

Committee Report

CONSENT CALENDAR

February 5, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Health, Human Services and Elderly
Affairs to which was referred HB 369-FN,**

**AN ACT relative to the controlled drug prescription
health and safety program. Having considered the same,
report the same with the recommendation that the bill
OUGHT TO PASS.**

Rep. William Marsh

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Health, Human Services and Elderly Affairs
Bill Number:	HB 369-FN
Title:	relative to the controlled drug prescription health and safety program.
Date:	February 5, 2019
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill requires prescribers to query the prescription drug monitoring program before prescribing opioids for substance use disorder, as they currently must for pain. Opioids are just as addictive whatever indication they are prescribed for. Those treating patients for substance use disorder need to know if their patients are receiving other opioids. Last, there is potential for diversion, most specifically when oral medications are injected instead.

Vote 20-0.

Rep. William Marsh
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Health, Human Services and Elderly Affairs

HB 369-FN, relative to the controlled drug prescription health and safety program. **OUGHT TO PASS.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill requires prescribers to query the prescription drug monitoring program before prescribing opioids for substance use disorder, as they currently must for pain. Opioids are just as addictive whatever indication they are prescribed for. Those treating patients for substance use disorder need to know if their patients are receiving other opioids. Last, there is potential for diversion, most specifically when oral medications are injected instead. **Vote 20-0.**

OK (handwritten)

COMMITTEE REPORT

COMMITTEE: Health

BILL NUMBER: HB 369-FN

TITLE: relative to the controlled drug prescription health and safety program

DATE: _____ CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. _____

STATEMENT OF INTENT:

This bill requires prescribers to query the ~~PDA~~ prescription drug monitoring program before prescribing opioids for substance use disorder, as they currently must for pain. Opioids are just as addictive whatever indication they are prescribed for. Those treating patients for substance use disorder need to know if their patients are receiving other opioids. Last, there is potential for diversion, most specifically when oral medications are injected instead.

COMMITTEE VOTE: 20-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Will - Linn WILLIAM MATHEN
For the Committee

Voting Sheets

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 369-FN

BILL TITLE: relative to the controlled drug prescription health and safety program.

DATE: February 5, 2019

LOB ROOM: 205

MOTIONS: OUGHT TO PASS

Moved by Rep. Marsh

Seconded by Rep. M. Pearson

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep Susan Ticehurst, Clerk

Respectfully submitted:

Susan Ticehurst

Rep Susan Ticehurst, Clerk



2019 SESSION

Health, Human Services and Elderly Affairs

Bill #: 369 Motion: OTP AM #: _____ Exec Session Date: 2-5-19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Weber, Lucy M. Chairman	✓		
Campion, Polly Kent Vice Chairman	✓		
MacKay, James R.	✓		
Snow, Kendall A.	✓		
Freitas, Mary C.	✓		
Ticehurst, Susan J. Clerk	✓		
Knirk, Jerry L.	✓		
Salloway, Jeffrey C.	✓		
Cannon, Gerri D.	✓		
Nutter-Upham, Frances E.			
Osborne, Richard G.	✓		
Schapiro, Joe	✓		
Woods, Gary L.	✓		
McMahon, Charles E.	✓		
Nelson, Bill G.	✓		
Guthrie, Joseph A.	✓		
Fothergill, John J.	✓		
Marsh, William M.	✓		
Pearson, Mark A.	✓		
Acton, Dennis F.	✓		
DeClercq, Edward			

Hearing Minutes

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 369-FN

BILL TITLE: relative to the controlled drug prescription health and safety program.

DATE: January 16, 2019

LOB ROOM: 205 **Time Public Hearing Called to Order:** 10:30 AM

Time Adjourned: 10:55 AM

Committee Members: Reps. Weber, Campion, Ticehurst, MacKay, Snow, Freitas, Knirk, Cannon, Nutter-Upham, R. Osborne, Schapiro, Woods, McMahon, Nelson, Guthrie, Fothergill, Marsh, M. Pearson, Acton, DeClercq and Stapleton

Bill Sponsors:

Rep. Marsh

Rep. Guthrie

Rep. Knirk

Rep. Kotowski

Rep. Crawford

Rep. Stapleton

Rep. MacDonald

Sen. Bradley

Sen. Rosenwald

Sen. Chandley

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Sponsor/Introduced By: Rep. Marsh -

Idea for the bill came from participation with the organization "Carroll County Response to Substance Abuse". Opioids are just as addictive, regardless of the purpose for which they are used. Licensed Alcohol and Drug Abuse Counselors and MLADACs consider consultation of the Prescription Drug Monitoring Program database to be best practice. This bill reduces the potential for diversion.

