



STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

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September 3, 2014

The Honorable Mary Jane Wallner, 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

Approved by Fiscal Committee 11/10/14
Date

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Board of Pharmacy to amend Fiscal item #FIS 14-015 approved by the Fiscal Committee on February 14, 2014 and by Governor and Council on February 28, 2014 item #36, by reallocating budget line items in the amount of \$107,894.88 in #05-0074-074-PHB743510-3331 effective with the date of Fiscal Committee and Governor and Council approval through March 31, 2015. This is 100% Other (Department of Justice Assistance grant).

Funds are budgeted in account #05-0074-074-PHB743510-3331PDM/HEALTH AND HUMAN SERVICES/HHS: ADMIN ATTACHED BOARDS/PHARMACY BOARD/PRESCRIPTION DRUG MONITORING as follows:

STATE FISCAL YEAR 2015

CLASS	DESCRIPTION	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
005-401716	Private Local Funds	(\$17.87)	\$0	(\$17.87)
009-403574	Agency Income	(\$362,486.65)	\$0	(\$362,486.65)
Totals:		(\$362,504.52)		(\$362,504.52)

CLASS	DESCRIPTION	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
020-500241	Current Expense	\$321.05	\$4,678.95	\$5,000.00
022-500248	Rents-Leases Other Than State	1.00	0.00	1.00
026-500251	Membership Fees	1.00	1,000.00	1,001.00
027-502799	Transfers to DoIT	1.00	\$0.00	1.00
028-500292	Transfers to General Services	1.00	\$2,000.00	2,001.00
029-500290	Intra-Agency Transfers	1.00	\$0.00	1.00
030-500311	Equipment - General (New)	1,302.00	1,698.00	3,000.00
039-500188	Telecommunications	670.90	169.10	840.00
046-500464	Gen Consultants Non Ben	1.00	0.00	1.00
049-500294	Transfer to Other Agencies	1.00	0.00	1.00
050-500109	Part-Time Salaries	23,400.31	17,550.21	40,950.52
059-509059	Full-Time (Temporary)	70,789.20	43,973.80	114,763.00
060-500612	Benefits (Temporary)	23,901.18	36,824.82	60,726.00
066-500543	Employee Training	1.00	0.00	1.00
070-500704	Mileage Private Cars In-State	2,105.88	-604.88	1,501.00
072-502646	Prog Reimbursement	1.00	0.00	1.00
073-500582	Grants to other state agencies	1.00	0.00	1.00
080-500731	Out-of-state travel	1.00	0.00	1.00
102-500731	Contracts for Program Services	240,002.00	-107,290.00	132,712.00
103-502664	Contracts for Operational Services	\$1.00	\$0	1.00
TOTALS:		\$362,504.52	\$0	\$362,504.52

EXPLANATION

This grant was originally approved by the Fiscal Committee on February 14, 2014 #FIS-14-015 and subsequently by Governor and Council on February 28, 2014, item #36. At that time it was unclear to the Board of Pharmacy what the cost of each budgeted item would be. Since that time the Board of Pharmacy has hired a program manager, contracted with a vendor to implement and maintain the prescription drug monitoring program. After reviewing its budgetary needs for the program, the Board is requesting to make the necessary changes to the budget in order to fulfill its statutory obligations under the Controlled Drug Act, RSA 318-B:32-38, as follows:

Class 020 Current Expense: The review of the budget following the execution of the vendor contract revealed that some budget items originally attributed to the Board of Pharmacy or the vendor contract would instead be borne by the grant. These include educational materials for prescribers/dispensers, office supplies such as paper, printer toner, and business cards, and durable items such as waste baskets, chairs, and other office accoutrements that will be used by the grant-funded staff.

Class 026 Membership Fees: The Prescription Drug Monitoring Program has been implemented in 49 states. There are several organizations that offer assistance to new programs, such as the Alliance of States with Prescription Drug Monitoring Programs (the PMP Alliance) and the National Association of State Controlled Substances Authorities (NASCSA) which charge yearly membership

dues. There are also subscriptions to periodic publications that will be valuable to the program in order to monitor changes in the laws/rules/regulations.

Class 028 Transfers to Admin Services: When the budget was first developed it was anticipated that the program staff would utilize Board of Pharmacy space at no charge. The space that the Board of Pharmacy occupies could not accommodate the grant-funded Program Director and the executive assistant, so space was procured in another area of the building. This cost will be paid from Transfers to Admin Services and is anticipated to be \$2,000.

