



SENATE HEALTH AND HUMAN SERVICES COMMITTEE

March 19, 2019

HB 284 – Relative to the Biennial Controlled Substance Inventories Conducted under the Controlled Drug Act

Testimony

Good afternoon, Chairman and members of the committee. My name is Paula Minnehan, Senior VP, State Government Relations with the New Hampshire Hospital Association (NHHA), representing all 26 of the state's community hospitals as well as all specialty hospitals.

The NHHA supports HB 284, as amended by the House. NHHA requested that this bill be introduced. We believe that the current statute, which requires an inventory be conducted ON MAY 1st of each odd-numbered year is inflexible and is more stringent than federal regulations. A biennial inventory cannot be done in New Hampshire on April 30th, nor can it be done on May 2nd – otherwise the NH Board of Pharmacy can fine a licensed pharmacist \$500 personally for failure to do it ON MAY 1st.

A specific date, such as May 1st, does present challenges for pharmacists to comply since it must be done on that date, even if it falls on a Saturday or Sunday. Federal requirements simply state that inventories that meet their specifications must be labeled as "BIENNIAL INVENTORY" and be repeated every two years and does not reference a specific date.

The bill removes the May 1st reference thus aligning it with federal regulations. The amendment makes the alignment with federal regulations even clearer. Allowing the hospital pharmacy to choose their own date will allow for alignment with hospital inventories that are already conducted, for example, at their fiscal year end. We'd be happy to work with the Board of Pharmacy, as they develop rulemaking, to determine the best way of documenting when a biennial inventory is conducted, such as putting it on the pharmacy's licensing form, so that the Board of Pharmacy's compliance staff will have a specific date to reference to ensure that an inventory is completed every two years.

Thank you for the opportunity to provide our comments. I am happy to answer any questions.