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OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION  
STATE OF NEW HAMPSHIRE  
DIVISION OF HEALTH PROFESSIONS  
Board of Pharmacy

Prescription Drug Monitoring Program  
121 South Fruit Street  
Concord, N.H. 03301-2412  
Telephone 603-271-2350 · Fax 603-271-2856

PETER DANLES  
Executive Director

JOSEPH SHOEMAKER  
Health Profession Director

MICHAEL BULLEK  
Adminstror/Chief of Compliance

MICHELLE RICCO JONAS  
Program Manager



May 25, 2017

The Honorable Neal M. Kurk, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Office of Professional Licensure and Certification, Division of Health Professionals – Board of Pharmacy, to amend Fiscal item #FIS 16-055, approved by the Fiscal Committee on March 18, 2016, and by Governor and Council on March 23, 2016, item #33, by reallocating appropriation for the best and most efficient use of funding, to be effective upon Fiscal Committee and the date of Governor and Council approval through June 30, 2017. 100% Other Funds, (Transfer from DOJ-Federal Funds)

Funds are budgeted in 01-21-21-215010-52030000 – Division of Health Professionals/  
Prescription Drug Monitoring Program (PDMP) as follows:

FY 2017			
CLASS	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
009-AGENCY INCOME	(\$232,505)		(\$232,505)
020-CURRENT EXPENSES	\$9,300	(\$3,000)	\$6,300
022-RENTS-LEASES OTHER THAN STAT	\$1		\$1
026-ORGANIZATIONAL DUES	\$1,801		\$1,801
027-TRANSFERS TO DOIT	\$2,251		\$2,251
028-TRANSFERS TO GENERAL SERVICE	\$4,251		\$4,251

CLASS	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
029-INTRA-AGENCY TRANSFERS	\$1		\$1
030-EQUIPMENT NEW REPLACEMENT	\$980		\$980
039-TELECOMMUNICATIONS	\$754		\$754
046-CONSULTANTS	\$1		\$1
049-TRANSFER TO OTHER STATE AGEN	\$1		\$1
050-PERSONAL SERVICE TEMP APPOIN	\$40,544		\$40,544
059-TEMP FULL TIME	\$121,705		\$121,705
060-BENEFITS	\$53,973	\$3,000	\$56,973
066-EMPLOYEE TRAINING	\$1		\$1
070-IN STATE TRAVEL REIMBURSEMEN	\$3,388		\$3,388
072-GRANTS FEDERAL	\$1		\$1
073-GRANTS NON FEDERAL	\$1		\$1
080-OUT OF STATE TRAVEL REIMB	\$1		\$1
102-CONTRACTS FOR PROGRAM SERVIC	\$232,120		\$232,120
103-CONTRACTS FOR OP SERVICES	\$130,000		\$130,000
<b>TOTALS:</b>	<b>\$368,570</b>		<b>\$368,570</b>

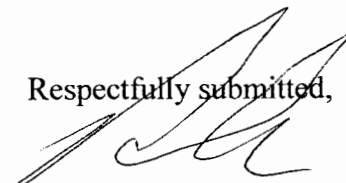
### EXPLANATION

This grant was originally approved by the Fiscal Committee on March 18, 2016 #FIS-16-055 and subsequently by Governor and Council on March 23, 2016, item #33. Other requested action reflects the carryforward funds from SFY 2016 into SFY 2017. After reviewing its budgetary needs for the program, the Office of Professional Licensure and Certification is requesting to make the necessary adjustments to the budget in order to fulfill its statutory obligations under the Controlled Drug Act, RSA 318-B:32-38, and for the best and maximum use of the funding being provided.

**Class 020 Current Expense:** It has been determined, after closer examination of the budget and the program, that there are excess funds in this class. The remaining appropriation will be sufficient to cover the anticipated expenses through the end of the fiscal year and will be managed to that end.

