PART Ph 301 LICENSING OF PHARMACISTS BY EXAMINATION, NAPLEX EXAM, SCORE TRANSFER, RECIPROCITY, REINSTATEMENT AND RENEWAL.

Ph 301.01 Application requirements for NAPLEX exam and Score Transfer

(a) Application form Ph A-1, revised September 2015, for licensure to practice the profession of pharmacy in New Hampshire may be obtained from the board or the board website accessible at www.nh.gov/pharmacy/—Candidates applying to practice the Profession of Pharmacy in New Hampshire shall submit a completed application form, Ph A-1, (revised-XXXXX) or an electronic equivalent, obtained through the Board's office as identified in Ph103.03 or the website at www.oplc.nh.gov/pharmacy. Candidates must also submit the following:

(b) Applicants for licensure shall submit a completed form A-1 application for licensure and file it at the office of the board identified in Ph103.03 along with:

1. A copy of the candidate's birth certificate; or 2 of the following:
   a. Copy of current United States passport; or
   b. Copy of current Naturalization Certificate; or

2. A recent, full-face photograph of the candidate; A current, full face passport photo of the candidate, 2” x 2” on photo paper without any background, taped to the application itself.

3. An official final transcript, showing date the degree was awarded sent directly from the college to the board office; and

4. The prescribed fee which shall be $265 made payable to: Treasurer, State of New Hampshire.

5. Candidate shall submit a signed, dated, detailed explanation to any “yes” answers on the application, if applicable;

(b) Applicants by Score Transfer; the NAPLEX score will be accepted for 1 year from the date of the exam.

   (a) If the exam date is outside of the one year from the date of the exam, the process is:

1. Transfer your license through NABP, if licensed in another state; or

2. Retake the NAPLEX exam; or
3. If not licensed in another state, then the process is to apply for Initial licensure by taking the NAPLEX exam.

   (e) An official final transcript shall be mailed directly from the college to the board before either NAPLEX scores or New Hampshire licensure status is released, or, if a foreign graduate, the foreign graduate shall have completed a transcript verification program as provided by the Foreign Pharmacy Graduate Examination Committee (FPGE) certification.

   (c)(4) The photograph required by Ph 301.01 (b)(2) shall be attached to the application form in the presence of a notary public or justice of the peace.

Source: #6181-B, eff 2-5-96; amd by #6933, eff 2-1-99; paragraphs (a), (d), (e) and subparagraphs (b)(1)-(b)(10) EXPIRED: 2-5-04; amd by #8316, eff 3-26-05; (b) intro., subparagraph (b)(11), and paragraph (e) EXPIRED: 2-1-07; paragraphs (a), (d), (e) and subparagraphs (b)(1)-(b)(10) EXPIRED: 3-26-13

New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11034, eff 1-29-16

Ph 301.02 Additional Requirements. In addition to any requirements imposed by statute, all candidates for a license to practice pharmacy in New Hampshire shall demonstrate that they possess the following qualifications:

(a) The candidate shall be not less than 18 years of age;

(b) The candidate shall be of good professional character, and not have been convicted of any felony, or of a misdemeanor resulting from a violation of any drug and/or pharmacy-related law or rule;

(c) The candidate shall possess a professional pharmacy baccalaureate degree or a doctor of pharmacy degree (PharmD) granted by a school of pharmacy, or a college of pharmacy, or a department of pharmacy of a university accredited by the Accreditation Council for Pharmacy Education (ACPE) or the Canadian Council for Accreditation of Pharmacy Programs (CCAPP);

(d) To meet the requirements of (c) above, the school, college or department of pharmacy, shall be accredited by the Accreditation Council for Pharmacy Education (ACPE) or the Canadian Council for Accreditation of Pharmacy Programs (CCAPP).

(e) If a foreign graduate, in lieu of (c) and (d) above, the candidate shall have graduated from a foreign college of pharmacy other than Canada and have obtained full certification from the FPGE including: if the applicant is a graduate of a pharmacy program outside of the United States, Canada or an ACPE Accredited school, instead of the transcripts as noted in (a)(3) above, the applicant must submit all the following:
(1) Photocopy of the FPVEC (Foreign Pharmacy Graduate Equivalency Certificate); and
(2) All the items listed in Ph 301.01, excluding Ph 301.01a (3); and
(3) Passing all exams and submitting to this office as described in Ph 301.02.

(c) In addition to any requirements imposed by statute, all candidates shall demonstrate the following qualifications;

(d) The candidate shall not be less than 18 years of age;

(e) The candidate shall be of good professional character, and have not been convicted of any felony, or misdemeanor.

(f) The candidate shall have graduated with a Doctor of Pharmacy degree (PharmD) granted by a school of pharmacy, college of pharmacy, or a department of pharmacy of a university; accredited by the Accreditation Council for Pharmacy Education (ACPE) or the Canadian Council for Accreditation of Pharmacy Programs (CCAPP).

(g) A foreign trained graduate candidate, in lieu of Ph 301.01 (a) (3) above, shall have graduated from a foreign college of pharmacy other than Canada and have obtained full certification from the FPVEC.

(1) Passing the FPVEC and submitting proof of a certificate issued by FPVEC Council.

(2) Demonstrating proficiency in English by passing the Test of English as a Foreign Language Test (TOEFL IBT) with no less than the following scores; and

(a) Reading 22
(b) Listening 21
(c) Speaking 26
(d) Writing 24

(3) Candidates shall submit the official TOEFL IBT transcript as defined in Ph 301.02 (h).

(h) Prior to the examination date for the NAPLEX exam, all candidates shall:

(1) Have completed an internship in pharmacy which consists of:

a. At least 1500 hours, starting no earlier than 4 months prior to the third year of study in a college of pharmacy; and

b. If candidate has graduated from an institution, not ACPE accredited, and outside of the United States and Canada; the pharmacy graduate shall begin their internship no earlier than the issuance of their EE# issued by NABP and complete 2000 hours detailed on the internship record form Ph A-3 revised June 2018.

(i) The candidate shall complete and pass the examinations as described in Ph 301.03.

(j) Once a license has been issued by the New Hampshire Board of Pharmacy, the licensee has 90 days to register with the Prescription Drug Monitoring Program. This is also required to be completed upon renewal each year.

(1) Passing the FPGEEM with a score of at least 75; and
(2) Demonstrating proficiency in English by passing the Test Of English as a Foreign Language Internet-Based Test (TOEFL-iBT);

(f) Prior to the examination date, the candidate shall:

(1) Have completed an internship in pharmacy which consists of:

a. At least 1500 hours, starting no earlier than 4 months prior to the third year of study in a college of pharmacy; and

b. Work predominantly related to the practice of pharmacy including, but not limited to:

1. The selling of drugs and medical supplies;
2. Interpreting, compounding, preparing and dispensing prescription orders;
3. Preparing pharmaceutical products; and
4. Keeping records and preparing reports required by federal and state statutes.

