

APPENDIX II-C

RULEMAKING NOTICE FORM

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

Rule Number Ph 2301.07

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| <p>1. Agency Name &amp; Address:</p> <p><b>N.H. Pharmacy Board<br/>c/o Office of Professional<br/>Licensure &amp; Certification<br/>7 Eagle Square<br/>Concord, NH 03301</b></p> | <p>2. RSA Authority: <u>RSA 318:5-a, XIII</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p> |
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5. Short Title: **Drug Control In Ambulatory Patient Treatment Areas**

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

**Ph 2301.07 describes dispensing drugs in ambulatory patient treatment areas for the immediate needs of the patient and exceptions to the rule. The rule is being readopted with amendment to add 2 exceptions the first for a full course of medication therapy needed to treat patients under a public health incident and the second for a full course of medication therapy needed to treat patients of sexual assault.**

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

**The groups affected by this change are practitioners authorized under any laws of the State of New Hampshire to dispense drugs for the immediate needs of the patient in an ambulatory patient treatment area.**

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 2301.07 | RSA 318:5-a, XIII                          |

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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@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, May 2, 2022 at 4 p.m.**

Fax  E-mail  Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, April 20, 2022 at 9:00 a.m.**  
**Office of Professional Licensure and Certification**  
Place: **7 Eagle Square**  
**Concord, NH 03301**

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

FIS # 22:019, dated 2-9-2022

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**  
There is no difference in cost when comparing the proposed rules to the existing 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):**
  - A. **To State general or State special funds:**  
None
  - B. **To State citizens and political subdivisions:**  
None
  - C. **To independently owned businesses:**  
None

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

**This rule does not violate Part I, Article 28-a of the New Hampshire Constitution. This rule does not mandate or assign this program to any political subdivision in any way.**