

HB 732-FN - AS INTRODUCED

2025 SESSION

25-0756

05/11

HOUSE BILL

732-FN

AN ACT to enhance informed consent and accountability in psychotropic drug prescriptions for children under Medicaid.

SPONSORS: Rep. Cordelli, Carr. 7; Rep. Layon, Rock. 13; Rep. M. Pearson, Rock. 34; Rep. Mazur, Hills. 44; Sen. Gannon, Dist 23; Sen. Sullivan, Dist 18

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill requires medical care providers to review FDA medication guides with the parent or guardian before prescribing a psychotropic drug for a minor under Medicaid.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 to enhance informed consent and accountability in psychotropic drug prescriptions for children under Medicaid.

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

1 1 New Section; Psychotropic Drug Prescriptions for Children under Medicaid; Informed Consent
2 Required. Amend RSA 167 by inserting after section 3-m the following new section:

3 167:3-n Psychotropic Drug Prescriptions for Children under Medicaid; Informed Consent
4 Required.

5 I. In this section:

6 (a) "Psychotropic drugs" shall have the same meaning as "psychotropic medication",
7 defined in RSA 169-D:2, XIII-a, and shall include stimulants, including ADHD drugs such as
8 methylphenidate, antidepressants, antipsychotics, and other behavioral drugs.

9 (b) "Medical care providers" shall have the same meaning as in RSA 507-E:1, II.

10 (c) "FDA medication guides" are handouts that come with many prescription medicines.
11 The guides address issues that are specific to particular drugs and drug classes, and they contain
12 FDA-approved information that can help patients avoid serious adverse events.

13 II.(a) Medical care providers prescribing psychotropic drugs to minors under Medicaid shall
14 provide FDA medication guides to parents or legal guardians before the prescription is issued.

15 (b) A physical copy of the FDA medication guide shall be printed and reviewed with the
16 parent or legal guardian to explain:

17 (1) The FDA-identified risks of the medication, including pediatric-specific warnings.

18 (2) The signs of potential side effects and adverse drug reactions detailed within the
19 medication guide.

20 III. Before a medical care provider prescribes a psychotropic drug, the provider shall obtain
21 written informed consent from the parent or legal guardian, confirming they have received and
22 reviewed the FDA medication guide and understand the associated risks and side effects.

23 IV. Medical care providers who fail to comply with the requirements of this section may face
24 penalties, including suspension of Medicaid reimbursements.

25 V. Medical care providers who fail to comply with the informed consent and medication
26 guide requirements of this section shall be reported to the board of medicine.

27 2 Effective Date. This act shall take effect April 1, 2026.

LBA
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1/10/25

**HB 732-FN- FISCAL NOTE
AS INTRODUCED**

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FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of Health and Human Services. The Department was contacted on 12/27/24 for a fiscal note worksheet. When completed, the fiscal note will be forwarded to the House Clerk's Office.

AGENCIES CONTACTED:

Department of Health and Human Services