**Class 060 Benefits:** The original request was to provide appropriation for benefit costs for the two full time staff. However, the costs of those benefits have exceeded the appropriated amount and needs to be adjusted. The amount of \$3,000 will provide sufficient appropriation to cover the cost of benefits for the remainder of the fiscal year.

Respectfully submitted,



Peter Danles  
Executive Director  
Office of Professional Licensure and Certification

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

STATE OF NEW HAMPSHIRE MAR 07 '16 PM 3:09 DAS  
DIVISION OF HEALTH PROFESSIONS

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**FIS 16 055**  
SARAH BLODGETT  
Division Director

LOUISE LAVERTU  
Executive Director



March 3, 2016

The Honorable Neal M. Kurk, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

1. Pursuant to RSA 14:30-a, VI, authorize the Office of Professional Licensure and Certification, Board of Pharmacy to amend Fiscal Item 13-164 originally approved by the Fiscal Committee on July 10, 2013 and approved by Governor and Council on July 24, 2013, item #57 by accepting and expending additional funds from the Department of Justice in the amount of \$452,084 to maintain the implementation of the Controlled Drug Prescription Health and Safety Program, effective upon Fiscal Committee and Governor and Council approval through June 30, 2017. 100% Other Funds (Bureau of Justice Assistance grant).
2. Pursuant to RSA 124:15, and contingent upon approval of item one, authorize the Office of Professional Licensure and Certification, Board of Pharmacy to amend Fiscal Item 14-015 originally approved by the Fiscal Committee on February 14, 2014 and by Governor and Council on February 28, 2014, item #36 by extending the temporary full-time position, Class 059, Administrator I, Labor Grade 27, through June 30, 2017 from the current end date of March 31, 2016 to be effective upon Fiscal Committee and Governor and Council approval through June 30, 2017.
3. Pursuant to RSA 124:15, and contingent upon approval of item one, authorize the Office of Professional Licensure and Certification, Board of Pharmacy to establish a temporary full-time position, Class 059, Administrative Assistant I, Labor Grade 16, effective upon Fiscal Committee and Governor and Council approval through June 30, 2017.

Funds are to be budgeted in account # as follows: 01-021-021-215010-52030000 - Medical Professionals/PDMP

The Honorable Neal M. Kurk, Chairman  
Fiscal Committee of the General Court  
Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
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### EXPLANATION

This item was originally approved by the Fiscal Committee on July 10, 2013, Fiscal Item 13-164 and by the Governor and Council on July 24, 2013 Item #57; amended by Fiscal Committee on February 14, 2014, Item #14-015 and by the Governor and Council on February 28, 2014, item #36; amended by the Fiscal Committee on November 10, 2014, item #14-166 and by the Governor and Council on December 3, 2014, item #73; amended by the Fiscal Committee on April 3, 2015, item #15-045 and Governor and Council on April 8, 2015, item #55; amended by the fiscal Committee on July 29, 2015, item #15-137, and by Governor and Council on August 5, 2015, item #70; amended by the Fiscal Committee on December 18, 2015, Item 15-273, and Governor and Council on December 16, 2015, Item #46.

In June 2012, Governor Lynch signed legislation, Chapter Law 196, codified as RSA 318-B32-38 to establish a Prescription Drug Monitoring Program (PDMP), to combat prescription drug abuse and misuse by allowing practitioners to review controlled medication data collected from licensed dispensers in a secure web based program. Subsequent legislation (Senate Bill 83, 2013 Session) abolished the sunset provision that was in RSA 318-B. No general funds were allocated or allowed to establish this program. In January 2013, the Board of Pharmacy was awarded a grant from the National Association of Controlled Substance Authorities (NASCSA) for \$15,517 to support the implementation of PDMP. With this funding and approval (Fiscal Committee, July 10, 2013 Item #13-164 and Governor and Council, July 24, 2013, Item #57), the Board of Pharmacy hired a part-time program manager to assist in the implementation of the PDMP. In the fall of 2013, the NH Department of Justice applied for and was awarded a Federal Bureau of Justice Administration Harold Rogers Grant, and sub awarded the funding to the Board of Pharmacy. These funds were subsequently awarded to the Board of Pharmacy, approved by Governor and Council on October 16, 2013, Item #41, for the purposes of implementing the PDMP, specifically for staffing and contracting with a vendor to develop a web based program to allow practitioners to review controlled medication data collection from licensed dispensers.