(k) Have completed the internship record form Ph A-3 revised September 2015 and submitted it to the board.

(g) The candidate shall complete and pass the examinations described in Ph 301.03.

Source. #6181-B, eff 2-5-96; amd by #6933, eff 2-1-99; paragraphs (a) (d) EXPIRED: 2-5-94; amd by #8316, eff 3-26-95; paragraphs (e) (g) EXPIRED: 2-1-07; paragraphs (a) (d) EXPIRED: 3-26-13 New. #10702,
INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11031, eff 1-29-16

Ph 301.03 Required Examinations. The examinations required for pharmacist licensure in New Hampshire shall be the National Association of Boards of Pharmacy Licensure Examination (NAPLEX) and the New Hampshire Multistate Pharmacy Jurisprudence Examination (NH-MPJ), administered by the National Association of Boards of Pharmacy (NABP).
(a) The examinations required for pharmacist licensure in New Hampshire shall be
the National Association of Boards of Pharmacy Licensure Examination
(NAPLEX) and the New Hampshire Multistate Pharmacy Jurisprudence
Examination (NH MPJE) administered the National Association of Boards of
Pharmacy (NABP).

(b) Candidate shall successfully complete the NAPLEX examination with a minimum
required score of not less than 75.

(c) If the candidate does not successfully pass the NAPLEX with the minimum
required score of 75, the candidate may sit for the exam up to 3 additional times
after the first unsuccessful attempt. The candidate can only take the NAPLEX 3
times in a 12 months period for a total of 5 times.

(d) Candidate shall successfully complete the MPJE examination with a minimum
required score of not less than 75. The candidate can only take the MPJE exam 3,4
4 times per state.

(e) If the candidate does not successfully pass the MPJE examination with the
minimum required score of 75, the candidate may sit for the exam up to 3
additional times after the first unsuccessful attempt.

(f) The applicant shall register with NABP to retake the failed examination, then,
notify the Board’s office in writing so the Board’s office can make the applicant
eligible for the exam.

(g) A candidate, who is applying to take the exams as described in Ph 301.02 with
accommodation guidelines listed under the Americans with Disabilities
Accommodations, should complete the application requirements through NABP
and then submit a copy to the New Hampshire Board of Pharmacy along with their
application.

(h) TOEFL IBT Scores: a candidate must submit an official transcript mailed directly
from the ETS TOEFL Organization to the New Hampshire Board of Pharmacy, in
order to show the transcript has not been tampered with and must be passing
scores as defined in Ph 301.01 g (2).

(1) Board may issue a waiver based on...
--- Ph 301.04 Required Examination Score. To successfully complete the NAPLEX and NH-MPIE examinations required by Ph 301.03, the candidate shall, on the initial examination or any subsequent re-examination permitted by Ph 301.05, obtain a score of not less than 75 on each examination.

Source: #6181-B, eff 2-5-96; amd by #6933, eff 2-1-99; paragraph (a) and subparagraphs (b)(1) and (b)(3) EXPIRED: 2-5-04; amd by #8316, eff 3-26-05; paragraph (b) and subparagraphs (b)(2) and (b)(4) EXPIRED: 2-1-07; paragraph (a) and subparagraphs (b)(1) and (b)(3) EXPIRED: 3-26-13

New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New: #11031, eff 1-29-16 (from Ph 301.05)

--- Ph 301.05 Notice and Election of Re-examination:

(a) Any candidate who fails to obtain the minimum required score on either of the 2 examinations required in Ph 301.03 may elect to retake the examination.

(b) All candidates shall notify the board in writing whether he/she elects to be re-examined. The candidate for re-examination shall register and pay for the re-take examination through the National Association of Boards of Pharmacy online registration website accessible at www.nabp.net.

Source: #6181-B, eff 2-5-96; ss by #6933, eff 2-1-99, EXPIRED: 2-1-07

New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New: #11031, eff 1-29-16 (from Ph 301.06)

--- Ph 301.06 301.03 Issuance or Denial of Original License.

(a) If candidate timely files an application, complete in all respects, successfully completes all examinations required by Ph 301 and demonstrates the complete fulfillment of the requirements of these rules, RSA 318, and RSA 318-B, the board shall issue a license to practice pharmacy.
(b) In the event a candidate for an original license to practice pharmacy in New Hampshire fails to meet the requirements of these rules, or RSA 318, or both, the board shall deliver to the applicant a written denial of the application, specifying in detail the requirement which the candidate failed to meet, and how the candidate is deficient.

Source: #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New: #8316, eff 3-26-05, EXPIRED: 3-26-13
New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15
New: #11031, eff 1-29-16 (formerly Ph 301.07)

PART Ph 302 LICENSING OF PHARMACISTS BY RECIPROCITY

Ph 302.01 Reciprocity

Ph 302.01 Reciprocity Application Requirements

(a) A candidate who has received a license or permit to practice pharmacy in the United States, Canada, or any US Territory, and the license or permit is still active in good standing, may apply for licensure by reciprocity and complete the following procedures:

1. Candidates shall complete and submit the reciprocal application obtained through the NABP website;

2. Candidates shall complete the New Hampshire application and submit documents by going to our website and completing the online application under reciprocity instructions.

3. Candidate shall submit or upload all of the documents as described in Ph 301.01 (a) 1-5.

4. If candidate has graduated outside of the United States, Canada, or other US Territories, the candidate shall submit all the documents as described in Ph 301.01 (b).

5. Once a license has been issued by the New Hampshire Board of Pharmacy, the licensee has 90 days to register with the Prescription Drug Monitoring Program. This is also required to be completed upon renewal each year.

6. Once a candidate has completed the NABP application and the NH Reciprocity application, the candidate should contact the board’s office in writing on the board’s website to inform them of their intention to apply by reciprocal procedures.

7. Once the board’s office receives both applications and all supporting documents for the reciprocal application, the board shall make the candidate eligible to sit for the exam(s) and notify the candidate by email of where they are in the process.
(a) Instead of retaking the NAPLEX examination required by Ph. 301.03, a candidate may transfer the actual score he or she attained on the NAPLEX administered by a state other than New Hampshire, provided that:

(1) The candidate is duly licensed and is in good standing in that state; and

(2) All other New Hampshire pharmacist licensing requirements have been met.

Source.  #6181-B, eff 2-5-96; amd. by #6032, eff 2-1-99; subparagraphs (a)(1) (a)(3) EXPIRED: 2-5-04; amd. by #8316, eff 3-26-05; paragraph (a) intro. EXPIRED: 2-1-07; subparagraphs (a)(1) (a)(3) EXPIRED: 3-26-13

New.  #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New.  #11031, eff 1-29-16

——— Ph 302.02 Application.

——— (a) The preliminary application for reciprocal licensure may be obtained from a link provided on the NH board of pharmacy website or from the National Association of Boards of Pharmacy, 1600 Feehansville Drive, Mount Prospect, Illinois, 60056, telephone number (847) 391-4406, website www.nabp.net. This application shall be filed with the National Association of Boards of Pharmacy.

——— (b) Following verification of the applicant’s credentials by NABP the applicant shall receive an official NABP license transfer application in the mail.

——— (c) The candidate shall file a completed NABP license transfer application provided by the National Association of Boards of Pharmacy along with NH form Ph A-1, revised September 2015, application for initial licensure as a pharmacist in NH, and attach the following:

A copy of the candidate's birth certificate, or if born outside of the United States, a copy of the certificate of naturalization or passport showing date of birth;

(2) A recent, full-face photograph of the candidate attached to the application;

(3) An official copy of the candidate's pharmacy college transcript mailed directly from the college to the board, or if a foreign graduate, certification from the FPGEA;

(4) The application fee of $265

Source.  #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New.  #8316, eff 3-26-05; ss by #8572, eff 2-23-06, EXPIRED: 2-23-14

New.  #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15
Ph 302.03 302.02 Requirements. In addition to any requirements imposed by statute, all candidates for licensure by reciprocity to practice pharmacy in New Hampshire shall demonstrate that they possess the following qualifications:

(a) The candidate shall be not less than 18 years of age;

(b) The candidate shall be of good professional character as evidenced by the absence of conviction of any felony or of a misdemeanor resulting from a violation of any drug and/or pharmacy related law or rule;

(c) The candidate shall possess a professional pharmacy baccalaureate degree or a doctor of pharmacy degree (PharmD) granted by a school of pharmacy, or a college of pharmacy, or a department of pharmacy of a university accredited by the Accreditation Council for Pharmacy Education (ACPE) or the Canadian Council for Accreditation of Pharmacy Programs (CCAPP);

(d) A candidate who is a foreign pharmacy graduate, other than Canadian, in lieu of (c) above, shall provide written documentation that such candidate has:

1. Obtained full certification from the FPGE;

2. Passed NAPLEX;

(e) The candidate shall be licensed and in good standing in the state from which he or she is seeking licensure transfer; and

(f) The candidate for a reciprocal license shall complete and pass the NH MPJE examination on the current federal and state laws and rules governing the practice of pharmacy in the state of New Hampshire.

Source: #6181, eff 2-5-96; and by #6933, eff 2-1-99; and intro. and subparagraphs (a)(1)-(a)(3) EXPIRED: 2-5-04; and by #8316, eff 3-26-05; subparagraphs (a)(4) and (a)(5) EXPIRED: 2-1-07; (a) intro. and subparagraphs (a)(1)-(a)(3) EXPIRED: 3-26-13

New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New: #11031, eff 1-29-16 (from Ph 302.04)

Ph 302.04 302.03 Reciprocity Application Time Limitation. Candidates who fail to complete the MPJE examination, as required by Ph 302.03(f), within one year after the candidate's application is received at the board office shall have their application denied, but fees shall be retained by the board. If a candidate wishes to re-apply for New Hampshire licensure, a new application containing updated information shall be filed with the board.
Ph 302.05 302.04 NH MPJE Examination Required Scores and Fees.

(a) To successfully complete the examination required by Ph 302.03(f), the candidate shall, in the initial examination or any subsequent re-examination, obtain a score of not less than 75.

(b) The candidate shall pay the current examination fee to, and as assessed by, NABP.

Ph 302.06 302.05 NH MPJE Re-Examination Notice and Election.

(a) Any candidate who has failed to attain the minimum score on the NH MPJE examination as required by Ph 302.05 302.04, shall notify the board in writing whether he or she elects to be re-examined.

(b) If the candidate does not successfully pass the MPJE examination with the minimum required score of 75, the candidate may sit for the exam up to 3 additional times after the first unsuccessful attempt.

(b)(c) Any candidate for re-examination of the NH MPJE examination shall register and pay for the re-take examination through the National Association of Boards of Pharmacy online registration website accessible at www.nabp.net.
Ph 302.07 Reciprocity License Issuance or Denial.

(a) If a candidate timely files an application, complete in all respects and meeting the requirements of Ph 302, and demonstrates the fulfillment of the requirements of these rules and RSA 318 and RSA 318-B, the board shall issue a license to practice pharmacy.

(b) In the event a candidate for a reciprocity license to practice pharmacy in New Hampshire fails to meet the requirements of these rules or RSA 318 and RSA 318-B, or both, the board shall deliver to the candidate a written denial of the application, specifying in detail each requirement which the candidate failed to meet, and how the candidate is deficient.

Source. #6181-B, eff 2-5-96; ss by #6933, eff 2-1-99; amd by #8572, eff 2-23-06; paragraph (a) EXPIRED: 2-1-07; paragraph (b) EXPIRED: 2-23-14

New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11031, eff 1-29-16 (formerly Ph 302.09)

PART Ph 303 PHARMACY-LICENSE SUPPLEMENT Reinstatement Application Requirements.

Ph 303.01 (a) A pharmacist whose license to practice pharmacy in this state has been suspended, revoked, voluntarily surrendered or allowed to lapse shall submit the following in order to reinstate the previous license:

1. Completed reinstatement application form Ph A-3 either paper or electronic version with the board as defined in Ph 103.03

2. Submit the prescribed reinstatement fee of $400.00 made payable to Treasurer, State of New Hampshire or as directed by the electronic equivalent application;

3. Submit copies of all continuing education completed within the immediately preceding 24 months from the date of the application; for a minimum of 30 hours, 10 of those 30 hours shall be earned in a live setting.

b) If the New Hampshire license has been lapsed for a period of 2 years or more from the date the application is received in the office, the applicant shall provide;
1. Notarized affidavit documenting the pharmacist's experience in pharmacy during the 2 years immediately preceding the date of the application for reinstatement;

2. Pass the MPJE exam as defined in Ph 301.02

3. Submit letters of verification from all active states of licensure.

c) If a reinstatement candidate has not held a license to practice pharmacy in this state or any other for a period of 5 years or more; the Board shall require the documents as defined in Ph 301.04 along with the completion of a period of pharmacy practice internship prior to reinstatement.

d) The internship shall be a minimum of 80 hours and be completed in New Hampshire under a New Hampshire licensed pharmacist.

e) If a candidate has not practiced in over 5 years, the board shall request the applicant to come in for an interview before approval.

Ph 303.02 Renewal of Pharmacist License

a) Applicants for renewal of a currently active New Hampshire license shall submit form PhA-2 or an electronic equivalent application to the Board's office.

b) Applications for renewal of a license to practice pharmacy in New Hampshire under RSA 318 shall be completed and filed no later than December 15th of the renewal year. Each licensee shall file electronically at https://nhlicenses.nh.gov/eGov/Login.aspx.

c) The prescribed renewal fee is $250.00, made payable to Treasurer, State of New Hampshire or as directed by the electronic equivalent application. Per the provision of RSA 318:29-a, VI (b), $30.00 of each pharmacist renewal fee shall be used to fund the impaired pharmacist program.

d) The prescribed renewal fee for a pharmacist who is currently authorized to immunize in New Hampshire is $270.00, made payable to Treasurer, State of New Hampshire or as described by the electronic equivalent application. Per the provision of RSA 318:29-a, VI (b), $30.00 of each pharmacist renewal fee shall be used to fund the impaired pharmacist program.

a. A Pharmacist who has the authorization to immunize in New Hampshire will also submit a copy of their current, active CPR Certificate or photocopy of front and back of the signed CPR card or the electronic permit issued from a course that has live hands on practice.

b. The CPR card 'active time frame' shall be no longer than 2 years from the date the card was issued.

c. Submit a copy of the Professional Liability Insurance obtained either through their place of employment or on their own with at least 1,000,000 coverage.

e) All applicants for renewal shall attest that they are currently registered with the Prescription Drug Monitoring Program as required by RSA 318-B: 33, II and Ph 1503.01(a).
f) A candidate failing to meet the requirements of these rules or RSA 318 or both, shall be offered the opportunity for a hearing with the Board.

Ph 303.03 Issuance or Denial of an Application.

(a) If a candidate submits an application for licensure, complete in all manner according RSA 318, RSA 318-B, or Ph100 – Ph2500; the board has the authority to issue a license to practice pharmacy within 120 days of completion of the application.

(b) Once a license has been issued by the New Hampshire Board of Pharmacy, the licensee shall register with the Prescription Drug Monitoring Program. This is also required to be completed upon renewal each year.

(c) In the event an application for licensure is deemed incomplete according to the New Hampshire Board of Pharmacy Laws and Rules or both; within 1 year of the date the office receives the application; the application can be denied by Board staff for an incomplete application. If the candidate would like to practice in New Hampshire, the applicant must submit a new application and required fee and begin the process from the beginning.

(d) In the event the application is denied for any reason as described above or as defined in Laws and Rules, the Board will not issue a refund.

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Ph 303.01 Licensing the Entire Store Area.

(a) The pharmacy shall include the prescription department and all other retail sections of the store.

(b) The entire pharmacy shall be equipped with a functional alarm system to prevent entry when the pharmacy is not open to the public, according to Ph 702.04.

(c) The prescription department shall not be closed while the balance of the establishment remains open.

(d) A licensed pharmacist shall be on duty at all times when the pharmacy is open to the public.

Source: #1639, eff 11-1-80; ss by #2260, eff 1-5-83; ss by #2914, eff 11-27-84; ss by #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED: 1-19-96

New: #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New: #8316, eff 3-26-05, EXPIRED: 3-26-13

New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15
Ph-303.02 Licensing: Only the Prescription Department:

(a) The pharmacy shall include only the prescription department where drugs, chemicals, medicines, prescriptions are stored, compounded and dispensed. This area shall not include the other retail sections of the store the principle business of which is not the practice of pharmacy.

(b) The prescription department described in (a) above, shall be equipped with a functional alarm system to prevent entry when the pharmacy is not open to the public according to Ph-702.04.

(c) The prescription department may be closed while the remainder of the business establishment remains open to the public. During such periods, the pharmacy shall comply with Ph-702.04.

(d) A licensed pharmacist shall be on duty at all times when the prescription department is open to the public and during any absences by the pharmacist, the prescription department shall be secured except as is provided in Ph-704.01(b).

(e) Whenever the prescription department is closed, a sign indicating that there is no pharmacist on duty shall be conspicuously displayed in the pharmacy area. Such sign shall be composed of 3" lettering.

(f) Whenever the prescription department is closed, prescriptions may be left via a mail slot which falls directly into the pharmacy area.

(g) The prescription mail slot:

(1) Shall be constructed so as to accept only a written or typed prescription or a notation of the prescription number for refills;

(2) Shall be no larger than 8" X 1" and designed so that prescriptions or notations, once deposited, cannot be retrieved by hand or by mechanical means; and

(3) Shall be constructed so as to deliver these prescriptions or notations directly into the prescription area for access by the pharmacist only so that they are not visible to the general public.

(h) No prescription, new or refill, shall be left with or accepted by pharmacy technicians as defined in RSA 318:1, XI b or pharmacy interns as provided in RSA 318:42, IX when the prescription department is closed except as is provided in Ph-704.01(e).

(i) No finished prescriptions shall be left outside of the pharmacy area prescription department for pick-up when the prescription department is closed.

(j) No telephone prescriptions, new or refill shall be accepted by pharmacy technicians or pharmacy interns when the prescription department is closed except as is provided in Ph-704.01(e).
(k) All drug order deliveries containing prescription drugs shall be delivered only when the prescription department is open and/or a licensed pharmacist is on the premises in order to secure such drug orders.

(l) A barrier preventing access to the prescription department by the public, shall be erected pursuant to the security requirements of Ph 702.04(e).

(m) The pharmacist-in-charge may designate personnel, in compliance with the provisions of Ph 702.05(b), to have keys, and a list of these individuals shall be communicated to the board of pharmacy in writing whenever changes occur.

(n) All prescription departments licensed under this section shall be so equipped with a physical barrier from floor to ceiling capable of being locked and alarmed, separate from the rest of the store, to be utilized when the prescription department is not opened to the public.

Source. #1639, eff 1-1-89; ss by #2260, eff 1-5-83; ss by #2914, eff 11-27-84; ss by #4610, eff 1-8-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED: 1-19-96

New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New. #8316, eff 3-26-05; amd by #8572, eff 2-23-06; paragraphs (a) (e), (e) (g), (i), and (k)-(n) EXPIRED: 3-26-13; paragraphs (d), (h), and (j) EXPIRED: 2-23-14

New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11031, eff 1-29-16

PART Ph 304—PHARMACY PERMIT APPLICATION

Ph 304.01 Obtaining and Filing a Permit Application.

