analogs to be provided in abuse-deterrent formulation, is repealed.

22 4 Effective Date.

23 I. Section 3 of this act shall take effect November 1, 2016.

24 II. Section 2 of this act shall take effect upon its passage.

25 III. The remainder of this act shall take effect January 1, 2017.

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AMENDED ANALYSIS

This bill:

I. Adds naturopaths to the definition of practitioner for the purposes of the controlled drug prescription health and safety program.

II. Establishes a commission to study requiring controlled drugs and controlled drug analogs to be provided in abuse-deterrent formulation.