

Amendment to HB 2-FN-A-LOCAL

1 Insert the following new sections:

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3 1 Prescription Drug Affordability Board; Funding; Fees Removed. RSA 126-BB:8 is repealed
4 and reenacted to read as follows:

5 126-BB:8 Funding; General Funds and Voluntary Contributions.

6 I. The expenses and cost of operation of the board shall be funded by general funds or by
7 voluntary contributions deposited in the board's dedicated fund.

8 II. There is established a nonlapsing fund to be known as the New Hampshire prescription
9 drug affordability board administration fund, which shall be kept distinct and separate from all
10 other funds. The fund shall be appropriated to and administered by the board. Voluntary
11 contributions under this section shall be deposited in the fund. The board shall use the fund,
12 consistent with the provisions of this chapter, to receive funds and to reimburse costs incurred by the
13 board. The fund may be used to pay administrative, technical, legal support, or other costs incurred
14 by the board under this chapter. The state treasurer may invest moneys in the fund as provided by
15 law, and all interest received on such investment shall be credited to the fund. The dedicated fund
16 shall be subject to the provisions of RSA 6:12-j.

17 2 Prescription Drug Affordability Board; Drug Price Notifications and Disclosures;
18 Confidentiality; Registration; Suspension. RSA 126-BB:9, relative to drug price notifications and
19 disclosures, confidentiality, and registration by the prescription drug affordability board shall be
20 suspended for the biennium ending June 30, 2025.

21 3 Prescription Drug Affordability Board. Repeal. RSA 126-BB:10, relative to civil penalties, is
22 repealed.

23 4 Prescription Drug Affordability Board; Employee Authorization. RSA 126-BB:2, VI is repealed
24 and reenacted to read as follows:

25 VI. The board shall be administratively attached to the department of health and human
26 services. For a limited time, the board may employ an executive director, who shall be an
27 unclassified employee. The executive director shall be appointed by and serve at the pleasure of the
28 board. Said position shall be effective for no more than 2 years following the date of hire of the
29 individual first selected to fill the position. The board may also employ one contracted employee or
30 more, dependent on the availability of funds.

31 5 New Sections; Prescription Drug Affordability Board; Competitive Bid and Financial
32 Reporting Required. Amend RSA 126-BB by inserting after section 10 the following new sections:

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1 126-BB:11 Competitive Bid Required. The contracts entered into by the board, including those
2 for consulting services or personal contract services, shall be subject to the competitive bid process.
3 Such contracts shall also be approved by the fiscal committee of the general court, the governor, and
4 the executive council.

5 126-BB:12 Financial Report. The board shall annually report on any moneys spent by the
6 board, the source of such funds, the purpose of spending such funds, and the progress of any project
7 on which the funds were spent. Such report shall be submitted to the fiscal committee of the general
8 court, the committees having jurisdiction over the board in both the house of representatives and the
9 senate, the president of the senate, the speaker of the house of representatives, the senate clerk, the
10 house clerk, the governor, and the state library.

11 6 New Section; Insurance Department; Redundancy Elimination Report. Amend RSA 400-A by
12 inserting after section 67 the following new section:

13 400-A:68 Redundancy Elimination Report. The department of insurance, in collaboration with
14 the prescription drug affordability board established in RSA 126-BB, shall issue a report on the
15 elimination of redundancies related to the collection, analysis, and reporting on prescription drug
16 prices between the two organizations, including proposed legislation on such elimination, with the
17 overarching goal of promoting efficiency and economy. This report shall be submitted to the health
18 and human services oversight committee established in RSA 126-A:13, the speaker of the house of
19 representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the
20 state library on or before October 1, 2024.

21 7 Prospective Repeal. RSA 400-A:68, relative to the redundancy elimination report, is repealed.

22 8 Effective Date. Section 7 of this act shall take effect October 1, 2024.

2023-1195h

AMENDED ANALYSIS

Insert:

1. Alters the duties and authority of the prescription drug affordability board.
2. Mandates the department of insurance issue a report on the elimination of governmental redundancies related to the collection, analysis, and reporting on prescription drug prices between itself and the prescription drug affordability board by October 1, 2024.

UNAPPROVED