*** 1 Michelle Rico Jonas, Office of Professional Licensure, Prescription Drug Monitoring Program -**

The federal SAMSA requires that the provider goes through training to access the Prescription Drug Monitoring Program database. Providers who are waived, are given authority to provide medication assistance to those who have a substance use disorder. The waiver allows providers to see more patients. See testimony, "Medication Assisted Therapy - Quarterly List (through September 2018)" for number of waived providers and patients. LADACS would not be able to access database unless they are delegated by those who have permission to access it.

Chris Roblee, NH State Police -

There needs to be more security around access to controlled drugs. Law enforcement has access to the database with a court order. Medical examiner does have access when investigating a death.

Respectfully submitted,



Rep. Susan Ticehurst, Clerk

House Committee on Health, Human Services & Elderly Affairs
Public Hearing on HB 369

Bill Title:	Relative to the controlled drug prescription health and safety program.		
Date:	1/16/19		
Room:	205	Time Public Hearing Called to Order:	10:30
		Time Adjourned:	10:55

Committee Members Present:

X	Shapiro
X	Cannon
X	Stapleton
X	Nutter-Upham
X	Marsh
X	Salloway
X	Fothergill
X	Freitas
X	MackKay
X	Ticehurst
X	Weber

X	DeClerq
X	Osborne
X	Acton
X	Woods
X	Pearson
X	Knirk
X	Guthrie
	Snow
X	McMahon
X	Campion

Testimony

* Use asterisk if written testimony and/or amendments are submitted.

*	Attch #	Name	Testimony:
		Sponsor/Introduced By: Rep. Marsh	Idea for the bill came from participation with the organization "Carroll County Response to Substance Abuse". Opioids are just as addictive, regardless of the purpose for which they are used. Licensed Alcohol and Drug Abuse Counselors and MLADACs consider consultation of the Prescription Drug Monitoring Program database to be best practice. This bill reduces the potential for diversion.
*	1	Michelle Rico Jonas,	The federal SAMSA requires that the

		Office of Professional Licensure, Prescription Drug Monitoring Program	provider goes through training to access the Prescription Drug Monitoring Program database. Providers who are waived, are given authority to provide medication assistance to those who have a substance use disorder. The waiver allows providers to see more patients. See testimony, "Medication Assisted Therapy – Quarterly List (through September 2018)" for number of waived providers and patients. LADACS would not be able to access database unless they are delegated by those who have permission to access it.
		Chris Roblee, NH State Police	There needs to be more security around access to controlled drugs. Law enforcement has access to the database with a court order. Medical examiner does have access when investigating a death.

Respectfully submitted,

Rep. Susan Ticehurst, Clerk

Testimony

Medication Assisted Therapy – Quarterly List (through September 2018)

Provider Type	Waivered Quantity	Number of Providers	No. Providers Actively Prescribing	No. Providers Not Registered in PDMP
Physicians	30	217		19*
Physician Assistant	30	12		0
Nurse Practitioner	30	98		14*
TOTAL		327		33

Provider Type	Waivered Quantity	Number of Providers	No. Providers Actively Prescribing	No. Providers Not Registered in PDMP
Physicians	100	74		11*
Physician Assistant	100	2		0
Nurse Practitioner	100	19		2*
TOTAL		95		13

Provider Type	Waivered Quantity	Number of Providers	No. Providers Actively Prescribing	No. Providers Not Registered in PDMP
Physicians	275	35		4*
Physician Assistant	275	0		0
Nurse Practitioner	275	0		0
TOTAL		35		4

(*) Three Physicians waived for 30 may not be providing services in the State of New Hampshire

(*) One Physician waived for 100 may not be providing services in the State of New Hampshire

(*) One Physician waived for 275 may not be providing services in the State of New Hampshire

(*) Two NP waived for 30 may not be providing services in the State of New Hampshire

(*) One NP waived for 100 may not be providing services in the State of New Hampshire

Activity data is forthcoming.

Fiscal Notes

HB 369-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to the controlled drug prescription health and safety program.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<i>Funding Source:</i>	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Fees collected by the Office of Professional Licensure and Certification per RSA 310-A:1-e.			

METHODOLOGY:

This bill requires certain boards within the Office of Professional Licensure and Certification (OPLC) to adopt rules relative to queries from the Prescription Drug and Monitoring Program (PDMP) by professionals treating patients with substance use disorders. The OPLC states that, by adding an additional sub-category of treatment professionals (social workers involved in substance use disorder treatment) to the list of those allowed to review PDMP information, the bill may potentially result in an increase in noncompliance investigations conducted by its Pharmacy Unit. For this reason, the bill may indirectly increase OPLC expenditures.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification