

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number

Rule Number

Ph 102.02, Ph 403.01, Ph 405.02, Ph 701.02, Ph 802, Ph 902, Ph 1102.04, Ph 1202.05, Ph 1302, Ph 1402.02, Ph 1402.07 – Ph 1402.09, Ph 1402.13, Ph 1502.01, Ph 1602, Ph 1702, Ph 1802, Ph 2102.01, Ph 2201, Ph 2301, Ph 2402.01, Ph 2502, Ph 2602,

1. Agency Name & Address: Board of Pharmacy c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301	2. RSA Authority: <u>RSA 541-A:16, I(b)</u> 3. Federal Authority: <u>n/a</u> 4. Type of Action: Adoption _____ Repeal <u>X</u> Readoption _____ Readoption w/amendment <u>X</u>
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5. Short Title: **Definitions**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The Board of Pharmacy is proposing to remove all definitions from individual sections of the Board's rules when the word that is defined is used in more than one section of the rules and locate the definition to Ph 102.02. In order to accomplish the movement Ph 802, Ph 902, Ph 1302, Ph 1402.02, Ph 1402.07 through Ph 1402.09, and Ph 1602 are being repealed.

6. (b) Brief description of the groups affected:

The Groups affected would be those licensed by the Board of Pharmacy, the general public, and the Board.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State Statute the Rule Implements
Ph 202.02	RSA 318:5-a, VIII; RSA 318:30 – 31; RSA 541-A:16, I (b)(2)
Ph 403.01	RSA 318:29, I, II, IV, V; RSA 318:5-a, VII-a
Ph 405.02	RSA 318:5-a, II, IV-a
Ph 701.02	RSA 318:5-a, IV-a
Ph 801.01 (repealed)	RSA 318:5-a, X (a); RSA 541-A:7

Rule	Specific State Statute the Rule Implements
Ph 902.01 (repealed)	RSA 541-A:7; RSA 541-A:8
Ph 902.02 (repealed)	RSA 541-A:7; RSA 541-A:8
Ph 1102.04 (repealed)	RSA 541-A:7; RSA 318:5-a, XVII(b)
Ph 1102.05 (repealed)	RSA 318:1, III; RSA 318:5-a, XVII(b)
Ph 1302.02 (repealed)	RSA 541-A:7; RSA 541-A:8; RSA 541-A:16, I(b); RSA 318:5-a
Ph 1402. 02 (repealed)	RSA 541-A:7; RSA 541-A:8; RSA 318:57
Ph 1402. 07 (repealed)	RSA 541-A:7; RSA 541-A:8; RSA 318:57
Ph 1402. 08 (repealed)	RSA 541-A:7; RSA 541-A:8; RSA 318:57
Ph 1402. 09 (repealed)	RSA 541-A:7; RSA 541-A:8; RSA 318:57
Ph 1502.01	RSA 318-B:31
Ph 1602.01 (repealed)	RSA 318:15-b; RSA 541-A:7
Ph 1702.01	RSA 541-A:7; RSA 318:45-a, VII
Ph 1802.01	RSA 318:1, XXXIII; RSA 318:5-a, IV-a, X, XIV; RSA 318:15-a and c
Ph 2102.01	RSA 318:5-a, IX; RSA 318:8-a; RSA 318:9-a; RSA 318-B:25; RSA 541-A:16, I(b)
Ph 2201.01	RSA 318:30; RSA 318-B:24; RSA 318:8-a; RSA 318:14-a; RSA 318:42
Ph 2402.01	RSA 318:5-a, I, V, and IX; RSA 318:47-I
Ph 2502.01	RSA 318:1, XXII; RSA 318:5-a, XII; RSA 318:42, XV; RSA 541-A:16, I(b)
Ph 2602.01	RSA 318:5-a, XVII

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Tina M. Kelley** Title: **Program Specialist IV**
Mailing Address: **Office of Professional Licensure & Certification** Phone #: **(603) 271-5247**
7 Eagle Square Fax#: **None**
Concord, NH 03301 E-mail: **OPLC-Rules@oplc.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Monday, March 4, 2024 at 4:00 p.m.**

☐ Fax ☒ E-mail ☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, February 21, 2024 at 9:30 a.m.**
Physical Location: **Office of Professional Licensure & Certification**
7 Eagle Square, Concord, NH 03301
Electronic Access (if applicable): **n/a**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 23-312 , dated 1/2/2024

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in costs when comparing the proposed rules to the existing rules. Not applicable to Ph 801.01, Ph 902.01, Ph 902.02, Ph 1102.04, Ph 1202.05, Ph 1302, Ph 1402.02, Ph 1402.07 through Ph 1402.09, Ph 1402.13, Ph 1602 as they are being repealed.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

There is no cost or benefits to the rules being repealed or to the readopted rules as the changes are merely technical in nature.

A. To State general or State special funds:

None

B. To State citizens and political subdivisions:

None

C. To independently owned businesses:

None

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program to any political subdivision in any way.