



## Delivery of Non-Self Injectable Drugs

**Updated 6/19/2019**

[Section 4729.43 of the Revised Code](#) prohibits pharmacists from dispensing certain non-self-injectable cancer drugs by delivering them or causing them to be delivered directly to the patient, the patient's representative, or the patient's private residence.

The dispensing prohibition does not apply when the patient's private residence is an institutional or health care facility or, if certain notifications have been provided (see exceptions below), when the patient is a hospice patient or home health agency client.

For questions regarding the law, please review the following frequently asked questions. If you need additional information, the most expedient way to have your questions answered will be to e-mail the Board office by visiting: <http://www.pharmacy.ohio.gov/contact.aspx>.

### **Q1) What types of drugs are prohibited?**

The law generally prohibits a pharmacist from dispensing a dangerous drug that will be delivered to the patient, the patient's representative, or the patient's private residence that meets **ALL** the following criteria:

- (a) Indicated for the treatment of cancer or a cancer-related illness;
- (b) Must be administered intravenously or by subcutaneous injection; and
- (c) Cannot reasonably be self-administered by the patient to whom the drug is prescribed or by an individual assisting the patient with the self-administration.

**A pharmacist is expected to use their professional judgment to determine if the prescription medication meets the above criteria.**

**Q2) What are the exceptions to the law?**

A pharmacist may dispense a drug described in Q1 to the patient's private residence under any of the following circumstances:

- (1) The patient's private residence is a nursing home, residential care facility, rehabilitation facility, or similar institutional facility or health care facility.
- (2) If the patient is an adult and a hospice patient or client of a home health agency, the patient, licensed health professional who prescribed the drug to the patient, or an employee or agent of the prescriber has notified the pharmacist that the patient is a hospice patient or client of a home health agency and an employee or agent of the hospice care program or home health agency will be administering the drug to the patient.
- (3) If the patient is a minor and a hospice patient or client of a home health agency, either of the following has notified the pharmacist that the patient is a hospice patient or client of a home health agency and an employee or agent of the hospice care program or home health agency will be administering the drug to the patient: (a) the licensed health professional who prescribed the drug to the patient or an employee or agent of the prescriber or (b) the parent, guardian, or other person who has care or charge of the patient and is authorized to consent to medical treatment on the patient's behalf.

**Q3) How are home health agency, hospice patient, and hospice care program defined?**

"Home health agency" has the same meaning as in section [3701.881](#) of the Revised Code.

"Hospice care program" and "hospice patient" have the same meanings as in section [3712.01](#) of the Revised Code.