(a) Application Ph B-1 revised September 2015 for a permit to operate a pharmacy in New Hampshire may be obtained from the board or board website, and shall be filed at the board office identified in Ph 103.03;

(b) Form Ph B-1 shall be used for:

(1) Applying for a permit to operate a new pharmacy within the State of New Hampshire;

(2) Changing the location of a currently-licensed New Hampshire pharmacy;

(3) Changing the ownership of a currently-licensed New Hampshire pharmacy; and
(4) Changing the pharmacist-in-charge of a currently licensed New Hampshire pharmacy:

Source: #1639, eff 11-1-89; ss by #2260, eff 1-5-83; ss by #2914, eff 11-27-84; ss by #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96

New: #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New: #8316, eff 3-26-05, EXPIRED: 3-26-13

New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New: #11031, eff 1-29-16

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Ph 304.02 Application Contents:

(a) The applicant for a permit to operate a pharmacy in New Hampshire, shall complete form Ph B-1 revised September 2015.

(b) The applicant shall also submit scale drawings of the pharmacy, detailing usage of all space.

(c) The applicant shall supplement the application with any certificates, affidavits, plans, documents, or other information sufficient to show full compliance with all of the requirements of Ph 304.

(d) The applicant shall submit a certificate from the secretary of state attesting to the documents creating the corporate person and any amendment(s) thereof to the certificate of incorporation, or authorizing it to do business in the state of New Hampshire under the corporate name.

(e) The application shall be filed with the prescribed fee of $250.

Source: #1639, eff 11-1-89; ss by #2260, eff 1-5-83; ss by #2914, eff 11-27-84; ss by #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED: 1-19-96

New: #6181-B, eff 2-5-96; amd by #6933, eff 2-1-99; paragraphs (a)-(d) EXPIRED: 2-5-04, amd by #8316, eff 3-26-05; paragraph (e) EXPIRED: 2-1-07; paragraphs (a)-(d) EXPIRED: 3-26-13

New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New: #11031, eff 1-29-16

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PART Ph 305 PHARMACY PERMIT PROCEDURE

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Ph 305.01 Pharmacy Permit Conference:
(a) In addition to all requirements set forth in the statutes and elsewhere in this chapter, each applicant applying for a permit to operate a pharmacy in New Hampshire shall appear before the board for an informal conference to review the responsibilities of the pharmacist-in-charge and permit holder.

(b) If the owner is not the pharmacist-in-charge, then the owner or an officer of the corporation, or the district manager, as well as the anticipated pharmacist-in-charge shall appear before the board.

Source. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15
New. #11031, eff 1-29-16

Ph 305.02 Site Inspection for Pharmacy Permit.

(a) Following the applicant's conference, the proposed site shall be inspected by one or more board members or compliance inspectors to determine if the premises are secure and suitable, as set forth in the NH pharmacy application information according to the provisions of Ph 702, for the operation of a pharmacy and that the required professional library material, according to Ph 702.07 (c) & (d), is available.

(b) Within the 60 day period after the issuance of the temporary permit as required by Ph 305.02, an inspector or a board member or both shall inspect the pharmacy. The full operation of the pharmacy shall be examined for compliance with federal and state statutes and rules governing the practice of pharmacy to ensure public protection.

Source. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15
New. #11031, eff 1-29-16

Ph 305.03 Issuance and Denial of Pharmacy Permit.

(a) Applicants shall file a completed application at least 30 days before consideration will be given for a temporary permit.

(b) Providing that, the premises are suitable, according to Ph 305.02 (a), for the operation of a pharmacy and the applicant has met all other requirements of these rules and RSA 318, the applicant shall be granted a temporary permit which shall expire in 60 days. The temporary permit shall authorize the operation of a pharmacy only in the location and only under the name specified in the permit and shall authorize the pharmacist-in-charge to buy, possess and dispense prescription drugs, chemicals and pharmaceuticals.
(e) After consideration of the application and the report of the primary site inspection, the board shall notify the applicant in writing of all deficiencies in the application, which, in the absence of correction, shall result in the denial of the application. The applicant shall, within 20 days of the date of the notice of deficiency, deliver to the board documents evidencing the correction of those deficiencies. In the absence of timely filing of documentation, the application shall, without further action or notice by the board, be denied effective as of the expiration of 20 days after the date of the notification of deficiency.

Source: #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15
New. #11031, eff 1-29-16

PART Ph 306 PHARMACY PERMITS—CHANGES IN SUPPORTING DATA

Ph 306.01 Pharmacy Ownership Transfer. A transfer of ownership shall include any of the following:

(a) The sale of the pharmacy;

(b) The addition or deletion of one or more partners in a partnership;

(c) The death of a singular owner, or

(d) In a publicly traded, multi-tiered corporation, a change in the corporate ownership of the majority or controlling interest of the lowest tier of the corporate structure doing business as a pharmacy in the State of New Hampshire.

Source: #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, amd by #8572, eff 2-23-06; intro. paragraph and paragraphs (a), (e) EXPIRED: 3-26-13; paragraph (d) EXPIRED: 2-23-14
New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15
New. #11031, eff 1-29-16

Ph 306.02 Reporting Changes. The person to whom a permit to operate a pharmacy in New Hampshire has been issued shall, within 15 days of that person's discovery of a change in any of the data contained in the application for an original or renewal permit, report that change to the board in writing. An original new permit application, form Ph B-1 revised September 2015 shall be completed and filed in addition to the written notice when the name, location, ownership, licensed area, or pharmacist in charge of the pharmacy are changed.
Ph 306.03 Change in Pharmacy Name or Location—Prohibited. No person shall operate a pharmacy under a name, or at a location, different from the name and location contained in the permit issued pursuant to Ph 304.

Ph 306.04 Renovations. Plans for any renovation at any time after an original permit is issued shall be filed with the board for review and approval before proceeding with such changes.

Ph 306.05 Special Permit Provisions for Sudden Termination of Pharmacist In Charge (PIC). Existing pharmacy permit holders who have a sudden loss of the pharmacist in charge (PIC), shall be issued a special pharmacy permit valid for 60 days while a new PIC is identified and appears before the board according to Ph 305.01.
PART Ph 307—RENEWAL AND REPLACEMENT PHARMACY PERMITS

—Ph 307.01 Renewal Permits Required. The person to whom a permit to operate a pharmacy in New Hampshire has been issued shall renew that permit by December 31st of each year.

Source. #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New. #8316, eff 3-26-05, EXPIRED: 3-26-13

New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11031, eff 1-29-16

—Ph 307.02 Renewal Application—Where Obtained and Filed. Applications for the renewal of a permit to operate a pharmacy in New Hampshire may be obtained from, and shall be filed at, the board office.

