

Amendment to SB 581-FN

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to compounding of drugs and establishing a committee to study rulemaking
4 authority for reconstituted drugs.
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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Pharmacists and Pharmacies; Definitions. Amend RSA 318:1, III-a to read as follows:

9 III-a. "Compounding" means the preparation, mixing, assembling, packaging or labeling of
10 a drug or device as a result of a practitioner's prescription drug order or initiative based on the
11 pharmacist-patient-prescriber relationship in the course of professional practice or, for the purpose
12 of, or as an incident, to research, teaching, or chemical analysis, but not selling or dispensing.
13 "Compounding" also includes the preparation of drugs or devices in anticipation of prescription drug
14 orders based on routine, regularly observed prescribing patterns. "Compounding" shall not include
15 the reconstitution of powdered formulations before dispensing or the addition of flavoring.
16 **"Compounding" shall not include the simple addition of flavoring, nor shall it include the**
17 **preparation of a single dose of a non-hazardous commercially available drug or licensed**
18 **biologic for administration within 2 hours of preparation to an individual patient when**
19 **done in accordance with the manufacturer's approved labeling or instructions consistent**
20 **with that labeling.**

21 2 Committee Established. There is established a committee to study rulemaking authority for
22 reconstituted drugs.

23 3 Membership and Compensation.

24 I. The members of the committee shall be as follows:

25 (a) Three members of the house of representatives, at least 2 of whom shall be from the
26 house executive departments and administration committee, appointed by the speaker of the house
27 of representatives.

28 (b) One member of the senate, appointed by the president of the senate.

29 II. Members of the committee shall receive mileage at the legislative rate when attending to
30 the duties of the committee.

31 4 Duties. The committee shall study rulemaking authority for reconstituted drugs. The
32 committee shall solicit information and testimony from any individual or entity the committee

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1 deems relevant to its study.

2 5 Chairperson; Quorum. The members of the study committee shall elect a chairperson from
3 among the members. The first meeting of the committee shall be called by the first-named house
4 member. The first meeting of the committee shall be held within 45 days of the effective date of this
5 section. Three members of the committee shall constitute a quorum.

6 6 Report. The committee shall report its findings and any recommendations for proposed
7 legislation to the speaker of the house of representatives, the president of the senate, the house
8 clerk, the senate clerk, the governor, and the state library on or before November 1, 2018.

9 7 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill amends the definition of compounding for the purposes of the law regulating pharmacists and pharmacies. This bill also establishes a study committee to study rulemaking authority for reconstituted drugs.