Class 030 Equipment: The original budget included the purchase of only one computer and its required software. It was assumed that the part time executive assistant would use a computer that is currently owned by the Board of Pharmacy. Instead, it will be necessary to buy two computers with the accompanying software because there is not a computer that is available through the Board of Pharmacy.

Class 39 Telecommunications: The Board of Pharmacy is requiring that the grant pay for two internal land line telephones, which cost between \$20 and \$30 per month. These phones are situated in the PDMP program office space.

Class 50 Part Time Salaries: Upon inspection of the contract with the vendor, it was determined that the part time executive assistant position needed an increase in hours. The volume of data entry, report generation and responding to daily inquiries from the public and the entities using the PDMP is anticipated to be much greater than initially anticipated.

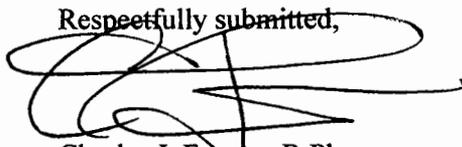
Class 59 Full Time Temporary: The PDMP Advisory Council posted the Program Coordinator (Director) position internally in April, 2014. The budget for the Program Coordinator position was listed at Labor Grade 27, Step 1. There were four responses to the internal posting. One candidate proved to be uniquely qualified in that she had vast experience managing federal grants for the state of New Hampshire, she had substantial knowledge of the workings of NH government, and she had an extensive background in substance abuse prevention. Because she was an internal candidate, state rules required that she be afforded a pay increase by virtue of the fact that she was moving from Labor Grade 25 to Labor Grade 27. The Advisory Council and the Board of Pharmacy weighed the moderate budget impact with the learning curve of a person that would be hired from outside state government and it was decided that hiring the internal candidate was infinitely more beneficial to the program.

Class 60 Benefits: The original budget set aside funds for benefits at 39% of the budgeted salary, which is standard when budgeting benefits. However, when the internal candidate was hired, her health insurance premium was significantly higher because she subscribes to the family plan.

Class 70 Mileage: It was determined after closer examination of the budget and the program that the mileage as budgeted would not be needed; the Program Director and grant manager set the mileage at 2,730, which will be more than sufficient over the life of the grant.

Class 102 Contracts for Program Services: The RFP that was issued for a vendor was done in February, 2014. A subcommittee comprised of members of the Advisory Council, the Department of Information Technology and the Board of Pharmacy was convened and a vendor was selected based on a series of rubrics. The successful vendor, Health Information Design, scored higher than the other three vendors, not the least of which they were very reasonably priced. The decrease in budget for the vendor allowed us to reallocate grant funds where they would be most effective and to evenly distribute the funds so that all aspects of the program will be funded for the same amount of time.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Charles J. Fabaras', written over the text 'Respectfully submitted,'.

Charles J. Fabaras R.Ph.
President

New Hampshire Board of Pharmacy

36
13

FIS 14 015



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January 23, 2014

The Honorable Mary Jane Wallner, Chairman
Fiscal Committee of the General Court
State House
Concord, New Hampshire 03301

Approved by Fiscal Committee 2/14/14 Date

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, authorize the Board of Pharmacy to accept and expend funds from the Department of Justice in the amount of \$368,871 to implement the Controlled Drug Prescription Health and Safety Program, effective upon Fiscal Committee and Governor and Council approval through March 31, 2015. This is 100% Other (Department of Justice Assistance grant).
2. Pursuant to RSA 124:15, authorize the Board of Pharmacy to establish a temporary full-time position, , Class 059, Administrator I, Labor Grade 27, effective upon Fiscal Committee and Governor and Council approval through March 31, 2015. This position would report to the New Hampshire Board of Pharmacy.
3. Pursuant to RSA 124:15 authorize the Board of Pharmacy to extend the temporary part-time position, Class 50, Administrator I, Labor Grade 27, expiring on June 30, 2014, to continue through March 31, 2015. This position would report to the Program Manager who reports to the New Hampshire Board of Pharmacy. This position was approved by the Fiscal Committee on July 10, 2013, Fiscal item #FIS-13-164, and Governor and Council on July 24, 2013, Item #57.