Source. #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New. #8316, eff 3-26-05, EXPIRED: 3-26-13

New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11031, eff 1-29-16

Ph 307.03 Renewal Application Contents and When Filed.

(a) Applications for renewal of a permit to operate a pharmacy in New Hampshire shall consist of the prescribed form Ph-B-2 revised September 2015 and the prescribed fee of $250.

(b) Renewal applications as required pursuant to Ph 307.01 shall be submitted to the board office identified in Ph 103.03 no later than the 15th day of December of each year.

Source. #6181-B, eff 2-5-96; amd by #6933, eff 2-1-99; paragraph (b) EXPIRED: 2-5-04; amd by #8316, eff 3-26-05; paragraph (a) EXPIRED: 2-1-07; paragraph (b) EXPIRED: 3-26-13

New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11031, eff 1-29-16
Ph 307.04 Renewal Application Deficiencies: The board shall notify the applicant in writing as to how the application for renewal is deficient. The applicant may, within 10 days after the date of the notice of deficiency, correct the deficiency or the renewal shall be denied.

Source: #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New: #8316, eff 3-26-05, EXPIRED: 3-26-13
New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15
New: #11031, eff 1-29-16

Ph 307.05 Issuance or Denial of Renewal Permit:

—(a) If an applicant shall timely file an application, complete in all respects, and shall demonstrate the fulfillment of all the requirements of these rules and RSA 318, the board shall issue a renewal permit.

—(b) An application which continues to fail to meet the requirements of these rules and RSA 318 shall be denied.

Source: #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New: #8316, eff 3-26-05, EXPIRED: 3-26-13
New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15
New: #11031, eff 1-29-16

Ph 307.06 Replacement Permit Application and Contents:

—(a) The holder of a current permit to operate a pharmacy in New Hampshire, whose permit has been lost or destroyed shall apply for a replacement permit within 15 days after the date the licensee discovers, or with reasonable diligence, should have discovered, the loss or destruction of the permit. There shall be no form prescribed for an application for a replacement permit.

—(b) The request for a replacement permit shall:

1. Be in writing;
2. Contain the number of the current permit held by the applicant, if known;
3. Be accompanied by the remains, if any, of the permit for which a replacement is sought;
4. Be accompanied by the prescribed fee of $25; and
PART Ph 308 - REVOCATION AND SUSPENSION OF A PHARMACY PERMIT

--- Ph 308.01 Grounds for Revocation or Suspension. The board may revoke or suspend a permit to operate a pharmacy for grounds which include but are not limited to:

--- (a) Misconduct as described in RSA 318:29, II; and

--- (b) Violations of the provisions of RSA 318:29, V.

--- Ph 308.02 Effect of Revocation:

--- (a) The revocation of a pharmacy permit shall permanently withdraw the authority to operate a pharmacy in New Hampshire.

--- (b) A subsequent permit may be obtained only by:

1) Complying with all of the requirements of RSA 318 and these rules regarding the original licensing of pharmacies;

2) Paying all penalties assessed in connection with the cause for revocation; and

3) By demonstrating that the cause for revocation does not exist at the time of the subsequent application.

Source. #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New. #8316, eff 3-26-05, EXPIRED: 3-26-13

New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11031, eff 1-29-16
Ph-308.03 Effect of Suspension:

(a) The suspension of a pharmacy permit shall temporarily withdraw the authority to operate a pharmacy in New Hampshire until the time specified in the order of suspension.

(b) The authority to operate a pharmacy in New Hampshire shall be recovered only by:

(1) Complying with all of the requirements specified in the order of suspension;

(2) Complying with all of the requirements of RSA 318 and these rules regarding the renewal of a pharmacy permit; and

(3) Paying all penalties assessed in connection with the cause for suspension.

Source: #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New: #8316, eff 3-26-05, EXPIRED: 3-26-13

New: #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New: #11031, eff 1-29-16 (from Ph-308.01)

Ph-308.04 Voluntary Surrender When Permitted:

(a) Any person holding a pharmacy permit may voluntarily return that permit to the board.

(b) The return of such permit shall be accompanied by the licensee's signed, written statement as to why the permit is being voluntarily returned to the board.

(c) The voluntary surrender of a permit to operate a pharmacy in New Hampshire shall serve to withdraw the authority for the licensee to operate that pharmacy in New Hampshire.

(d) Voluntary surrender of a permit to operate a pharmacy in New Hampshire shall not be permitted if there exists, at the time the permit is presented to the board, any cause for involuntary revocation or suspension of the licensee's permit to operate a pharmacy, unless the licensee presenting the permit shall state in writing that the voluntarily surrendered permit is in lieu of proceedings for the involuntary revocation or suspension of the permit to operate a pharmacy in New Hampshire.

Source: #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New: #8316, eff 3-26-05, EXPIRED: 3-26-13
Ph 308.05 Hearing. Except as authorized by statute or these rules, a permittee to operate a pharmacy in New Hampshire shall not be disciplined except after notice and opportunity for hearing provided by Ph 200.

Source. #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New. #8316, eff 3-26-05; ss by #8572, eff 2-23-06, EXPIRED: 2-23-14

New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11031, eff 1-29-16 (from Ph 308.04)

PART Ph 309 STANDARDS OF PRACTICE FOR MANUFACTURERS, WHOLESALERS AND DISTRIBUTORS—Moved to Ph 1000

Ph 309.01—Ph 309.14

Source. #6181-B, eff 2-5-96, EXPIRED: 2-5-04

New. #8316, eff 3-26-05, EXPIRED: 3-26-13

New. #10702, INTERIM, eff 10-23-14, EXPIRED: 4-21-15

New. #11031, eff 1-29-16; renumbered by #12007 (see Ph 1000)

PART Ph 403 310 CONTINUING EDUCATION REQUIREMENTS

Ph 403.04 310.01 Definitions.

(a) "Accredited programs/courses" means continuing education sponsored by providers which are approved by the American Council on Pharmaceutical Education (ACPE) or the Canadian Council on Continuing Education in Pharmacy (CCCEP).
(b) "AMA category I programs" means all programs accepted by the American Medical Association in category I.
(c) "Board approved programs/courses" means continuing education which has been reviewed and recommended by the continuing education advisory council and approved by the board of pharmacy or continuing education programs approved by a Canadian provincial or territorial pharmacy licensing authority.
(d) “Certificate of accredited/approved CEU’s” means a document, issued to a particular pharmacist by an accredited or approved provider certifying that the pharmacist has satisfactorily completed a specified number of CEU’s. Such certificates include a unique program identification number issued by the accrediting/approving provider.

