

Readopt with amendment Ph 1102.03, effective 1/23/18 (Document #12464), to read as follows:

Ph 1102.03 “Collaborative pharmacy practice agreement” means “collaborative pharmacy practice agreement” as defined in RSA 318:1, XXVII, namely, “a written and signed specific agreement between a pharmacist and an attending practitioner that provides for collaborative pharmacy practice for the purpose of medication therapy management for the patient.” The term includes each protocol developed pursuant to RSA 318:16-a, II(a).

Readopt with amendment Ph 1105.01, effective 1/23/18 (Document #12464), to read as follows:

Ph 1105.01 Collaborative Practice Agreements.

(a) Collaborative practice agreements shall describe in detail services that a pharmacist may perform for a patient, including but not limited to:

- (1) Specific drugs to be managed by the pharmacist;
- (2) Terms and conditions under which a drug therapy may be implemented, modified, or discontinued;
- (3) Conditions and events upon which the pharmacist is required to notify the collaborating practitioner, and the manner and time frame in which such notification shall occur;
- (4) The laboratory tests that may be ordered to manage a medication therapy;
- (5) Activities which may be performed by the pharmacist in conjunction with a written protocol;
- (6) A statement of the expected amount of dedicated time that a pharmacist will use exclusively to perform duties in the collaborative agreement;
- (7) Documentation of the care delivered and, if applicable, methods of communication of essential information the patient’s other health care providers;
- (8) Education and training designed to enhance patient understanding and the appropriate use of his or her medication;
- (9) The beginning and ending dates of the period of time during which the agreement is in effect;
- (10) A statement that the agreement may be terminated in writing by either party at any time, subject to (c) below; and
- (11) A description of the private, HIPAA-compliant space to be utilized for collaborative practice.

(b) Collaborative agreements shall be renewed at least every 2 years and signed by all practitioners who are a party to the agreement.

(c) When a collaborative agreement between the pharmacist and the practitioner is terminated, the pharmacist shall provide notification to the patient and document in the electronic medical record. Such notification shall include detailed information on how the patient may continue any medication therapy provided by the pharmacist without interruption.

(d) Collaborative practice agreements shall include quality metrics developed by pharmacist(s) and practitioners.

(e) Pharmacists shall keep a copy of each collaborative agreement, including any protocols specified in such agreements, to which they are a party at their place of practice.

(f) Collaborative agreements and protocols shall be available for inspection and review by the board or its agents at any time during the pharmacist's normal business hours.

Repeal Ph 1105.02, effective 1/23/18 (Document #12464), to read as follows:

~~[Ph 1105.02 Informed Consent of Patient or Patient's Authorized Representative.~~

~~— (a) Patient informed consents shall include, but not be limited to, the following information:~~

~~(1) A statement that the patient or the patient's authorized representative has read, understood, and consented to the pharmacist performing the duties outlined in the agreement;~~

~~(2) The full name and address of the patient;~~

~~(3) The full name and address of the collaborative attending practitioner; and~~

~~(4) The full name and address of the collaborating pharmacist.]~~

Readopt with amendment Ph 1105.03, effective 1/23/18 (Document #12464), and renumber as Ph 1105.03 and Ph 1105.04 as Ph 1105.02 and Ph 1105.03, to read as follows:

Ph 1105.02 Practice Under a Collaborative Practice Agreement.

(a) Practice by a pharmacist under a collaborative practice agreement shall not be delegable and shall be performed only by the pharmacist who is a party to the agreement.

(b) At least once per year, the pharmacist shall review the collaborative practice agreement and each protocol developed pursuant thereto so as to determine whether changes should be made to reflect the standard of care. If such a review reveals that a change should be made, the pharmacist shall inform the attending practitioner.

(c) Nothing in this chapter shall be construed to prohibit an authorized pharmacist from participating in medication therapy management by protocol or policy approved by the medical staff of the hospital, so long as such participation is limited to drugs administered to a patient by an individual licensed to administer the drug to the patient in an in-patient or outpatient hospital setting.

(d) Nothing in this chapter shall be construed to prohibit a pharmacist from performing medication therapy management services that do not require a collaborative agreement, such as:

- (1) Performing patient assessment or comprehensive medication review;
- (2) Formulating a medication treatment plan;
- (3) Monitoring efficacy and safety of medication therapy;
- (4) Enhancing medication adherence through patient empowerment and education; and
- (5) Documenting and communicating medication therapy management services to prescribers in order to maintain comprehensive patient care.

(e) In the event the board places a restriction on a pharmacist license, that pharmacist shall cease working under any collaborative agreement immediately upon being restricted. Once the restriction has been removed by the board, the pharmacist may reapply for collaborative practice as described in Ph 1105.01.

(f) In the event a licensing board places a restriction on an attending practitioner, the pharmacist shall cease working under any collaborative agreement with that attending practitioner. Once the restriction has been removed by the respective licensing board, the pharmacist may reapply for collaborative practice with that attending practitioner.

APPENDIX

Rule	Specific State Statute the Rule Implements
Ph 1102.03	RSA 318:1, XXVII; RSA 318:5-a, XVII(b)
Ph 1105.01	RSA 318:5-a, XVII(b); RSA 318:16-a, IV
Ph 1105.02 (repealed)	RSA 318:5-a, VI, XVII(b)
Ph 1105.02 (formerly Ph 1105.03)	RSA 318:5-a, XVII(b); RSA 318:16-a, IV