

**SB 356 – AS INTRODUCED**

2014 SESSION

14-2819  
01/10

SENATE BILL        **356**

AN ACT            relative to agreements between health care providers and patients regarding prescription drugs and workers' compensation.

SPONSORS:        Sen. D'Allesandro, Dist 20

COMMITTEE:      Commerce

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ANALYSIS

This bill requires an injured worker and his or her health care provider to enter into an agreement containing certain information if certain medication is prescribed.

This bill is a result of the committee to study the use and misuse of prescription drugs in workers' compensation cases, established in 2013, 161.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT                   relative to agreements between health care providers and patients regarding prescription drugs and workers' compensation.

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

1           1 Findings and Purpose.

2           I. The general court finds that:

3               (a) The use and misuse of prescription drugs has become a significant problem in our state.

4               (b) The incidence of dependency, addiction, and death continues to increase at an  
5 alarming rate.

6               (c) The problem has broad implications in our society, including the workplace.

7               (d) A focus on the prescription drug abuse problem in the workplace can benefit injured  
8 workers and their families, as well as employers, and may provide solutions which can be adopted  
9 more broadly.

10              (e) Agreements between providers who prescribe opioids and injured workers who take  
11 them have been found to be effective in reducing drug abuse.

12           II. Therefore, the general court hereby requires that patients and providers enter into  
13 agreements if certain medication is prescribed.

14           2 New Section; Workers' Compensation; Prescription Drug Patient Provider Agreement. Amend  
15 RSA 281-A by inserting after section 23-b the following new section:

16           281-A:23-c Prescription Drug Patient Provider Agreement.

17           I. An agreement containing the following provisions shall be entered into between an injured  
18 employee and health care provider if medication with a morphine equivalent of 120 milligrams or  
19 greater is prescribed:

20               (a) A statement describing the risks of the medication, including physical dependence or  
21 addiction, psychological dependence and risk to nursing and unborn children, and how the risks are  
22 affected by drug dosage and period of time.

23               (b) The employee's promise to disclose all other prescriptions, and not to exceed  
24 prescribed dosage.

25               (c) The employee's agreement to seek opioids only from the health care provider with  
26 whom the agreement is made.

27               (d) The health care provider's assessment of addiction potential of the injured employee  
28 and whether cognitive therapy would be beneficial.

29           II. A statement of the potential consequences for violation of the agreement shall be made  
30 available to the patient.

31           3 Effective Date. This act shall take effect January 1, 2015.