(e) “Continuing education” means accredited or approved post-licensure pharmacy education designed to maintain professional competence in the practice of pharmacy, improve professional skills, and preserve pharmaceutical standards for the purpose of protecting the health and welfare of the citizens in the state of New Hampshire. Continuing education includes study in one or more of the general areas of the properties and actions of drugs and dosage forms, etiology, characteristics and therapeutics of the disease state, socio-economic and legal aspects of health care.

(f) “Continuing education advisory council (CEAC)” means a group of individuals appointed by the board of pharmacy to serve in an advisory capacity on continuing education.

(g) “Continuing education unit (CEU)” means 10 contact hours of participation in accredited or board approved continuing education courses/programs.

(h) “In-state approved provider” means an individual, institution, organization, association, corporation or agency located in the state of New Hampshire in no manner affiliated with any manufacturer or distributor of supplies or services used in the practice of pharmacy, who is approved by the board of pharmacy to provide continuing pharmacy education according to Ph 403-12 310.12.

Source. #1867, eff 11-22-81; ss by #2260, eff 1-5-83; ss by #2914, eff 11-27-84; ss by #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED: 1-19-96
New. #6181-B, eff 2-5-96; amd by #6933, eff 2-1-99; paragraphs (c)-(h) EXPIRED: 2-5-04; amd by #8316, eff 3-26-05; paragraphs (a) and (b) EXPIRED: 2-1-07; paragraphs (c)-(h) EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403-02 310.02 Renewal Requirements.

(a) The board of pharmacy shall not issue licensure renewals unless the pharmacist indicates on the renewal application, and under penalty of unsworn falsification, that he/she has completed the minimum required hours of accredited/approved continuing pharmaceutical education courses/programs according to Ph 403-02 310.02(d). An incomplete renewal application shall be returned to the applicant.

(b) Continuing education shall be required of all licensed, active or inactive pharmacists who apply for license renewal.

(c) Pharmacists submitting applications for the first annual licensure renewal shall be exempt from the continuing education requirements.

(d) All pharmacists licensed in New Hampshire shall acquire and submit with license renewal, 4-5 3.0 CEU’s during the 42 24 months immediately preceding the license renewal date of January 1st. At least 0.5 1.0 CEU’s shall be earned in a live setting.

(1) Pharmacists shall obtain 0.4 CEU’s biennially completing training related to continuous quality improvement or error reduction.

(2) Pharmacists shall obtain 0.4 CEU’s biennially in pharmacy law.

(e) Continuing education credits shall not be recognized for any repeat program attended or completed. Repeat programs shall be identified as any program, live or
correspondence, which carries the same ACPE, CME or any board of pharmacy program identification number.

(f) The pharmacist shall retain all certificates and/or other documented evidence of participation in an approved/accredited continuing education program/course for a period of at least 3 years. Such documentation shall be made available to the board for random audit and/or verification purposes.

(g) Not less than 10% of the registrants shall be randomly selected each year by the board for determinations of compliance with Ph 403.02 310.02.

Source. #1867, eff 11-22-81: ss by #2260, eff 1-5-83; ss by #2914, eff 11-27-84; ss by #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED: 1-19-96
New. #6181-B, eff 2-5-96; amd by #6933, eff 2-1-99; paragraphs (a)-(f) EXPIRED: 2-5-04; amd by #8316, eff 3-26-05; paragraph (g) EXPIRED: 2-1-07; paragraphs (a)-(f) EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403.03 310.03 Excess CEU's.

Excess CEU's earned in one licensure period shall not be carried forward into the new licensure period for the purpose of fulfilling that year's continuing education prerequisite for licensure renewal.

Source. #1867, eff 11-22-81: ss by #2260, eff 1-5-83; ss by #2914, eff 11-27-84; ss by #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96
New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403.04 310.04 CEU's from Other States.

The board of pharmacy shall accept comparable continuing education units which have been approved by other boards of pharmacy provided they meet or exceed the requirements as set forth in Ph 403.

Source. #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96
New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403.05 310.05 Credit for Instructors of Continuing Education.

(a) Any pharmacist, whose primary responsibility is not the education of health professionals, who leads, instructs or lectures to groups of nurses, physicians, pharmacists or others on pharmacy related topics in organized continuing education or in-service programs, shall be granted continuing education credit for such time expended during actual presentation.

(b) Any pharmacist whose primary responsibility is the education of health professionals shall be granted continuing education credit only for time expended in leading, instructing, or lecturing to groups of physicians, pharmacists, nurses or others on pharmacy-related topics outside his/her formal course responsibilities in a learning institution.
(c) Credit for presentation of in-service training programs or other lectures shall be granted only once for any given program or lecture.
(d) A maximum of 4 hours in this category may be applied toward fulfilling the total continuing education yearly requirements. However, these hours shall not be considered in fulfilling the live requirements as set forth in Ph 403.02 310.02(d).

Source. #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96
New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403.06 310.06 Postgraduate Pharmacy Curricula.

(a) A pharmacist who matriculates in a postgraduate pharmacy curriculum or post graduate pharmacy program shall be awarded CEU's for satisfactory completion of each course within said curriculum or program.
(b) The course work for which CEU credit is provided pursuant to (a) above, shall provide instruction in one or more of the following areas of study:
   (1) Pharmacy;
   (2) Pharmaceutical calculations;
   (3) Pharmaceutical chemistry;
   (4) Pharmacology;
   (5) Therapeutics;
   (6) Pharmacy management;
   (7) Pharmaceutical jurisprudence; or
   (8) Other course work related to the pharmaceutical sciences.

Source. #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96
New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403.07 310.07 Audio/Visual Continuing Education.

(a) Continuing education credit may be claimed for the completion of home study audio and/or video cassette tape programs/courses, provided that such programs require the completion of a written exam by the pharmacist to be scored by the provider of such programs.
(b) Audio/visual continuing education programs, including satellite transmissions, which provide for group discussion and include a facilitator shall, be allowed as live programming.
(c) Webinars that are ACPE approved and contain an “L” in the program approval number shall be allowed as live programming.

Source. #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96
New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10812, eff 4-18-15
Ph 403.08 310.08 Waiver.

The board shall waive some or all of the continuing education requirements, for a period not to exceed one calendar year, for such hardships as illness or incapacity. Written request for waiver shall be submitted to the board for consideration.

Source. #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96
New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403.09 310.09 Military Personnel.

Military personnel or spouses shall not be exempt from the continuing education requirements, because correspondence programs/courses are available, but shall be exempt from the live requirement if assignment is in a foreign country.

Source. #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96
New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403.10 310.10 Reinstatement.

Any pharmacist desiring reinstatement of licensure shall show evidence of completion of at least § 3.0 CEU's, according to Ph 403.02(d) 310.02(d) and earned in the 24 months immediate preceding the date of application for reinstatement.