Additionally, in May 2014, a full time program manager was hired and in June 2014, the contract with Health Information Designs, Inc was signed and development and of the NH Prescription Drug Monitoring Program (NH PDMP) was underway. On October 16, 2014, the NH PDMP went live. Dispensers began uploading prescription data into the database on September 2, 2014 and registration of all NH licensed practitioners required under the law to register began. In June 2015, SB 31 was signed into law by Governor Hassan, which provided a number of technical changes that included: reporting exemptions - control drugs that are dispensed in less than a 48 hr. supply from an ER or from a Veterinarian does not need to be reported to the PDMP; confidentiality provisions - allowing prescribers and pharmacists to talk with other prescribers and pharmacists, as they have the authority from state or federal law/regulation; data sharing provisions - authority to release de-identified and aggregated data

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and the authority to share data with other states who have monitoring systems; and data retention provisions – authority to keep/store data for 36 months. In the fall of 2015, the NH Department of Justice applied for and was awarded a Federal Bureau of Justice Administration Harold Rogers Grant, and is subsequently sub awarding the funding to the Office of Professional Licensure and Certification, of which the Board of Pharmacy resides, pending Governor and Council approval on February 10, 2016 for the purposes of continuation of the PDMP, specifically the staffing, the contracting of the vendor, interstate data sharing, practitioner outreach and education, and evaluation of the web based prescription drug monitoring program.

Lastly, SB 576-FN –A was signed into law (January 2016 Session) that clarified funding for the PDMP, essentially removing the provision that “*there shall be no state general funds appropriated for the implementation or operation of the program*”, as well as allowing federal practitioners in NH, ME, MA and VT to register and access the NH PDMP data. The Chief Medical Examiner can request information for the purpose of investigating the death of an individual, each dispenser shall submit the required information in accordance with transmission methods daily by the close of business on the next business day from the date the prescription was dispensed with the exception of veterinarians who will submit no more than 7 days from the date the prescription was dispensed and finally, prescribers who are required to register with the PMDP shall query the PDMP for a patient’s initial prescription when prescribing a schedule II, III and IV opioids for the management or treatment of pain and then periodically and at least twice per year (minus the exceptions). All of these changes will need to be operationalized over the next several months and integrated into the outreach and training around the utilization of the PDMP.

Approval of this request will allow the Office of Professional Licensure and Certification:

- 1.) To accept and expend \$452,084 sub grant from the Department of Justice to maintain a Prescription Drug Monitoring Program (PDMP) and to contract with a vendor, which will combat prescription drug use and misuse by allowing practitioners to review controlled medication data collected by licensed dispensers in a secure web based program.
- 2.) Authorize the extension of a temporary full-time, Administrator I, Labor Grade 27, who will work under the direction of the Office of Professional Licensure and Certification to assist with rulemaking, sustainability of the Controlled Drug Prescription Health and Safety Program, the grant writing process, training and implementation and the operation oversight to the program once fully implemented.
- 3.) Authorize the establishment of a temporary full-time, Administrative Assistant I, Labor Grade 16, to assist with this program. The full-time employee will work under the directions of the Program Manager.

If this request is not approved, the Office of Licensure and Certification will not be able to continue oversight of the development and implementation of the Prescription Drug Monitoring Program to

The Honorable Neal M. Kurk, Chairman  
Fiscal Committee of the General Court  
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combat prescription drug abuse and misuse with the other 48 other states addressing this issue and has been recognized by the State Legislature and NH Citizens and the number one concern facing the State of New Hampshire.

