

Amendment to SB 119-FN

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

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3 AN ACT relative to Medicaid pharmaceutical services and relative to standing orders for
4 Ivermectin.

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6 Amend the bill by replacing all after section 3 with the following:

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8 4 New Section; Pharmacists and Pharmacies; Ivermectin; Dispensing. Amend RSA 318 by
9 inserting after section 47-m the following new section:

10 318:47-n Ivermectin; Dispensing.

11 I. In this section, "standing order" means a written and signed protocol authored by one or
12 more physicians licensed under RSA 329:12 or one or more advanced practice registered nurses
13 licensed under RSA 326-B:18. Such agreement shall specify a protocol allowing the pharmacist
14 licensed under RSA 318:18 to dispense Ivermectin under the delegated prescriptive authority of the
15 physician or advanced practice registered nurse, specify a screening protocol for each patient, specify
16 a requirement to document screening performed and the prescription in the patient's medical record,
17 and include a plan for referring for evaluation and treatment of adverse events; provided that the
18 standing order shall not be used if the patient is pregnant or under 18 years of age. Any such
19 prescription shall be regarded as being issued for a legitimate medical purpose in the usual course of
20 professional practice.

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

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

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

31 V. The pharmacist shall provide each recipient of Ivermectin pursuant to this section with
32 an information sheet written in plain language, which shall include, but is not limited to, potential

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1 adverse effects, drug interactions, Food and Drug Administration-approved indications for
2 Ivermectin use, the importance of follow-up care, and health care referral information.

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

11 5 New Section; Physicians and Surgeons; Prescription and Administration of Ivermectin.
12 Amend RSA 329 by inserting after section 31-b the following new section:

13 329:31-c Prescription and Administration of Ivermectin. The board of medicine shall not deny,
14 revoke, suspend, or otherwise take disciplinary action against a physician based on a pharmacist's
15 failure to follow standing orders provided the provisions of RSA 318:47-n are satisfied.

16 6 New Section; Nurse Practice Act; Prescription and Administration of Ivermectin. Amend RSA
17 326-B by inserting after section 37 the following new section:

18 326-B:37-a Prescription and Administration of Ivermectin. The board of nursing shall not deny,
19 revoke, suspend, or otherwise take disciplinary action against an advanced practice registered nurse
20 based on a pharmacist's failure to follow standing orders provided the provisions of RSA 318:47-n are
21 satisfied.

22 7 New Section; Pharmacists and Pharmacies; Prescription and Administration of Ivermectin.
23 Amend RSA 318 by inserting after section 16-f the following new section:

24 318:16-g Prescription and Administration of Ivermectin. The board of pharmacy shall not deny,
25 revoke, suspend, or otherwise take disciplinary action against a pharmacist who follows standing
26 orders based on a defect in those standing orders provided the provisions of RSA 318:47-n are
27 satisfied.

28 8 Effective Date. This act shall take effect July 1, 2025.

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AMENDED ANALYSIS

This bill:

I. Directs pharmacists to dispense brand name drugs to Medicaid beneficiaries when the brand name drug is on the department of health and human services preferred drug list.

II. Directs the department to develop a standing order for certain Medicaid-covered, over-the-counter medications, medical supplies, and laboratory tests when deemed medically necessary and cost effective by the department.

III. Allows a pharmacist to follow a standing order from a physician or advance practice registered nurse to dispense Ivermectin without a prior prescription.