

Bill as Introduced

HB 582 - AS AMENDED BY THE HOUSE

7Apr2021... 0408h

2021 SESSION

21-0772
10/04

HOUSE BILL **582**

AN ACT relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

SPONSORS: Rep. Walz, Merr. 23; Rep. Woods, Merr. 23

COMMITTEE: Health, Human Services and Elderly Affairs

AMENDED ANALYSIS

This bill allows for certain prescriptions for treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy to be for 90 days.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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21-0772
10/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

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

- 1 1 Controlled Drug Act; Sale by Pharmacists; Attention Deficit Disorder, Attention Deficit
2 Disorder with Hyperactivity, Narcolepsy; Prescriptions. Amend RSA 318-B:9, IV to read as follows:
3 IV. No prescription shall be filled for more than a 34-day supply upon any single filling for
4 controlled drugs of schedules II or III; provided, however, that for controlled drugs, in schedules II or
5 III, that are commercially packaged for dispensing directly to the patient, such as metered sprays
6 and inhalers, liquids packaged in bottles with calibrated droppers, and certain topical preparations
7 packaged with metered dispensing pumps may be filled for greater than a 34-day supply, but not
8 more than 60 days, utilizing the smallest available product size, in order to maintain the dosing
9 integrity of the commercially packaged containers; and, provided that with regard to amphetamines
10 and methylphenidate hydrochloride, a prescription may be filled for up to a [~~60-day~~] **90-day** supply if
11 either such prescription specifies it is being used for the treatment of attention deficit disorder,
12 attention deficit disorder with hyperactivity, or narcolepsy.
13 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 58
HB 582 - FINAL VERSION

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7Apr2021... 0408h

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9 integrity of the commercially packaged containers; and, provided that with regard to amphetamines
10 and methylphenidate hydrochloride, a prescription may be filled for up to a [~~60-day~~] **90-day** supply if
11 either such prescription specifies it is being used for the treatment of attention deficit disorder,
12 attention deficit disorder with hyperactivity, or narcolepsy.

58:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 25, 2021
Effective Date: July 24, 2021

Committee Minutes

SENATE CALENDAR NOTICE
Health and Human Services

Sen Jeb Bradley, Chair
Sen James Gray, Vice Chair
Sen Kevin Avard, Member
Sen Tom Sherman, Member
Sen Rebecca Whitley, Member

Date: April 8, 2021

HEARINGS

Wednesday	04/14/2021	
(Day)	(Date)	
Health and Human Services	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	HB 600-FN	relative to funding for newborn screening.
9:15 a.m.	HB 582	relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.
9:30 a.m.	HB 120	relative to administration of psychotropic medications to children in foster care.
9:45 a.m.	HB 220	establishing medical freedom in immunizations.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/98999311863>
2. To listen via telephone: Dial(for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: 13017158592,,98999311863# or 13126266799,,98999311863#
4. Webinar ID: **989 9931 1863**
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>

6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 600-FN

Rep. Marsh
Sen. Bradley

Rep. Salloway

Rep. Woods

Rep. Nelson

HB 582

Rep. Walz

Rep. Woods

HB 120

Rep. Marsh
Rep. Crawford
Sen. Sherman

Rep. P. Schmidt
Rep. Schapiro
Sen. Bradley

Rep. Gay
Rep. Cushman
Sen. Rosenwald

Rep. Salloway
Rep. Deshates
Sen. Whitley

HB 220

Rep. Lang
Rep. Binford
Rep. Bordes

Rep. Nunez
Rep. Harvey-Bolia
Rep. Pauer

Rep. Rouillard
Rep. Rice
Sen. Avar

Rep. Pearl
Rep. Notter

Kirsten Koch 271-3266

Jeb Bradley
Chairman

Senate Health and Human Services Committee

Kirsten Koch 271-3266

HB 582, relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

Hearing Date: April 14, 2021

Time Opened: 9:55 a.m.

Time Closed: 10:09 a.m.

Members of the Committee Present: Senators Bradley, Gray, Avard, Sherman and Whitley

Members of the Committee Absent : None

Bill Analysis: This bill allows for certain prescriptions for treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy to be for 90 days.

Sponsors:

Rep. Walz

Rep. Woods

Who supports the bill: Rep. Walz, Merrimack 23; Linda Call, MD; Joanne Fortier; JB Bracket, NAMI NH; Virginia Irwin; Amy Cranage; Mel Hinebauch; Leigh Brunelle; Leo B. Roy; Susan Covert; Cheri Falk; Claudia Damon; Ruth Perencevich; Susan Richman; Jeanne Torpey; Annie Rettew; Patricia Anastasia; Randy Hayes; Andrew Bourson; Barabara D. Reed; Karen Dewey; Ann Garland; Catherine Goldwater; Janice Vien; Nancy Jachim; Janet Brookmeyer; Vivian Dolkart; Richard DeMark; Denise Clark; Linda Douville; Kathy Spielman; Gail Laker-Phelps; Elizabeth-Anne Platt; Maureen Ellerman; Ruth Larson.

