

CHAPTER 131
SB 147-FN – FINAL VERSION

03/14/13 0758s
05/23/13 1771EBA

2013 SESSION

13-0961
01/05

SENATE BILL ***147-FN***

AN ACT relative to prescription drugs in workers' compensation cases.

SPONSORS: Sen. D'Allesandro, Dist 20

COMMITTEE: Commerce

AMENDED ANALYSIS

This bill requires pharmacies to substitute generic drugs unless the prescribing physician indicates that the brand name drug is medically necessary, provided that in cases where the legend drug is less expensive, the legend drug shall be used.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to prescription drugs in workers' compensation cases.

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

1 131:1 New Paragraph; Workers' Compensation; Medical, Hospital, and Remedial Care. Amend
2 RSA 281-A:23 by inserting after paragraph VI the following new paragraph:

3 VII. Pharmacies, including mail-order pharmacies, shall substitute generically equivalent
4 drug products for all legend and non-legend prescriptions unless the prescribing practitioner
5 handwrites "medically necessary" on each paper prescription, uses electronic indications when
6 transmitted electronically, or gives instructions when transmitted orally that the brand name drug
7 product is medically necessary; provided that in cases where the legend drug is less expensive, the
8 legend drug shall be used. Prescription refills shall not require the reissuance of the "medically
9 necessary" indication.

10 131:2 Contingent Renumbering. If SB 95 of the 2013 regular legislative session becomes law,
11 RSA 281-A:23, VII as inserted by section 1 of this act shall be renumbered as RSA 281-A:23, VIII.

12 131:3 Effective Date. This act shall take effect January 1, 2014.

13

14 Approved: June 25, 2013

15 Effective Date: January 1, 2014