

Section 1 Header

2018 SESSION

18-2207.0  
01/04

HOUSE BILL            *[bill number]*

AN ACT                making hormonal contraceptives available directly from pharmacists by means of  
a collaborative pharmacy practice agreement.

SPONSORS:            [sponsors]

COMMITTEE:          [committee]

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ANALYSIS

This bill allows pharmacists to dispense hormonal contraceptives pursuant to a collaborative pharmacy practice agreement entered into by health care providers.

This bill is the result of the commission established pursuant to 2017, 23.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT making hormonal contraceptives available directly from pharmacists by means of a collaborative pharmacy practice agreement.

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

1 1 Pharmacies; Definitions. Amend RSA 318:1, VI-f to read as follows:

2 VI-f. ***"Hormonal contraceptives" means pills, shots, patches, and rings which the***  
3 ***United States Food and Drug Administration (FDA) classifies as available by prescription***  
4 ***for the purpose of contraception or emergency contraception. It does not include similar***  
5 ***items classified as "over the counter" by the FDA.***

6 VI-g. "Law enforcement officer" means any officer of the state or political subdivision of the  
7 state who is empowered by law to conduct investigations of or to make arrests for offenses  
8 enumerated in this chapter.

9 2 New Section; Hormonal Contraceptives; Dispensing. Amend RSA 318 by inserting after  
10 section 47-k the following new section:

11 318:47-l Hormonal Contraceptives; Dispensing.

12 I. In this section, a "collaborative pharmacy practice agreement for contraceptives" means a  
13 written and signed agreement entered into voluntarily between one or more pharmacists licensed  
14 under RSA 318:18 and one or more physicians licensed under RSA 329:12 or one or more advanced  
15 practice registered nurses licensed under RSA 326-B:18. Such agreement shall specify a protocol  
16 allowing the pharmacist to dispense hormonal contraceptives under the delegated prescriptive  
17 authority of the physician or APRN, specify a mechanism to document screening performed and the  
18 prescription in the patient's medical record, and include a plan for evaluating and treating adverse  
19 events.

20 II. Licensed pharmacists who have an active collaborative pharmacy practice agreement for  
21 contraceptives may dispense hormonal contraceptives to persons in this state without a prior  
22 prescription. Such products shall only be dispensed by pharmacy employees, and shall not be  
23 accessible by the public without the assistance of a pharmacy employee.

24 III. A pharmacist or pharmacy shall not employ a physician or APRN for the sole purpose of  
25 forming a collaborative pharmacy practice agreement for contraceptives.

26 IV. The board shall adopt rules, pursuant to RSA 541-A, relative to administering this  
27 section. Rules already adopted regarding collaborative pharmacy agreements shall apply to  
28 collaborative practice agreements for contraceptives unless superseded by new rules. Rules shall  
29 include an educational requirement for pharmacists prior to entering into a collaborative pharmacy  
30 practice agreement for contraceptives.

**Section 3 Header**

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1           V. Health carriers, as defined in RSA 420-J:3, XXIII, shall ensure reasonable access to  
2 medication therapy management services provided by a pharmacist.

3           3 New Paragraph; Pharmacists; Rulemaking. Amend RSA 318:5-a by inserting after paragraph  
4 XVIII the following new paragraph:

5           XIX. Dispensing hormonal contraceptives in accordance with RSA 318:47-1.

6           4 Effective Date. This act shall take effect 60 days after its passage.