Who opposes the bill: Alexandra Menella

Who is neutral on the bill: None

Summary of Testimony Presented:

Representative Mary Beth Walz, Merrimack 23

- Rep. Walz said she brought this bill on behalf of her constituents.
- Rep. Walz said, this bill extends the length of prescriptions for attention deficit disorders for up to 60 to 90 days. This allows patients and families to pay less co-pays. Some insurance companies will not accept a 60-day prescription, so patients have to go down to 30-day prescriptions.
- Rep. Walz said, this bill saves time for patients and doctors.
- Rep. Walz said, people with this diagnosis exasperates the problem. By forcing these individuals to go pick up their prescriptions more frequently, they may be less likely to take their drugs.
- Rep. Walz said, this bill sailed through the House.

Joanne Fortier

- Ms. Fortier shared an anecdotal story about her son who takes medicine for ADHD via a 30-day mail in prescription and she has to pay co-pay each time. Ms. Fortier said she wants to be able to get her son a 90-day prescription.

Linda Call, MD

- Ms. Call said she agrees with the testimony of Rep. Walz.
- Ms. Call said, it is of critical importance to treat ADD. This will also contribute to a reduced number of speeding accidents.
- Ms. Call said, it is important to have medication available with the least number of challenges.
- Ms. Call said, there are shortages of child psychiatrists available. Going in every 30 days for an appointment to renew a prescription takes up a lot of patient and doctor time. There is a shortage of open available appointments.

KNK

Date Hearing Report completed: April 16, 2021

Speakers

Senate Remote Testify

Health and Human Services Committee Testify List for Bill HB582 on 2021-04-

Support: 31 Oppose: 1 Neutral: 0 Total to Testify: 3

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>
Walz, Mary Beth	Mbwalz@leg.state.nh.us	603-225-1968	An Elected Official	Merrimack 23	Support	Yes
Call MD, Linda	lindapcallmd@comcast.net	603.727.8132	A Member of the Public	Myself	Support	Yes
Fortier, Joanne	jhfrazier@comcast.net	603.493.9815	A Member of the Public	Myself	Support	Yes
Irwin, Virginia	bididy.irwin@gmail.com	603.863.3582	A Member of the Public	Myself	Support	No
Cranage, Amy	cranhan@comcast.net	603.252.8531	A Member of the Public	Myself	Support	No
Hinebauch, Mel	melhinebauch@gmail.com	603.224.4866	A Member of the Public	Myself	Support	No
Brunelle, Leigh	lbrunelle@me.com	603.674.9263	A Member of the Public	Myself	Support	No
Roy, Leo B	Not Given	603.486.5060	A Member of the Public	Myself	Support	No
Falk, Cheri	Falk.cj@gmail.com	603.801.4651	A Member of the Public	Myself	Support	No
Damon, Claudia	cordsdamon@gmail.com	603.226.4561	A Member of the Public	Myself	Support	No
Perencevich, Ruth	Not Given	Not Given	A Member of the Public	Myself	Support	No
Richman, Susan	susan7richman@gmail.com	603.868.2758	A Member of the Public	Myself	Support	No
Torpey, Jeanne	Not Given	Not Given	A Member of the Public	Myself	Support	No
Bourdon, Andrew	Not Given	Not Given	A Member of the Public	Myself	Support	No
Brackett, JB	jbrackett@naminh.org	Not Given	A Member of the Public	NAMI New Hampshire	Support	No
Reed, Barbara D.	BDRreed74@gmail.com	Not Given	A Member of the Public	Myself	Support	No
Dewey, Karen	pkdewey@comcast.net	603.504.2813	A Member of the Public	Myself	Support	No
Mennella, Alexandra	amennella1@protonmail.com	16466109858	A Member of the Public	Myself	Oppose	No
Garland, Ann	annhgarland@gmail.com	603.678.8143	A Member of the Public	Myself	Support	No
Goldwater, Catherine	cathy.goldwater@gmail.com	603.860.3756	A Member of the Public	Myself	Support	No
Vien, Janice	sljv@comcast.net	603.863.1798	A Member of the Public	Myself	Support	No
Jachim, Nancy	Not Given	Not Given	A Member of the Public	Myself	Support	No
Brookmeyer, Janet	brookmeyermusic@gmail.com	603.667.1356	A Member of the Public	Myself	Support	No
Dolkart, Vivian	viviandolkart@comcast.net	603.865.5117	A Member of the Public	Myself	Support	No
DeMark, Richard	demarknh114@gmail.com	603.520.5582	A Member of the Public	Myself	Support	No
Clark, Denise	denise.m.clark03055@gmail.com	603.213.1692	A Member of the Public	Myself	Support	No
Douville, Linda	Not Given	Not Given	A Member of the Public	Myself	Support	No
Spielman, Kathy	jspielman@comcast.net	603.397.7879	A Member of the Public	Myself	Support	No
Laker-Phelps, Gail	lpsart@tds.net	603.798.5394	A Member of the Public	Myself	Support	No
Platt, Elizabeth-Anne	lizanneplatt09@gmail.com	Not Given	A Member of the Public	Myself	Support	No
Ellermann, Maureen	Not Given	Not Given	A Member of the Public	Myself	Support	No
Larson, Ruth	ruthlarson@msn.com	Not Given	A Member of the Public	Myself	Support	No