Funds are to be budgeted in account #05-0074-074-PHB743510-3331PDM/HEALTH AND HUMAN SERVICES/HHS: ADMIN ATTACHED BOARDS/PHARMACY BOARD/PRESCRIPTION DRUG MONITORING as follows:

STATE FISCAL YEAR 2014

CLASS	DESCRIPTION	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
005-401716	Other (NASCSA grant)	\$ 15,517	0	\$ 15,517
009-403574	Agency Income	0	\$ 163,320	\$163,320
	TOTAL	\$ 15,517	\$ 163,320	\$ 178,837

CLASS	DESCRIPTION	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
020-500241	Current Expenses	\$1,006	\$320	\$1,326
022-500248	Rents/Leases Other Than State	\$1	\$0	\$1
026-500251	Membership Fees	\$1	\$0	\$1
027-502799	Transfers to Doit	\$1	\$0	\$1
028-500292	Transfer to General Services	\$1	\$0	\$1
029-500290	Intra-Agency Transfers	\$1	\$0	\$1
030-500311	Equipment - General (New)	\$1	\$1,300	\$1,301
039-500188	Telecommunications	\$1	\$240	\$241
046-500464	Gen Consultants Non Ben	\$1	\$0	\$1
049-500294	Transfer to Other Agencies	\$1	\$0	\$1
050-500109	Part-Time Salaries	\$13,000	\$8,000	\$21,000
059-509059	Full-Time (Temporary)	\$0	\$25,000	\$25,000
060-500612	Benefits (Temporary)	\$995	\$7,500	\$8,495
066-500544	Educational Training	\$1	\$0	\$1
070-500704	Mileage Private Cars In State	\$501	\$960	\$1,461
072-502646	Prog Reimbursement	\$1	\$0	\$1
073-500582	Grants to other state agencies	\$1	0	\$1
080-500716	Out-of-state travel	\$1	0	\$1
102-500731	Contracts for Program Services	\$1	\$120,000	\$120,001
103-502664	Contract for Operational Services	\$1	\$0	\$1
	TOTAL	\$ 15,517	\$ 163,320	\$ 178,837

STATE FISCAL YEAR 2015

CLASS	DESCRIPTION	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
--005-401716	Other (NASCSA grant)	\$ 17	0	\$ 17
009-403574	Agency Income	\$ 0	\$ 205,551	\$ 205,551
	TOTAL	\$ 17	\$205,551	\$ 205,568

CLASS	DESCRIPTION	CURRENT AUTHORIZED BUDGET	REQUESTED ACTION	REVISED AUTHORIZED
020-500241	Current Expenses	\$1	\$0	\$1
022-500248	Rents/Leases Other Than State	\$1	\$0	\$1
026-500251	Membership Fees	\$1	\$0	\$1
027-502799	Transfers to Doit	\$1	\$0	\$1
028-500292	Transfer to General Services	\$1	\$0	\$1
029-500290	Intra-Agency Transfers	\$1	\$0	\$1
030-500311	Equipment - General (New)	\$1	\$0	\$1
039-500188	Telecommunications	\$1	\$480	\$481
046-500464	Gen Consultants Non Ben	\$1	\$0	\$1
049-500294	Transfer to Other Agencies	\$1	\$0	\$1
050-500109	Part-Time Salaries	\$0	\$15,400	\$15,400
059-509059	Full-Time (Temporary)	\$0	\$48,154	\$48,154
060-500612	Benefits (Temporary)	\$0	\$20,372	\$20,372
066-500544	Educational Training	\$1	\$0	\$1
070-500704	Mileage Private Cars In State	\$1	\$1,145	\$1,146
072-502646	Prog Reimbursement	\$1	\$0	\$1
073-500582	Grants to other state agencies	\$1	\$0	\$1
080-500716	Out-of-state travel	\$1	0	\$1
102-500731	Contracts for Program Services	\$1	\$120,000	\$120,001
103-502664	Contract for Operational Services	\$1	\$0	\$1
TOTAL		\$17	\$205,551	\$ 205,568

EXPLANATION

In June 2012, Governor Lynch signed legislation, Chapter Law 196, codified as RSA 318-B:32-38 (attached) to establish a Prescription Monitoring Program (PMP), 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 (attached). 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 the Prescription Drug Monitoring program (PMP). Those funds were previously approved, Fiscal Committee (July 10, 2013, Item #5) and Governor and Council (July 24, 2013, Item # 57). With this funding and approval the Board of Pharmacy hired a part-time program manager to assist in the implementation of the PMP. In the fall of 2013 the New Hampshire Department of Justice applied for and was awarded a Federal BJA Grant, Harold Rogers Grant, on behalf of the Board of Pharmacy. These funds were subsequently awarded to the Board of Pharmacy, approved by Governor and Council on October 18, 2013, Item #41, for the purposes of implementing the PMP, specifically for staffing and contracting with a vendor to develop a web based program which will allow practitioners to review controlled medication data collection from licensed dispensers.

