



NEW HAMPSHIRE BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

Rest Breaks Are Required for Pharmacists

Working in a pharmacy can be challenging, and the New Hampshire Board of Pharmacy understands this. Based on feedback from the Board workload survey, it was noted that many pharmacist respondents did not understand that rest breaks are required, pursuant to New Hampshire Administrative Code Section Ph 704.01 Presence of Pharmacists. These rest breaks are in place to support better working conditions and minimize fatigue. These rest breaks have been in place since 2018.

The regulation states:

- (a) No pharmacist shall work more than 8 hours without a rest break of 30 minutes. Breaks shall be scheduled as close as possible to the same time each day so that patients may become familiar with the approximate break times.
- (b) Whenever the prescription department is staffed by a single pharmacist, the pharmacist may take a rest break for a period of 30 minutes without closing the pharmacy and removing support personnel from the pharmacy, provided that the pharmacist reasonably believes that the security of the prescription drugs will be maintained in the pharmacist's absence.

Please review the full regulation and requirements here: [New Hampshire Pharmacy Law Book 10-29-19](#).

Removal of DATA-Waiver (X-Waiver) Requirement

Section 1262 of the Consolidated Appropriations Act 2023 (also known as the Omnibus bill) removes the federal requirement for practitioners

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to submit a Notice of Intent (NOI) or have a waiver to prescribe medications like buprenorphine for the treatment of opioid use disorder (OUD). With this provision effective immediately, the Substance Abuse and Mental Health Services Administration (SAMHSA) will no longer be accepting NOIs or waiver applications.

All practitioners who have a current Drug Enforcement Administration (DEA) registration that includes Schedule III authority may now prescribe buprenorphine for OUD in their practice if permitted by applicable state law, and SAMHSA encourages them to do so. SAMHSA and DEA have released a separate provision of the Omnibus bill related to **training requirements** for DEA registration that becomes effective in June 2023.

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