

Amendment to HB 463-FN

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

2
3 AN ACT relative to licensure of pharmacist assistants.
4

5 Amend the bill by replacing all after the enacting clause with the following:
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7 1 New Paragraph; Definition; Licensed Pharmacist Assistant. Amend RSA 318:1 by inserting
8 after paragraph XXXII the following new paragraph:

9 XXXIII. "Licensed pharmacist assistant" means a person licensed by the board who:

10 (a) May perform all functions allowed by federal or state law and approved by the
11 board, under the supervision of a licensed pharmacist who is physically on premises and holds an
12 unrestricted license issued by the board.

13 (b) May conduct product verification, process refills, verify repackaging of drugs, and
14 perform other pharmacist tasks not required to be completed by a licensed pharmacist.

15 (c) May perform duties allowed by either certified or registered pharmacy technicians.

16 (d) Shall not interpret or evaluate a prescription or drug order, verify a compounded
17 drug, or counsel or advise individuals related to the clinical use of a medication.

18 2 New Paragraph; Pharmacy; Rulemaking; Licensed Pharmacist Assistant. Amend RSA 318:5-
19 a by inserting after paragraph XI-b the following new paragraph:

20 XI-c. Licensure of pharmacist assistants, including:

21 (a) Requirements for licensure, including experience and education requirements.

22 (b) The duties, functions, and standards of conduct of licensed pharmacist assistants.

23 (c) Standards for the supervision of licensed pharmacist assistants by licensed
24 pharmacists.

25 (d) Standards for denial and revocation of licensure.

26 (e) Establishment of the effective period of a license.

27 (f) Requirements for renewal of a license.

28 (g) Requirements for reinstatement of a license.

29 3 New Section; Licensed Pharmacist Assistant. Amend RSA 318 by inserting after section 15-b
30 the following new section:

31 318:15-c Licensed Pharmacist Assistants.

32 I. No person employed as a licensed pharmacist assistant shall perform the functions or

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1 duties of a licensed pharmacist assistant as defined in RSA 318:1, XXXIII unless such person is
2 issued a license by the board and does so under standards of supervision established by rules of the
3 board adopted pursuant to RSA 318:5-a, XI-c.

4 II. When a pharmacy employs a licensed pharmacist assistant, in addition to dispensing
5 prescriptions the pharmacist shall provide clinical services and the pharmacy owner shall provide
6 the resources necessary for the pharmacist to safely provide the clinical services as determined in
7 rules adopted by the board.

8 III. Nothing in this section shall require a pharmacy to employ a licensed pharmacist
9 assistant.

10 4 Fees; Licensed Pharmacist Assistant. Amend RSA 318:6-a, I to read as follows:

11 I. The board shall establish fees for examination of applicants, for licenses and for renewal
12 of licenses to practice pharmacist, ***for licensure of pharmacist assistants***, for registration and
13 certification of pharmacy technicians, and for transcribing and transferring records and other
14 services.

15 5 Notification; Reference Added. Amend RSA 318:26-a to read as follows:

16 318:26-a Change in Name, Employment, or Residence. Any pharmacist, ***licensed pharmacist***
17 ***assistant***, or pharmacy technician who changes his or her name, place or status of employment, or
18 residence shall notify the board in writing within 15 days. For failure to report such a change
19 within 15 days, the board may suspend the pharmacist's license, ***the pharmacist assistant's***
20 ***license***, or the pharmacy technician's registration. Reinstatement shall be made only upon
21 payment of a reasonable fee as established by the board.

22 6 Continuous Quality Improvement Program; Reference Added. Amend RSA 318:45-a, II to
23 read as follows:

24 II. A CQI program may be comprised of staff members of the pharmacist, including
25 pharmacists, registered pharmacist interns, ***licensed pharmacist assistants***, registered
26 pharmacy technicians, clerical staff, and other personnel deemed necessary by the pharmacist in
27 charge or the consultant pharmacist of record.

28 7 Receipt of Oral Prescriptions. Amend RSA 318:47-c, I(a) to read as follows:

29 I.(a) A prescription may be written, oral, or electronically transmitted. All oral
30 prescriptions shall be immediately reduced to writing by the pharmacist ~~[or]~~, authorized technician,
31 ***or licensed pharmacist assistant*** receiving the oral prescription and shall indicate at least the
32 name of the patient; the name, strength, and quantity of the drug prescribed; any directions
33 specified by the prescriber; the name of the practitioner prescribing the medication; the date the
34 prescription was ordered; a statement that the prescription was presented orally; and the name of
35 the pharmacist who took the oral order. The pharmacist who dispensed an original prescription
36 shall indicate on the face of the prescription at least the assigned prescription identification
37 number; the date of dispensing; the quantity actually dispensed; and his or her name or initials.

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- 1 The prescription shall be filed numerically by the assigned identification number for a period not
- 2 less than 4 years. Such prescription files shall be open to inspection by the pharmacist board and
- 3 its agents.
- 4 8 Effective Date. This act shall take effect July 1, 2019.

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2019-0466h

AMENDED ANALYSIS

This bill establishes the duties of and requirements for the licensure of pharmacist assistants working in a pharmacy under a supervising pharmacist.