In the event that these federal funds are no longer available, the program will be required to seek out other funding to continue the efforts to operate the Prescription Drug Monitoring Program and to maintain staffing and database infrastructure. This grant may not be used for any other purpose other than the Prescription Drug Monitoring Program.

These funds will be used for the following purposes:

SFY 16/SFY 17

Class 020 – Current Expenses – will be used to purchase stationary, office supplies, postage, conference calls

Class 030 – Equipment – will be utilized to purchase a computer, printer and software for full-time Administrative Assistant I

Class 039 – Telecommunications – for telephone services for the Administrator I and Administrative Assistant I

Class 040 – Indirect Costs – grant doesn't allow

Class 041 – Federal Funds – doesn't apply

Class 042 – Additional Fringe Benefits – there are no permanent positions

Class 059 – Full Time Salaries (temporary) - to continue the Administrator I position and for hiring the Administrative Assistant I, who will assist the Administrator with the day to day work of the PDMP

Class 060 – Benefits (temporary) – health and dental insurance, state retirement, federal taxes for the full-time Administrator and Administrative Assistant

Class 070 – In State Travel – to be used for travel associated with the training and education provided by the Administrator and Administrative Assistant

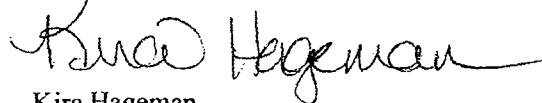
Class 102- Contract for Operational Services – continue with secure web based program that will be maintained by contracted vendor. This program tracks all schedule II, III and IV controlled substances that are dispensed in NH. A contract amendment will task the vendor to create agreed upon enhancements to the system to allow to interstate data sharing, daily uploading of data and ease of querying patient information. Other funds will target training/education and program evaluation.

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The following information is provided in accordance with the Comptroller's instructional memorandum dated September 21, 1981.

- 1) List of personnel involved: One full-time position, Administrator I, Labor Grade 27: on full-time position, Administrative Assistant, Labor Grade 16.
- 2) Nature, Need and Duration: The Administrator position will assist with the rulemaking, development, sustainability, grant writing, training, and implementation and operation oversight. The Administrative Assistant position will assist the Administrator in assisting with communication, logistics, scheduling and supporting implementation and operation activities for the duration of the authorized grant period.
- 3) Relationship to existing agency programs: The Administrator will be responsible as the program manager reporting to the Office of Certification and Licensure, while working for the successful outcomes of the Prescription Drug Monitoring Program Advisory Council goals. The Administrative Assistant position reports to the Administrator/Program Manager.
- 4) Has a similar program been requested of the legislature and denied? No
- 5) Why wasn't funding included in the agency's budget request? At the time of the creation of the FY 16/17 budget these funds were not available.
- 6) Can portions of the grant funds be utilized? The grant funds cannot be utilized for anything other than the purpose of the Prescription Drug Monitoring Program.
- 7) Estimate the funds required to continue this position(s): The estimated funds required to continue these positions are approximately \$ 282,595.

Respectfully submitted,



Kira Hageman  
Director of Administration  
NH Office of Professional  
Licensure and Certification

State Fiscal Year 2016

CLASS	DESCRIPTION	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
009-403574	Agency Income	\$ 183,152	\$ 452,084	\$ 635,236
	<b>TOTAL</b>	<b>\$ 183,152</b>	<b>\$ 452,084</b>	<b>\$ 635,236</b>

