

Amendment to SB 222

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to the New Hampshire birth conditions program and relative to the  
4 administration of certain prescription medication for treatment of a communicable  
5 disease.  
6

7 Amend the bill by inserting after section 1 the following and renumbering the original section 2 to  
8 read as 3:

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10 2 New Section; Public Health; Communicable Disease; Administration of Certain Prescription  
11 Medication for Treatment or Prevention of a Communicable Disease. Amend RSA 141-C by  
12 inserting after section 15 the following new section:

13 141-C:15-a Administration of Certain Prescription Medication for Treatment or Prevention of a  
14 Communicable Disease.

15 I. Notwithstanding the provisions of RSA 326-B:2, I-a, and RSA 329:1-c, a health care  
16 professional authorized to prescribe prescription medication for the treatment or prevention of a  
17 communicable disease may prescribe, dispense, or distribute directly or by standing order, an  
18 antimicrobial medication to a patient he or she did not evaluate and with whom there is no  
19 established health care provider-patient relationship to empirically treat for, or provide prophylaxis  
20 to prevent, a communicable disease that poses a threat to public health. Any such prescription shall  
21 be regarded as being issued for a legitimate medical purpose and in accordance with established  
22 clinical practice guidelines, when available.

23 II. Communicable diseases that pose a threat to public health for the purposes of paragraph  
24 I shall be limited to the following:

25 (a) *Bordetella pertussis*, *Chlamydia trachomatis*, *Neisseria gonorrhea*, and *Neisseria*  
26 *meningitis*; or

27 (b) Diseases that constitute an immediate threat to public health and for which the  
28 commissioner, or designee, issues clinical guidance that requests providers to consider prescribing,  
29 dispensing, or distributing antimicrobial agents under paragraph I in order to control a disease  
30 outbreak.

31 III. No health care professional who, acting in good faith and with reasonable care,  
32 prescribes, dispenses, or distributes an antimicrobial medication for the treatment or prevention of  
33 a communicable disease as described in paragraph I, shall be subject to any criminal or civil

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- 1 liability, or any professional disciplinary action, for any action authorized by this section or any
- 2 outcome resulting from an action authorized by this section.

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AMENDED ANALYSIS

This bill clarifies the definition of "birth condition" for the purposes of the New Hampshire birth conditions program.

This bill authorizes health care professionals to prescribe certain medications for treatment or prevention of a communicable disease.

This bill is a request of the department of health and human services.