

HB 1022 - AS AMENDED BY THE HOUSE

16Mar2022... 0964h

2022 SESSION

22-2137

05/08

HOUSE BILL

1022

AN ACT permitting pharmacists to dispense the drug ivermectin by means of a standing order.

SPONSORS: Rep. Cushman, Hills. 2; Rep. Kofalt, Hills. 4; Rep. Sheehan, Hills. 23; Rep. Yakubovich, Merr. 24; Rep. Blasek, Hills. 21; Rep. Torosian, Rock. 14; Rep. Harley, Rock. 20; Rep. T. Lekas, Hills. 37

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

 This bill allows pharmacists to dispense ivermectin pursuant to a standing order entered into by licensed health care providers.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT permitting pharmacists to dispense the drug ivermectin by means of a standing order.

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

1 1 New Section; Ivermectin; Dispensing. Amend RSA 318 by inserting after section 47-m the
2 following new section:

3 318:47-n Ivermectin; Dispensing.

4 I. In this section, "standing order" means a written and signed protocol authored by one or
5 more physicians licensed under RSA 329:12 or one or more advanced practice registered nurses
6 licensed under RSA 326-B:18. Such agreement shall specify a protocol allowing the pharmacist
7 licensed under RSA 318:18 to dispense ivermectin under the delegated prescriptive authority of the
8 physician or advanced practice registered nurse, specify a screening protocol for each patient, specify
9 a requirement to document screening performed and the prescription in the patient's medical record,
10 and include a plan for referring for evaluation and treatment of adverse events. Any such
11 prescription shall be regarded as being issued for a legitimate medical purpose in the usual course of
12 professional practice.

13 II. Licensed pharmacists following standing orders may dispense ivermectin to persons in
14 this state without a prior prescription. Pharmacies may charge a fee for consultation with the
15 patient.

16 III. A pharmacist, pharmacy, physician, advanced practice registered nurse, or a medical
17 facility that employs a pharmacist, physician, or advanced practice registered nurse issuing or
18 following standing orders shall be prohibited from seeking personal financial benefit by participating
19 in any incentive-based program or accepting any inducement that influences or encourages
20 therapeutic or product changes or the ordering of tests or services.

21 IV. A pharmacist, physician, or advanced practice registered nurse shall be held to the same
22 standard of care as when prescribing and dispensing any other medication.

23 V. The pharmacist shall provide each recipient of ivermectin pursuant to this section with
24 an information sheet written in plain language, which shall include, but is not limited to, potential
25 adverse effects, drug interactions, Food and Drug Administration-approved indications for
26 ivermectin use, the importance of follow-up care, and health care referral information.

27 VI. The board of medicine shall not deny, revoke, suspend, or otherwise take disciplinary
28 action against a physician based on a pharmacist's failure to follow standing orders provided the
29 provisions of this section are satisfied. The board of nursing shall not deny, revoke, suspend, or
30 otherwise take disciplinary action against an advanced practice registered nurse based on a

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1 pharmacist's failure to follow standing orders provided the provisions of this section are satisfied.
2 The board of pharmacy shall not deny, revoke, suspend, or otherwise take disciplinary action against
3 a pharmacist who follows standing orders based on a defect in those standing orders provided the
4 provisions of this section are satisfied.

5 2 New Section; Prescription and Administration of Ivermectin. Amend RSA 329 by inserting
6 after section 1-h the following new section:

7 329:1-i Prescription and Administration of Ivermectin. The board of medicine shall not deny,
8 revoke, suspend, or otherwise take disciplinary action against a physician based on a pharmacist's
9 failure to follow standing orders provided the provisions of RSA 318:47-n are satisfied.

10 3 New Section; Prescription and Administration of Ivermectin. Amend RSA 326-B by inserting
11 after section 37 the following new section:

12 326-B:37-a Prescription and Administration of Ivermectin. The board of nursing shall not deny,
13 revoke, suspend, or otherwise take disciplinary action against an advanced practice registered nurse
14 based on a pharmacist's failure to follow standing orders provided the provisions of RSA 318:47-n are
15 satisfied. .

16 4 New Section; Prescription and Administration of Ivermectin. Amend RSA 318 by inserting
17 after section 16-f the following new section:

18 318:16-g Prescription and Administration of Ivermectin. The board of pharmacy shall not deny,
19 revoke, suspend, or otherwise take disciplinary action against a pharmacist who follows standing
20 orders based on a defect in those standing orders provided the provisions of RSA 318:47-n are
21 satisfied.

22 5 Effective Date. This act shall take effect 60 days after its passage.