

Floor Amendment to HB 1627-FN-A

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

2
3 AN ACT establishing an education freedom account program administrator in the department
4 of education and making an appropriation therefor; relative to the school meals
5 direct certification with Medicaid program; and permitting pharmacists to dispense
6 the drug ivermectin by means of a standing order.
7

8 Amend the bill by inserting after section 3 the following and renumbering the original section 4 to
9 read as 8:

10
11 4 New Section; Ivermectin; Dispensing. Amend RSA 318 by inserting after section 47-m the
12 following new section:

13 318:47-n Ivermectin; Dispensing.

14 I. In this section, "standing order" means a written and signed protocol authored by one or
15 more physicians licensed under RSA 329:12 or one or more advanced practice registered nurses
16 licensed under RSA 326-B:18. Such agreement shall specify a protocol allowing the pharmacist
17 licensed under RSA 318:18 to dispense ivermectin under the delegated prescriptive authority of the
18 physician or advanced practice registered nurse, specify a screening protocol for each patient, specify
19 a requirement to document screening performed and the prescription in the patient's medical record,
20 and include a plan for referring for evaluation and treatment of adverse events. Any such
21 prescription shall be regarded as being issued for a legitimate medical purpose in the usual course of
22 professional practice.

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

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

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

Floor Amendment to HB 1627-FN-A
- Page 2 -

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

13 5 New Section; Prescription and Administration of Ivermectin. Amend RSA 329 by inserting
14 after section 1-h the following new section:

15 329:1-i 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 6 New Section; Prescription and Administration of Ivermectin. Amend RSA 326-B by inserting
19 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 7 New Section; Prescription and Administration of Ivermectin. Amend RSA 318 by inserting
25 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.

Floor Amendment to HB 1627-FN-A
- Page 3 -

2022-1248h

AMENDED ANALYSIS

This bill:

I. Establishes the position of education freedom account administrator in the department of education, division of learner support, and makes an appropriation to the department for the position.

II. Requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program.

III. Allows pharmacists to dispense ivermectin pursuant to a standing order entered into by licensed health care providers.