State of New Hampshire

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
LICENSING DIVISION
BOARD OF PHARMACY
7 Eagle Square
Concord, N.H. 03301-2412
Telephone 603-271-2152 · Fax 603-271-7928

Lindsey B. Courtney
Executive Director

Joseph Shoemaker
Director

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BOARD NOTICE:

The Board of Pharmacy would like to remind all licensees of the following laws and rules

1. **All opioids must have an orange sticker with the word "opioid" affixed to the cap or dispensing device and a warning label that states "risk of addiction and overdose". Failure to comply shall result in disciplinary action by the board.**

318-B:16-a Controlled Drugs Containing Opiates; Warning Label Required. *– Any controlled drug containing opiates dispensed by a health care provider or pharmacy shall have an orange sticker with the word "opioid" in easily legible font placed on the cap or dispenser and shall have a warning label stating "Risk of addiction and overdose." The health care provider or pharmacist shall also provide each person with a handout which shall be developed and approved by the governor's commission on alcohol and drug abuse, prevention, treatment, and recovery which shall include guidance on associated risks of opioid use and how to mitigate them. This section shall not apply to pharmacists or a pharmacy that dispenses a drug containing an opioid that is administered to a patient treated in a health care facility required to be licensed under RSA 151. A patient may remove the cap sticker or warning label.*
Source. *2019, 210:1, eff. Jan. 1, 2020.*

2. Patient address and provider information on the face of the prescriptions for controlled substances-

There has been confusion around the placement of the address of the patient and prescriber as well as the location of the DEA number on the prescription. It is best practice to have this information on the face of the prescription. Although the information can be found when a "back tag" is placed on the hardcopy, it is safer to have at a minimum, the DEA number on the face of the hardcopy.

Sec. 1306.05 Manner of issuance of prescriptions.
(a) All prescriptions for controlled substances shall be dated as of, and signed on, the day when issued and shall bear the full name and address of the patient, the drug name, strength, dosage form, quantity prescribed, directions for use, and the name, address and registration number of the practitioner.

3. Biennial Inventory-

The pharmacy must complete a biennial inventory "on any date which is within two years of the previous biennial inventory date". This means the pharmacy must have an inventory completed within two years from the last inventory taken.

1304.11 Inventory requirements
(a) General requirements. Each inventory shall contain a complete and accurate record of all controlled substances on hand on the date the inventory is taken, and shall be maintained in written, typewritten, or printed form at the registered location. An inventory taken by use of an oral recording device must be promptly transcribed. Controlled substances shall be deemed to be "on hand" if they are in the possession of or under the control of the registrant, including substances returned by a customer, ordered by a customer but not yet invoiced, stored in a warehouse on behalf of the registrant, and substances in the possession of employees of the registrant and intended for distribution as complimentary samples. A separate inventory shall be made for each registered location and each independent activity registered, except as provided in paragraph (e)(4) of this section. In the event controlled substances in the possession or under the control of the registrant are stored at a location for which he/she is not registered, the substances shall be included in the inventory of the registered location to which they are subject to control or to which the person possessing the substance is responsible. The inventory may be taken either as of opening of business or as of the close of business on the inventory date and it shall be indicated on the inventory.

(b) Initial inventory date. Every person required to keep records shall take an inventory of all stocks of controlled substances on hand on the date he/she first engages in the manufacture, distribution, or dispensing of controlled substances, in accordance with paragraph (e) of this section as applicable. In the event a person commences business with no controlled substances on hand, he/she shall record this fact as the initial inventory.

(c) Biennial inventory date. After the initial inventory is taken, the registrant shall take a new inventory of all stocks of controlled substances on hand at least every two years. The biennial inventory may be taken on any date which is within two years of the previous biennial inventory date.

4. Continuing education requirements-

At the time of renewal, the licensee will need to submit a total of 30 hours of continuing education, 10 hours must be in a didactic (live) setting. Hours can be completed anytime during the preceding two years leading up to renewal. They do not have to be separated over the two years.

Ph 403.02 Renewal Requirements.
(a) The board shall not issue licensure renewals unless the pharmacist indicates on the renewal application, and under penalty of unsworn falsification, that he or she has completed the minimum required hours of accredited or approved continuing pharmaceutical education courses or programs according to Ph 403.02(d). An incomplete renewal application shall not be processed by the board.

(b) Continuing education shall be required of all licensed, active or inactive pharmacists who apply for license renewal.

(c) Pharmacists submitting applications for their first biennial licensure renewal shall be exempt from the continuing education requirements.

(d) All pharmacists licensed in New Hampshire shall acquire a total of 30 hours (3.0 CEUs) during the 24 months immediately preceding the license renewal date of January 1st. At least 10 hours (1.0 CEUs) of the total required hours shall be earned in a live setting.

5. Change from 60 days to 90 days on stimulant prescriptions-

Effective July 24, 2021 per HB582, a pharmacist may dispense up to a 90 day supply on amphetamines and methylphenidate hydrochloride if either such prescription specifies it is being used for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

Be it Enacted by the Senate and House of Representatives in General Court convened:

58:1 Controlled Drug Act; Sale by Pharmacists; Attention Deficit Disorder, Attention Deficit Disorder with Hyperactivity, Narcolepsy; Prescriptions. Amend RSA 318-B:9, IV to read as follows:
*IV. No prescription shall be filled for more than a 34-day supply upon any single filling for controlled drugs of schedules II or III; provided, however, that for controlled drugs, in schedules II or III, that are commercially packaged for dispensing directly to the patient, such as metered sprays and inhalers, liquids packaged in bottles with calibrated droppers, and certain topical preparations packaged with metered dispensing pumps may be filled for greater than a 34-day supply, but not more than 60 days, utilizing the smallest available product size, in order to maintain the dosing integrity of the commercially packaged containers; and, provided that with regard to amphetamines and methylphenidate hydrochloride, a prescription may be filled for up to a [~~60-day~~] **90-day** supply if either such prescription specifies it is being used for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.*
58:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 25, 2021
Effective Date: July 24, 2021

On Behalf of the Board

Christine Horne
Board Administrator III
Pharmacy Board Administrator