

RULEMAKING NOTICE FORM

Notice Number _____	Rule Number _____ Ph 2100 various
1. Agency Name & Address: N.H. Board of Pharmacy c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301	2. RSA Authority: RSA 318-5-a, IX 3. Federal Authority: n/a 4. Type of Action: Adoption _____ Repeal X Readoption _____ Readoption w/amendment X
5. Short Title: Self Inspection and Inspection Reports	

6. (a) Summary of what the rule says and of any proposed amendments:

The Board of Pharmacy is intending to readopting with amendment various sections of Ph 2101 and repealing Ph 2109.01 as follows:

Ph 2106.01 describe self-inspection requirments and is being readopted with amendment to provide time lines for submission of reports, describe the retail pharmacy self-inspection report and the institutional pharmacy self-inspection report in detail;

Ph 2108.01 provides a list of documents used internally by the inspectors to conduct in person inspections and is being repealed;

Ph 2108.02 renumbered as Phy 2108.01 describes the requirements for the inspection report and is being readopted with amendment to add information with regards to the types of violations being noticed and where in the Board's rules they are found and require the report issued by the inspector be signed by the pharmacist on duty; and

Phy 201.08.02 is being adopted to describe the inspection of medication files and the retention of those files.

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

These rules affect Pharmacy's.

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 2106.01	RSA 318:5-a, IX, RSA 318:37, I(c), RSA 318:41, RSA 318:47-c; RSA 318:51-c, VI
Ph 2108.01 (repealed)	RSA 318:47-c;
Ph 2108.01 (formerly Ph 2108.02)	RSA 318:47-c;
Ph 2108.02	RSA 318:42, VII (a), RSA 318:47-c, I (a), RSA 318:51-f, IV (f)

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

Name: **Tina M. Kelley**

Title: **Program Specialist IV**

Address: **Office of Professional
Licensure and Certification
7 Eagle Square
Concord, NH 03301**

Phone #: **(603) 271-5247**

Fax#: **None**

E-mail: **OPLC-Rules@oplcnh.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, October 2, 2023 at 4:00 p.m.**

☐ Fax

☒ E-mail

☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, September 20, 2023 at 9:30 a.m.**

Place: **Office of Professional Licensure and Certification
7 Eagle Square, Concord NH 03301**

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

FIS # 23:177, dated 8-3-2023

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 2108.01 as it is being repealed and not applicable to Ph 2108.02 as it is a new rule.

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):

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 or responsibility to any political subdivision in any way.