

**RULEMAKING NOTICE FORM**

Notice Number \_\_\_\_\_

Rule Number \_\_\_\_\_

**Ph 1800**

1. Agency Name & Address:  
**N.H. Pharmacy Board  
 c/o Office of Professional  
 Licensure & Certification  
 7 Eagle Square  
 Concord, NH 03301**

2. RSA Authority: **RSA 318:5-a, IV-a, X, XIV;  
 RSA 318:15-a**

3. Federal Authority: **n/a**

4. Type of Action:  
 Adoption **X**  
 Repeal \_\_\_\_\_  
 Readoption \_\_\_\_\_  
 Readoption w/amendment \_\_\_\_\_

5. Short Title: **Licensed Advanced Pharmacy Technicians**

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

**Chapter Ph 1800 is being adopted by the N.H. Pharmacy Board to describe the licensure of advanced pharmacy technicians including the application process, ongoing requirements of licensees, discipline, revocation, or denial of licensure, renewal of licenses, continuing education requirements, and advanced pharmacy technician’s standards of practice.**

**This proposal replaces the Initial Proposal under Notice Number 2021-49, whose notice number NN 2021-49 was published in the Rulemaking Register on April 29, 2021 but was subsequently withdrawn.**

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

**This proposal affects individuals who wish to be licensed as advanced pharmacy technicians, those who have obtained the advanced pharmacy technician license, and pharmacists who employ advanced pharmacy technicians.**

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

<b>Rule</b>	<b>Statute Implemented</b>
Ph 1801	RSA 318:5-a, IV-a, X, XIV; RSA 318:15-a and c
Ph 1802	RSA 318:1, XXXIII; RSA 318:5-a, IV-a, X, XIV; RSA 318:15-a and c
Ph 1803	RSA 318:5-a, II, IV; RSA 318:5-a, X(a)
Ph 1804	RSA 318:5-a, X(b); RSA 318:15-a
Ph 1805	RSA 318:5-a, X(d)
Ph 1806	RSA 318:5-a, X(f)
Ph 1807	RSA 318:5-a, XI(c)

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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** Phone #: **(603) 271-5247**  
**7 Eagle Square** Fax#: **(603) 271-0597**  
**Concord, NH 03301** 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, January 31, 2022 at 4:00 p.m.**

Fax  E-mail  Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, January 20, 2022 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 # 21:137, dated 12-7-2021

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

Not applicable as these are new rules.

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):**

The proposed rules establish a licensing fee for Licensed Advanced Pharmacy Technicians in the amount of \$150 for a two-year duration as well as a renewal fee of \$100.

A. **To State general or State special funds:**

There will be no direct impact on the State general fund, however after paying all costs and salaries associated with the Office, any remaining balance in the fund lapses to the general fund at the close of each biennium. There will be additional revenue to the office of professional licensure and certification fund from the proposed certification and renewal fees.

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**B. To State citizens and political subdivisions:**

State citizens who wish to become licensed as a License Advanced Pharmacy Technicians will incur a cost to take a 2-part License Advanced Pharmacy Technicians exam as well a cost for board-approved advanced level technical program. These costs are currently indeterminable as they have not yet been determined.

**C. To independently owned businesses:**

Independently owned businesses will only have a cost to an extent they wish to pay for an employee to become licensed as a Licensed Advanced Pharmacy Technician.

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.**