Approval of this request will allow the Board of Pharmacy:

- 1.) To accept and expend \$368,871 subgrant from the Department of Justice to establish a Prescription Monitoring Program (PMP) and to contract with a vendor, which will combat prescription drug abuse and misuse by allowing practitioners to review controlled medication data collected from licensed dispensers in a secure web based program .
- 2.) Authorize the hiring of a temporary full-time employee, Administrator I, Labor Grade 27, who will work under the direction of the Board of Pharmacy to assist with rulemaking, sustainability of the Controlled Drug Prescription Health and Safety Program, the grant writing process, training, implementation and the operation oversight to the program once fully implemented.
- 3.) Authorize the extension of the temporary part-time position Administrator I, Labor Grade 27, hired to assist with this program from June 30, 2014 to March 31, 2015. The part-time employee will work under the direction of the full-time employee, Program Manager.

If this request is not approved, the Board of Pharmacy will not be able to establish a Prescription Monitoring Program to combat prescription drug abuse and misuse which 48 other states have addressed.

In the event that these funds are no longer available, general funds will be not be used to continue this program. Any remaining funds in the grant at the end of the authorized grant period will be returned to the U.S. Department of Justice's Bureau of Justice Assistance. This grant may not be used for any other purpose other than the prescription drug monitoring program.

The funds approved will be used for the following purposes:

Class 020 - Current Expenses - will be used to purchase stationery, postage, letterhead, conference calls

Class 030 - Equipment - will be utilized to purchase a computer, printer and software for the new full-time Administrator I.

Class 039 - Telecommunications – for telephone service for the Administrator I.

Class 050 - Part-time Salaries (temporary) - to continue the extended part-time position which was established in July, 2013. (See attached.)

Class 059 - Full Time Salaries (temporary) – for hiring the Administrator I, who will oversee all aspects of the program.

Class 060 - Benefits (temporary) - health and dental insurance, state retirement, federal taxes for the full-time program manager

Class 070 - In State Travel - for training and education provided by the Administrator I and part-time employee.

Class 102 - Contract for Operational Services – contract to be used for a secure web based program that will be maintained by the vendor. This program will track Schedule II, III and IV controlled substances prescribing and dispensing, and the vendor will also manage the database of prescribers and dispensers

FY 2015

Class 039 - Telecommunications – for telephone service for program manager

Class 050 - Part-time Salaries (temporary) to continue to fill the extended part-time position to support program manager

Class 059 - Full-time Salaries (temporary) – to continue the Administrator I position who oversees all aspects of the program.

Class 060 - Benefits (temporary) health and dental insurance, state retirement, federal taxes for the full-time program manager

Class 070 - In State Travel – to be used for travel associated with the training and education provided by the project manager and part-time employee.

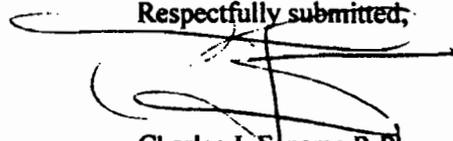
Class 102 - Contract for Operational Services - secure web based program that will be maintained by the vendor. This program will track Schedules II, III and IV controlled substances prescribing, and the vendor will also manage the database of prescribers and dispensers

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

- 1) List of personnel involved: One temporary full-time position, Administrator I, Labor Grade 27; one temporary part-time position Administrator I, Labor Grade 27.

- 2) **Nature, Need, and Duration:** The full-time position will assist with rulemaking, sustainability, the grant writing process, training, and implementation and operation oversight. The part-time position will assist with communication, logistics, scheduling and supporting implementation and operation for the duration of the authorized grant period.
- 3) **Relationship to existing agency programs:** The temporary full-time position will be responsible as a project manager reporting to the Board of Pharmacy and working for the successful completion of the Prescription Drug Monitoring Program Advisory Council goals. The temporary part-time position reports under the direction of the full-time position.
- 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 14 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 this position is approximately \$167,856.

Respectfully submitted,



Charles J. Fanaras R.Ph.
President
New Hampshire Board of Pharmacy