Testimony

Kirsten Koch

From: lbrunelle@me.com
Sent: Wednesday, April 14, 2021 12:32 AM
To: Jeb Bradley; James Gray; Tom Sherman; Becky Whitley; Kevin Avard; Kirsten Koch
Cc: Kevin Cavanaugh
Subject: Message from NH Constituent - Support HB 582

To NH Health & Human Services Committee,

As a registered voter in Manchester, NH, I urge the committee to Support HB 582 as Ought To Pass.

I have a good job and I'm enrolled in my employer's health care plan. Passing this bill would ** save me over \$200 ** annually.

For working families who may not have the same privileges of my employment/health care plan, passing HB 582 might save them even more money. Please support HB 582 as OTP.

Thank you,
Leigh Brunelle

Registered Voter
603-674-9263
Manchester, NH

Voting Sheets

Senate Health and Human Services Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 582

Hearing Date: 4/14/21

Executive Session Date: 4/21/21

Motion: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Avard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion: Consent Calendar Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Avard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Avard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Avard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Whitley

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, April 21, 2021

THE COMMITTEE ON Health and Human Services

to which was referred **HB 582**

AN ACT

relative to prescriptions for the treatment of
attention deficit disorder, attention deficit disorder
with hyperactivity, or narcolepsy.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Rebecca Whitley
For the Committee

This bill allows for certain prescriptions for treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy to be for 90 days. Currently there are insurance companies that do not allow for prescriptions of these medications to be prescribed for more than 30 or 60 days at a time. This bill provides patients with these conditions increased accessibility to their medications and saves doctors and patients time by not requiring patients to seek appointments every month to get their prescriptions renewed. Consequently, this bill creates more appointment availability, which is currently limited, among prescribers that treat these conditions. This bill also provides patients more cost-efficient access to their medications by not requiring patients to visit a doctor and pay a co-pay every month.

Kirsten Koch 271-3266

FOR THE CONSENT CALENDAR

HEALTH AND HUMAN SERVICES

HB 582, relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

Ought to Pass, Vote 5-0.

Senator Rebecca Whitley for the committee.

This bill allows for certain prescriptions for treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy to be for 90 days. Currently there are insurance companies that do not allow for prescriptions of these medications to be prescribed for more than 30 or 60 days at a time. This bill provides patients with these conditions increased accessibility to their medications and saves doctors and patients time by not requiring patients to seek appointments every month to get their prescriptions renewed. Consequently, this bill creates more appointment availability, which is currently limited, among prescribers that treat these conditions. This bill also provides patients more cost-efficient access to their medications by not requiring patients to visit a doctor and pay a co-pay every month.

Docket of hb582		
01/12/2021	H	Introduced (in recess of) 01/06/2021 and referred to Health, Human Services and Elderly Affairs HJ 2 P. 54
02/16/2021	H	Public Hearing: 02/16/2021 09:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/94563888809 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
03/02/2021	H	Committee Report: Ought to Pass with Amendment # 2021-0408h (Vote 20-0; CC) HC 18 P. 16
04/07/2021	H	Amendment # 2021-0408h: AA VV 04/07/2021 HJ 5 P. 36
04/07/2021	H	Ought to Pass with Amendment 2021-0408h: MA VV 04/07/2021 HJ 5 P. 36
04/07/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 HJ 5 P. 50
04/07/2021	S	Introduced 04/01/2021 and Referred to Health and Human Services; SJ 11
04/08/2021	S	Remote Hearing: 04/14/2021, 09:15 am; Links to join the hearing can be found in the Senate Calendar; SC 19
04/22/2021	S	Committee Report: Ought to Pass, 04/29/2021; Vote 5-0; CC; SC 21
04/29/2021	S	Ought to Pass: RC 24Y-0N, MA; OT3rdg; 04/29/2021; SJ 13
05/17/2021	S	Enrolled Adopted, VV, (In recess 05/13/2021); SJ 16
05/17/2021	H	Enrolled (in recess of) 04/09/2021 HJ 7 P. 104
05/27/2021	H	Signed by Governor Sununu 05/25/2021; Chapter 58; Eff: 07/24/2021

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 582

Senate Committee: HHS

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted): none

___ - amendment # _____ ___ - amendment # _____
 ___ - amendment # _____ ___ - amendment # _____

- Executive Session Sheet
- Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____
 ___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

- Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- Enrolled Bill Amendment(s)
- Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house
 final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Kirsten Koch
Committee Aide

7/26/21
Date

Senate Clerk's Office DK