

# STATE OF NEW HAMPSHIRE

## Inter-Department Communication

**DATE:** November 7, 2021

**FROM:** Scott F. Eaton  
Administrative Rules Director

**AT (OFFICE):** Legislative Services

**SUBJECT:** Final Proposal 2021-67 Pharmacist Initiation and Dispensing of Hormonal Contraceptives

**To:** File

Attached are Mike Morrell's comments on Final Proposal 2021-67 from the Pharmacy Board (Board) regarding the adoption of Ph 2400 on pharmacist initiation and dispensing of hormonal contraceptives pursuant to RSA 318:47-1, which was effective 8-7-21.

The substantive comments are on pages 1 through 5. Most of the substantive comments to the rules relate to the public interest due to lack of clarity and to legislative intent due to potential oral rulemaking in violation of RSA 541-A:22, I. There are also comments on pages 2, 3, and 4 due to noncompliance with the requirements of incorporation by reference pursuant to RSA 541-A:12, III-VII and on pages 3 and 4 with the requirements on RSA 541-A:19-b relative to forms.