

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number Ph 2600

<p>1. Agency Name & Address:</p> <p>N.H. Pharmacy Board c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 318:5-a, XVII</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption <u>X</u></p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment _____</p>
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5. Short Title: Pharmacist Initiation and Dispensing of Nicotine Cessation

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

Ph 2601 is being adopted to set rules for the prescribing and dispensing of nicotine cessation therapy without a prior prescription by a pharmacist including pharmacist requirement in order to dispense, the standards of practice, restrictions, and immunity.

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

The groups affected by this change are pharmacist who wish to prescribe and dispense nicotine cessation therapy.

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 2600	RSA 318:5-a, XVII; RSA 318:47

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 31, 2022 at 4 p.m.**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, October 19, 2022 at 9:30 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 # 22:168, dated 8-29-2022

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 new rule has no cost to the State or state citizens. The new rule benefits state citizens who participate in the nicotine cessation therapy as they will be able obtain the therapy at the pharmacy without first having a prescription. Independently owned pharmacies that participate in the program will be required to possess at least \$1,000,000 of professional liability insurance coverage and complete an accreditation council for pharmacy education training program, which may be an added cost.

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

None

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

See #3 above. There is no cost or benefit to political subdivisions.

C. **To independently owned businesses:**

See #3 above.

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.