Source. #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96
New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403.11 310.11 Penalty.

Any pharmacist who alters, forges, or intentionally falsifies, or causes to be altered, forged, or falsified any information, documents, or records required to be kept or submitted by this rule shall be subject to disciplinary action under RSA 318:29, II. Falsification of records shall constitute misconduct.

Source. #4600, eff 8-1-89; ss by #6094-B, INTERIM, eff 9-21-95, EXPIRED, 1-19-96
New. #6181-B, eff 2-5-96, EXPIRED: 2-5-04
New. #8316, eff 3-26-05, EXPIRED: 3-26-13
New. #10812, eff 4-18-15

Ph 403.12 310.12 In-State Approved Providers of Continuing Pharmacy Education.

(a) An individual, institution, organization, association, corporation or agency located in the state of New Hampshire desiring to be an in-state provider of continuing pharmacy education
shall notify the board in writing subject to the criteria set forth in Ph 403.12 310.02(d)(1) -(10).

(b) Approval of in-state providers shall be valid for a period of 2 years from date of approval after which time re-application shall be necessary.

(c) In-state providers who desire to become approved by the board shall provide their educational qualifications and an example of a program to the CEAC committee for review.

(d) In state providers shall comply with the following:

(1) The provider shall designate a responsible person for the administration of the continuing pharmacy education program and liaison with the CEAC and the board;

(2) Providers shall award continuing pharmacy education credit to successful participants in terms of CEU's;

(3) The provider shall maintain a list of successful participants for each program provided for a period of not less than 3 years;

(4) The list required by (3) above shall be made available to the CEAC and the board on request;

(5) The provider shall award to each successful participant a certificate containing at least the following information:
   a. The name of the provider;
   b. The completion date of the continuing education program;
   c. The name of the participant;
   d. The title of the program;
   e. The number of CEU's the program has been assigned; and
   f. The board of pharmacy program identification number.

(6) All programs shall be referenced as "live" or "correspondence" in nature;

(7) Providers shall present their participants with a statement of goals and objectives prior to each continuing pharmacy education program and involve their participants in identifying their own educational needs;

(8) Providers shall develop and employ evaluation techniques that will assess the effectiveness of the continuing pharmacy education offerings and the level of fulfillment of the stated objectives with the goal of continual improvements;

(9) Providers shall utilize an evaluation mechanism for the purpose of allowing each participant to assess his/her achievement of personal objectives; and

(10) Providers shall assign an identification number to every program presented according to the numbering system designated by the board of pharmacy.

(e) Continuing education programs presented by in-state approved providers shall not have to be submitted to the CEAC for review and approval by the board.

(f) In-state approved providers of continuing pharmacy education shall publicize programs and/or coursework by referencing endorsement by the board only as follows: "This program is approved by the New Hampshire Board of Pharmacy for CEU's of continuing pharmacy education". Programs shall also be referenced as "live" or "correspondence" in nature.

(g) Board approval of in-state provider shall be revoked following notice and opportunity to be heard upon a finding that the provider has engaged in fraud or dishonesty or is no longer in compliance with one or more of the criteria of (d) above.
Ph 403.13 310.13 Continuing Education Advisory Council Membership.

(a) The advisory council shall consist of not less than 6, nor more than 10 members, at least one of whom shall be a member of the board.
(b) The term of appointment shall be for 3 years and shall be served until the expiration date or until a successor has been named. Should a vacancy occur, a successor shall be appointed to serve the unexpired term.
(c) The advisory council shall submit all recommendations to the board for its implementation and/or approval.
(d) It shall be the duty of the advisory council to:
   (1) Elect from its membership a chairman and a secretary annually;
   (2) Recommend to the board the standards and specifications required of programs/courses which might be acceptable for board approval in fulfilling continuing education requirements;
   (3) Recommend programs which meet the standards and specifications adopted;
   (4) Recommend the number of CEU's granted for the satisfactory completion of approved programs; and
   (5) Provide such other assistance to the board necessary in the implementation and maintenance of the continuing education licensure renewal prerequisite.
(e) The advisory council shall meet a sufficient number of times annually to properly perform its functions.
(f) The advisory council quorum shall be equal to the majority of the council membership.
APPLICATION TO CHANGE PHARMACIST-IN-CHARGE OF A NH PHARMACY

Effective Date of PIC Change (Must Not Be In Past / Prior To Board Receiving Application) | Name of Former / Outgoing Pharmacist-In-Charge

<table>
<thead>
<tr>
<th>NH Pharmacy Permit #</th>
<th>Name Of Pharmacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address Of Pharmacy</td>
<td></td>
</tr>
<tr>
<td>City/Town</td>
<td>State</td>
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PHARMACY INFORMATION

PHARMACY OWNER / CORPORATE REPRESENTATIVE AFFIDAVIT

As chief administrative officer / authorized representative / owner of _____________________________ Corporation / Business Name, I certify that _____________________________ Name of Proposed Pharmacist-In-Charge is designated by me as pharmacist-in-charge to operate this pharmacy in compliance with all federal, state, and local laws. I have read this application and all of the statements made on it are, to the best of my knowledge, true and correct. As the owner or corporate representative of this pharmacy, my signature below acknowledges my (the corporation's) responsibilities as the permit holder, including all of the corporate / permit holder duties and responsibilities noted in NH RSA 318:38 and Ph 704.11(d).

Signature of Company / Corporate Representative | Title | Date

PHARMACIST-IN-CHARGE AFFIDAVIT

I affirm that the answers and statements made on this application are true and correct to the best of my knowledge and belief, that this pharmacy has the required facilities and equipment and meets the conditions specified by the Board of Pharmacy, a copy of whose laws and rules, available at www.oplc.nh.gov/pharmacy, I have read. I also agree to display the pharmacy permit in a conspicuous place in this pharmacy. I understand that this permit is issued to the pharmacy in the name of the corporation or the owner of the pharmacy. This permit is not transferable and shall become null and void upon my termination as pharmacist-in-charge, upon any change in pharmacy ownership, upon the acquisition of the existing corporation by any person or company, upon any change in controlling interest in the corporation, or should the pharmacy be moved or closed.

I further agree to operate this pharmacy in accordance with all federal, state, and local pharmacy/drug laws and regulations and have reviewed the Pharmacist-In-Charge (PIC) duties for which I am responsible in Ph 704.11(b). Further, I affirm I have met the PIC Requirements noted in Ph 704.11(a), including having worked for a minimum of 2-years as a pharmacist and have passed the NH PIC Exam.

Printed Name of New Pharmacist-In-Charge | NH Pharmacist License Number of New PIC

Signature of New Pharmacist-In-Charge | Date

Form Ph B-3 (Revised May 2019)