

CHAPTER 221
SB 61-FN - FINAL VERSION

2025 SESSION

25-0979
05/11

SENATE BILL ***61-FN***

AN ACT relative to prescriptions for state prisoners paid for by the department of corrections.

SPONSORS: Sen. Gray, Dist 6

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill permits the department of corrections to enter into purchasing agreements with drug manufacturers, if that agreement is cost beneficial to the state. This bill also eliminates the requirement for notification to be completed in the pharmacist's own handwriting.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 221
SB 61-FN - FINAL VERSION

25-0979
05/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to prescriptions for state prisoners paid for by the department of corrections.

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

1 221:1 Medical Services for State Prisoners. Amend RSA 623-C:2, III to read as follows:

2 III. Pharmacists shall substitute generically equivalent drug products for all legend and non-
3 legend prescriptions paid for by the department of corrections, ~~[including the Medicaid program,]~~ unless
4 the prescribing practitioner specifies that the brand name drug product is medically necessary. ~~[Such~~
5 ~~notification shall be in the practitioner's own handwriting and shall be retained in the pharmacist's file.]~~
6 ***The pharmacist shall not select an equivalent drug product unless its price to the purchaser or payor is***
7 ***less than the price of the prescribed drug product. The department may enter into agreements or***
8 ***collaborative purchasing structures to buy or acquire therapeutic agents that will result in cost savings to***
9 ***the department.*** The commissioner of the department of corrections may waive the application of RSA
10 623-C:2, I if the commissioner determines such action is necessary to ensure the availability of
11 prescription and other pharmaceutical services to persons served by the state or to avert serious
12 economic hardship in the provision of prescriptions and other pharmaceutical services. ~~[For Medicaid fee~~
13 ~~for service clients, no prior authorization for generically equivalent drugs shall be required.]~~

14 221:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 15, 2025
Effective Date: September 13, 2025

