SB 250 - VERSION ADOPTED BY BOTH BODIES

03/20/2025 0977s

2025 SESSION

25-1029
05/09

SENATE BILL ***250***

AN ACT relative to pharmacist administration of long-acting injectable drugs.

SPONSORS: Sen. Rochefort, Dist 1; Sen. Avard, Dist 12; Sen. Rosenwald, Dist 13; Sen. Birdsell, Dist 19; Sen. Prentiss, Dist 5; Rep. Grote, Rock. 24

COMMITTEE: Health and Human Services

ANALYSIS

This bill allows pharmacists to administer certain long-acting controlled drugs pursuant to a prescription.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to pharmacist administration of long-acting injectable drugs.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Pharmacists; Administration of Controlled Drugs. Amend RSA 318-B:9 to read as follows:

318-B:9 Sale by Pharmacists.

I. A pharmacist, in good faith and in the course of his or her professional practice, may sell**,** [~~and~~] dispense***, and administer*** controlled drugs exempt under the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended, and federal food and drug laws from prescription requirements. A pharmacist, in good faith, may sell**,** [~~and~~] dispense***, and administer*** controlled drugs requiring prescriptions to any person upon the written or electronically transmitted prescription of a practitioner, provided it is properly executed, dated and when required by law, manually or electronically signed by the person prescribing on the day when issued and bears the full name and address of the patient for whom, or of the owner of the animal for which, the drug is dispensed***, or administered***, or upon oral prescription, in pursuance of regulations promulgated by the Department of Justice of the United States, under the provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended where applicable, provided said oral prescription is promptly reduced to writing by the pharmacist or authorized technician, stating the name of the practitioner so prescribing, the date, the full name and address of the patient for whom, or the owner of the animal for which, the drug is dispensed ***or administered***, and, in all instances, the full name, address and registry number under the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended, or federal food and drug laws of the person so prescribing. If the prescription is for an animal, it shall state the species of animal for which the drug is prescribed. The person filling the prescription shall indicate the date of filling and his or her name on the face or record of the prescription. The prescription shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of 4 years so as to be readily accessible for the inspection of any officers engaged in the enforcement of this chapter. The prescription as to a controlled drug may be refilled pursuant to the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended. The person refilling a prescription for a controlled drug shall record on the prescription record the date of refill, the quantity dispensed, and his or her initials.

II. The legal owner of any stock of controlled drugs in a pharmacy, upon discontinuance of dealing in said drugs, may sell said stock to a manufacturer, wholesaler, or registered pharmacy but only upon an official written order, and in accordance with the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended, and regulations where applicable. A licensed

pharmacy only upon an official written order may sell controlled drugs in schedule II to a practitioner to be used for medical purposes.

III. Prescriptions issued by practitioners for controlled drugs shall be executed in clear, concise, readable form. Each prescription shall contain the following information and comply with the following requirements:

(a) The full name and complete address of the patient or of the owner of the animal for which the drug is prescribed.

(b) The day, month, and year the prescription is issued.

(c) The name of the controlled drug prescribed. Only one controlled drug shall appear on a prescription blank.

(d) The strength of the controlled drug prescribed.

(e) The specific directions for use of the controlled drug by the patient.

(f) No refills shall be authorized for controlled drugs in schedule II of the current chapter 21, Code of Federal Regulations.

(g) The federal Drug Enforcement Administration registration number of the practitioner.

(h) The practitioner shall manually or electronically sign the prescription on the date of issuance.

(i) The practitioner's full name shall be printed, rubber stamped, or typewritten above or below the manual or electronic signature.

(j) A practitioner shall not issue a prescription in order to obtain controlled substances for the purpose of general dispensing to his or her patients.

(k) A practitioner shall not issue a prescription to himself or herself or his or her immediate family which includes a spouse, children or parents.

(l) A prescription shall be deemed invalid if it is not filled within 6 months from the date prescribed.

IV. No prescription shall be filled for more than a 34-day supply upon any single filling for controlled drugs of schedules II or III; provided, however, that for controlled drugs, in schedules II or III, that are commercially packaged for ***administering or*** dispensing directly to the patient, such as metered sprays and inhalers, liquids packaged in bottles with calibrated droppers, and certain topical preparations packaged with metered dispensing pumps may be filled for greater than a 34-day supply, but not more than 60 days, utilizing the smallest available product size, in order to maintain the dosing integrity of the commercially packaged containers; and, provided that:

(a) With regard to amphetamines and methylphenidate hydrochloride, a prescription may be filled for up to a 90-day supply if either such prescription specifies it is being used for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy; and

(b) With regard to a topically applied androgen, a prescription may be filled for up to a 90-day supply if the prescription specifies it is being used for the treatment of chronic low testosterone replacement therapy.

V. Notwithstanding the provisions of RSA 318-B:26, it shall be a misdemeanor for a practitioner to issue or a pharmacist to fill a prescription that does not meet the requirements of this section.

VI. A pharmacist employed by a pharmacy located in a hospital may dispense cannabis-type drugs prescribed under RSA 318-B:10, VI, to any person upon the written prescription of an attending physician, provided it is properly executed, dated, and signed by the person prescribing on the day when issued and bears the full name and address of the patient for whom the drug is dispensed. The pharmacist filling the prescription shall write the date of filling and his own signature on the face of the prescription.

VII. A pharmacist that administers drugs shall be reimbursed for administration services in addition to the reimbursement for the drug.

2 Effective Date. This act shall take effect 60 days after its passage.