

Amendment to HB 1022

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 New Section; Ivermectin; Dispensing. Amend RSA 318 by inserting after section 47-m the  
4 following new section:

5 318:47-n Ivermectin; Dispensing.

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

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

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

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

25 V. The pharmacist shall provide each recipient of ivermectin pursuant to this section with  
26 an information sheet written in plain language, which shall include, but is not limited to, potential  
27 adverse effects, drug interactions, Food and Drug Administration-approved indications for  
28 ivermectin use, the importance of follow-up care, and health care referral information.

29 VI. The board of medicine shall not deny, revoke, suspend, or otherwise take disciplinary  
30 action against a physician based on a pharmacist's failure to follow standing orders provided the  
31 provisions of this section are satisfied. The board of nursing shall not deny, revoke, suspend, or  
32 otherwise take disciplinary action against an advanced practice registered nurse based on a

**Amendment to HB 1022**

**- Page 2 -**

1 pharmacist's failure to follow standing orders provided the provisions of this section are satisfied.  
2 The board of pharmacy shall not deny, revoke, suspend, or otherwise take disciplinary action against  
3 a pharmacist who follows standing orders based on a defect in those standing orders provided the  
4 provisions of this section are satisfied.

5 2 New Section; Prescription and Administration of Ivermectin. Amend RSA 329 by inserting  
6 after section 1-h the following new section:

7 329:1-i Prescription and Administration of Ivermectin. The board of medicine shall not deny,  
8 revoke, suspend, or otherwise take disciplinary action against a physician based on a pharmacist's  
9 failure to follow standing orders provided the provisions of RSA 318:47-n are satisfied.

10 3 New Section; Prescription and Administration of Ivermectin. Amend RSA 326-B by inserting  
11 after section 37 the following new section:

12 326-B:37-a Prescription and Administration of Ivermectin. The board of nursing shall not deny,  
13 revoke, suspend, or otherwise take disciplinary action against an advanced practice registered nurse  
14 based on a pharmacist's failure to follow standing orders provided the provisions of RSA 318:47-n are  
15 satisfied. .

16 4 New Section; Prescription and Administration of Ivermectin. Amend RSA 318 by inserting  
17 after section 16-f the following new section:

18 318:16-g Prescription and Administration of Ivermectin. The board of pharmacy shall not deny,  
19 revoke, suspend, or otherwise take disciplinary action against a pharmacist who follows standing  
20 orders based on a defect in those standing orders provided the provisions of RSA 318:47-n are  
21 satisfied.

22 5 Effective Date. This act shall take effect 60 days after its passage.