

AN ACT making hormonal contraceptives available directly from pharmacists.

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

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

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

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

318:47-l Hormonal Contraceptives prescribing by Pharmacists

(1) In accordance with rules adopted by the State Board of Pharmacy, Board of Medicine and Board of Nursing under RSA 541, a pharmacist may prescribe and dispense hormonal contraceptives to a person who is:

A- At least 18 years of age, regardless of whether the person has evidence of a previous prescription from a primary care practitioner or women's health care practitioner for a hormonal contraceptive;

B- Under 18 years of age, only if the person has evidence of a previous prescription from a primary care practitioner or women's health care practitioner for a hormonal contraceptive.

(2) The board shall adopt rules to establish, in consultation with the New Hampshire Medical Board, the New Hampshire Board of Nursing and the New Hampshire Department of Health and Human Services and in consideration of guidelines established by the American Congress of Obstetricians and Gynecologists, standard procedures for the prescribing of hormonal contraceptives by pharmacists.

(3) The rules adopted under this subsection shall require a pharmacist to:

a- Complete a training program approved by the State Board of Pharmacy and Board of Medicine that is related to prescribing hormonal contraceptives.

b- Provide a self-screening risk assessment tool that the patient must use prior to the pharmacist's prescribing the hormonal contraceptive;

c- Refer the patient to the patient's primary care practitioner or women's health care practitioner upon prescribing and dispensing the hormonal contraceptive;

d- Provide the patient with a written record of the hormonal contraceptive prescribed and dispensed and advise the patient to consult with a primary care practitioner or women's health care practitioner; and

e- Dispense the hormonal contraceptive to the patient as soon as practicable after the pharmacist issues the prescription.

(4) The rules adopted under this subsection must prohibit a pharmacist from:

a- Requiring a patient to schedule an appointment with the pharmacist for the prescribing

or dispensing of a hormonal contraceptive;

b- Prescribing and dispensing a hormonal contraceptive to a patient who does not have evidence of a clinical visit for women's health within the three years immediately following

the initial prescription and dispensation of a hormonal contraceptive by a pharmacist to the patient.

(5) All state and federal laws governing insurance coverage of contraceptive drugs, devices, products and services shall apply to hormonal contraceptives prescribed by a pharmacist under this section.

