

Amendment to HB 500

1 Amend the bill by inserting after section 1 the following and renumbering the original sections 2 - 6  
2 to read as 3 - 7, respectively:

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4 2 Telemedicine; Consent. Amend RSA 329:1-d, V(b) and (c) to read as follows:

5 (b) Maintain a medical record; ~~and~~

6 (c) Subject to the patient's consent, forward the medical record to the patient's primary  
7 care or treating provider, if appropriate; **and**

8 ***(d) Obtain oral or written consent from the patient or, if the patient is a minor,***  
9 ***from the patient's parent or guardian unless state or federal law allows a minor to consent***  
10 ***to treatment without the consent of a parent or guardian, for the provision of services***  
11 ***through telemedicine. For services delivered through telemedicine on an ongoing basis,***  
12 ***the practitioner need obtain consent from the patient or parent or guardian only once.***

13  
14 Amend RSA 326-B:2, XII(c) as inserted by section 4 of the bill by replacing it with the following:

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16 (c) ~~[It shall be unlawful for any person to prescribe by means of telemedicine a controlled~~  
17 ~~drug classified in schedule II through IV except for use in substance use disorder treatment.]~~ ***An***  
18 ***APRN licensed under this chapter may prescribe non-opioid and opioid controlled drugs***  
19 ***classified in schedule II through IV by means of telemedicine after establishing an***  
20 ***advanced practice registered nurse-patient relationship with the patient. When***  
21 ***prescribing a non-opioid or opioid controlled drug classified in schedule II through IV by***  
22 ***means of telemedicine a subsequent in-person exam shall be conducted by a practitioner***  
23 ***licensed to prescribe the drug at intervals appropriate for the patient, medical condition,***  
24 ***and drug, but not less than annually. The prescription authority under this paragraph***  
25 ***shall be limited to an APRN licensed under this chapter, and all prescribing shall be in***  
26 ***compliance with all federal and state laws and regulations. An APRN licensed under this***  
27 ***chapter shall obtain oral or written consent from the patient or, if the patient is a minor,***  
28 ***from the patient's parent or guardian unless state or federal law allows a minor to consent***  
29 ***to treatment without the consent of a parent or guardian, for the provision of services***  
30 ***through telemedicine. For services delivered through telemedicine on an ongoing basis,***  
31 ***the practitioner need obtain consent from the patient or parent or guardian only once.***

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AMENDED ANALYSIS

This bill:

- I. Modifies the procedure for physicians, physician assistants and APRN's to prescribe certain non-opioid and opioid controlled drugs by means of telemedicine.
- II. Clarifies the consent required to provide telemedicine services to a minor.