

1 Committee of Conference Report on SB 155-FN, codifying provisions included in select emergency
2 orders issued by the governor in response to the COVID-19 pandemic.

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4 Recommendation:

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6 That the Senate recede from its position of nonconcurrency with the House amendment, and
7 concur with the House amendment, and

8 That the Senate and House adopt the following new amendment to the bill as amended by the
9 House, and pass the bill as so amended:

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11 Amend RSA 310-A:1-h as inserted by section 2 of the bill by inserting after paragraph VII the
12 following and renumbering the original paragraphs VIII and IX to read as IX and X, respectively:

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14 VIII. Emergency licenses issued during the COVID-19 pandemic pursuant to the governor's
15 executive order 2020-04 shall not be deemed to have lapsed upon expiration of the state of
16 emergency and shall be converted to a license under this section on the effective date of this section.
17 This provision is intended to apply retroactively to extend the expiration date of all emergency
18 licenses issued under executive order 2020-04 to January 31, 2022.

19

20 Amend the bill by replacing section 7 with the following:

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22 7 Liquor Licenses and Fees; Authorization for Other Areas; Expansion of Outdoor Dining.
23 Amend RSA 178:24 to read as follows:

24 178:24 Authorization for Other Areas. A business holding a license authorizing the
25 consumption of alcoholic beverages on its licensed premise may petition the commission for
26 permission to extend service for beverages and liquor to any clearly defined area under the control of
27 the licensee. ***In addition, a licensee may expand into a shared space, such as a sidewalk or***
28 ***street, with the approval of local officials.*** Petitions shall include written plans and diagrams
29 that shall provide detailed information on the proposed extension of alcohol service. Petitions shall
30 also conform to local zoning requirements and include the written approval of local officials.
31 ***Businesses served by a waste disposal system, as defined by RSA 485-A:2, XI, shall obtain***
32 ***approval from the department of environmental services for any expansion under this***
33 ***section, unless the total number of seats remains the same or is reduced. Businesses that***
34 ***are on municipal sewer may expand seating as permitted by the municipality.*** The

Committee of Conference Report on SB 155-FN
- Page 2 -

1 commission may approve plans submitted by licensees and may add such terms and conditions as it
2 deems appropriate to preserve public health and safety. The commission may deny, in its discretion,
3 any petition under this section which constitutes a risk to public health, safety, or welfare of any
4 community.

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6 Amend the bill by inserting after section 7 the following and renumbering the original sections 8-9 to
7 read as 10-11, respectively:

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9 8 Emergency or Temporary Healthcare Licensees. Healthcare workers issued emergency or
10 temporary licenses during the COVID-19 pandemic, including but not limited to those recruited for
11 youth camps, organized recreation, and community-sponsored recreation, and who meet the
12 requirements for such licensure, shall be allowed to continue in their professional capacity for so
13 long as the emergency or temporary license remains valid. The office of professional licensure and
14 certification shall continue to offer and issue emergency or temporary licenses for healthcare
15 workers; provided that any emergency or temporary licenses issued during the COVID-19 pandemic
16 or in response to conditions occurring immediately thereafter shall expire no later than January 31,
17 2022.

18 9 New Section; Pharmacists and Pharmacies; Pharmacy Technician Administration of COVID-
19 19 Vaccines. Amend RSA 318 by inserting after section 16-e the following new section:

20 318:16-f Pharmacy Technician Administration of COVID-19 Vaccines. New Hampshire
21 registered and certified pharmacy technicians may administer COVID-19 vaccines to persons 18
22 years of age or older while under the supervision of a New Hampshire licensed pharmacist, if the
23 following conditions are met:

- 24 I. The vaccination is ordered by the supervising pharmacist.
- 25 II. The supervising pharmacist is readily and immediately available to the immunizing
26 registered or certified pharmacy technician.
- 27 III. The COVID-19 vaccine is FDA-authorized or FDA-licensed.
- 28 IV. The COVID-19 vaccine is ordered and administered according to the Advisory
29 Committee on Immunization Practices (ACIP) COVID-19 vaccine recommendations.
- 30 V. The registered or certified pharmacy technician has completed a practical training
31 program approved by the Accreditation Council for Pharmacy Education (ACPE). This training
32 program shall include hands-on injection technique and the recognition and treatment of emergency
33 reactions to vaccines.
- 34 VI. The registered or certified pharmacy technician has a current certificate in basic
35 cardiopulmonary resuscitation.

Committee of Conference Report on SB 155-FN
- Page 3 -

1 VII. The registered or certified pharmacy technician shall complete a minimum of 2 hours of
2 ACPE-approved, immunization-related continuing pharmacy education during the relevant state
3 licensing period.

4 VIII. The supervising pharmacist shall comply with all recordkeeping and reporting
5 requirements.

6 IX. The supervising pharmacist shall be responsible for complying with requirements
7 related to reporting adverse events.

8 X. The supervising pharmacist shall review the vaccine registry or other vaccination records
9 before ordering the registered or certified pharmacy technician to administer the vaccination.

10 XI. The supervising pharmacist shall comply with any applicable requirements or conditions
11 of use as set forth in the CDC's COVID-19 vaccination provider agreement and any other federal
12 requirements that apply to the administration of COVID-19 vaccine.

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14 Amend the bill by replacing section 11 with the following:

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16 11 Effective Date.

17 I. Section 10 of this act shall take effect January 31, 2022.

18 II. The remainder of this act shall take effect upon its passage.

Committee of Conference Report on SB 155-FN
- Page 4 -

The signatures below attest to the authenticity of this Report on SB 155-FN, codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.

Conferees on the Part of the Senate

Conferees on the Part of the House

Sen. Carson, Dist. 14

Rep. Roy, Rock. 32

Sen. Bradley, Dist. 3

Rep. Bailey, Straf. 1

Sen. Prentiss, Dist. 5

Rep. T. Lekas, Hills. 37

Rep. Schuett, Merr. 20

Committee of Conference Report on SB 155-FN
- Page 5 -

2021-1994-CofC

AMENDED ANALYSIS

This bill:

- I. Establishes the position of temporary health partner.
- II. Authorizes emergency licensing of medical providers.
- III. Authorizes COVID-19 testing by pharmacists and pharmacy technicians.
- IV. Permits out-of-state pharmacies providing investigational drugs to clinical trial participants in New Hampshire to be temporarily licensed as mail-order pharmacies.
- V. Protects the pre-existing, non-conforming use status of summer camps that were unable to operate during the summer of 2020 or 2021 due to COVID-19.
- VI. Allows expanded outdoor dining.
- VII. Provides for the continued temporary licensure of healthcare workers through the office of professional licensure and certification.
- VIII. Authorizes pharmacy technicians to administer COVID-19 vaccines.