CLASS	DESCRIPTION	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
020-500241	Current Expenses	\$ 4,187	\$ 7,000	\$ 11,187
022-500248	Rents/Leases Other than State	\$ 1		\$ 1
026-502799	Membership Fees	\$ 1,001	\$ 1,000	\$ 2,001
027-502799	Transfers to DoIT	\$ 1	\$ 2,250	\$ 2,251
028-500292	Transfer to General Services	\$ 2,001	\$ 2,250	\$ 4,251
029-500290	Intra-Agency Transfers	\$ 1		\$ 1
030-500311	Equipment - General (New)	\$ 3,000	\$ 500	\$ 3,500
039-500188	Telecommunications	\$ 263	\$ 820	\$ 1,083
046-500464	Gen Consultants Non Ben	\$ 1		\$ 1
049-500294	Transfer to Other Agencies	\$ 1		\$ 1
050-500109	Part-Time Salaries	\$ 40,544		\$ 40,544
059-509059	Full-Time (Temporary)	\$ 49,206	\$ 140,429	\$ 189,635
060-500612	Benefits (Temporary)	\$ 23,737	\$ 69,223	\$ 92,960
066-500544	Educational Training	\$ 1		\$ 1
070-500704	Mileage private cars instate	\$ 690	\$ 3,100	\$ 3,790
072-502646	Prog Reimbursement	\$ 1		\$ 1
073-500582	Grants to other state agencies	\$ 1		\$ 1
080-500716	Out of state travel	\$ 1		\$ 1
102-500731	Contracts for Program Services	\$ 65,704	\$ 225,512	\$ 291,216
103-502664	Contract for Operational Svs	\$ 1		\$ 1
<b>TOTAL</b>		<b>\$ 183,152</b>	<b>\$ 452,084</b>	<b>\$ 635,236</b>



Office of Professional Licensure and Certification - Board of Pharmacy  
 GRANTS FISCAL SITUATION FISCAL YEAR 2016  
 01-021-021-215010-52030000-Medical Professionals/PDMP

Total Authorization	\$ 836,455
Less Expenditures thru 6/30/15	<u>\$ 194,028</u>
Remaining Authorizatin to Budget	\$ 642,427

Less Current FY16 Budget Authorization	\$ 183,152
Total Available for Budgeting	<u>\$ 459,275</u>

Available to Budget at Later Date	\$ 7,191
<b>REQUESTED ACTION</b>	<u>\$ 452,084</u>

Grant Award Number	Award Amount	Expenses to 6/30/15	Balance
NASCSA	\$ 15,500	\$ 15,500	\$ -
DOJ Grant 2014	\$ 368,871	\$ 178,528	\$ 190,343
DOJ Grant 2016	\$ 452,084	\$ -	\$ 452,084
Total	\$ 836,455	\$ 194,028	\$ 642,427

STATE OF NEW HAMPSHIRE DEPARTMENT OF JUSTICE GRANT AWARD		
Agency Name: Office of Professional Licensure and Certification		Vendor No.: 177884B001
Program Name: NH Prescription Drug Safety Program		Amount: \$ 452,084.00
Grant Start Date: 2/10/2016	State Grant Number: 2016PMP01	
Grant End Date: 9/30/2017	Federal Grant Number: 2015-PM-BX-0006	
Appropriation No.: 02-20-20-201510-2907-072		
Head of Agency	Project Director	Fiscal Officer
Louise Lavertue OPLC 121 South Fruit Street Concord, NH 03301 603-271-2350	Michelle Ricco Jonas Program Manager	Kira Hagman Director of Administration
Federal Grant Name:	Harold Rogers Prescription Drug Monitoring Program	
Federal Agency:	United States Department of Justice	
Bureau/Office:	Office of Justice Programs	
CFDA Number:	16.754	
Purpose of Grant:	Prescription Drug Monitoring Program	
Program Requirements:	Adherence to Program Conditions and Guidelines.	
Match Requirements:	Match must be spent on program allowable activities.	
Program income Requirements:	Program Income must be reported and spent on program allowable activities.	
Reporting Requirements:	Monthly or quarterly Financial reports. Required Performance reports and audit. Adherence to Program Conditions and Guidelines. Completion of Monitoring forms and processes.	
Approval	Program Agency	NH Department of Justice Pending G&C Approval
Name	Louise Lavertue	Kathleen Carr
Title	OPLC	Director of Administration
Date		
All terms of this grant award are not valid unless signed by both authorized parties.		