



OHIO STATE BOARD OF PHARMACY

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New Rules and Rule Changes Effective January 20, 2015

New Rules

- **4729-7-10:** Outlines Board of Pharmacy provisions relating to the licensure of veterans and military families. Includes all Board policies regarding fee waivers, continuing education and license renewal extensions for veterans and military families.

Amended Rules

- **4729-5-12:** Provides the requirements for criminal records checks for pharmacists and pharmacy interns. Requires a pharmacist who lets their license lapse for more than three years to submit to a criminal background check if requesting a pharmacist or pharmacy intern license.
- **4729-5-21:** Provides the manner with which a prescription must be processed by a pharmacy. Allows a pharmacy to document the administration of an immunization on a prescription form in order to allow a pharmacy to bill an individual's health insurance.
- **4729-21-06:** Provides the approved courses that divers must complete before they are allowed to purchase and utilize medical oxygen. Authorizes individuals who have completed courses from the National Association of Underwater Instructors to purchase and possess medical oxygen for the purpose of emergency care or treatment at the scene of a diving emergency.
- **4729-5-27:** Provides the record keeping for the practice of pharmacy in an outpatient setting. Updates the rule to reflect current technology.
- **4729-21-03:** Requires sellers of compressed medical gas to keep records for three years. Updates current terminology for a Board of Pharmacy agent to match other record keeping sections of the Administrative Code.
- **4729-22-04:** Prior to selling medical oxygen to a patient, the retail seller must have an order issued by a prescriber. Allows for the electronic transmission of an order for medical oxygen.
- **4729-13-01:** Provides the definitional section for the OAC chapter for laboratory licensure. This rule is amended to update an incorrect cross reference to the ORC.
- **4729-13-02:** Provides the procedure for Board approval as a laboratory, including licensure as a terminal distributor of dangerous drugs.
- **4729-14-01:** Provides the definitional section for the OAC chapter for animal shelter licensure. This rule is amended to update an incorrect cross reference to the ORC.
- **4729-14-02:** Provides the procedure for obtaining a terminal distributor of dangerous drugs license from the Board.

4729-7-10

**VETERAN AND MILITARY FAMILY PROVISIONS
RELATED TO LICENSURE AS A PHARMACIST OR
PHARMACY INTERN.**

(A) "Veteran" means anyone who is serving or has served under honorable conditions in any component of the Armed Forces, including the National Guard and Reserve.

(B) Substantially equivalent education.

In accordance with section 5903.03 of the Revised Code, there are no military programs of training or military primary specialties which are substantially equivalent to the education requirements for licensure as a pharmacist.

(C) Continuing education.

(1) In accordance with section 5903.12 of the Revised Code, the state board of pharmacy shall grant extension periods and waivers for the completion of license renewal and continuing education requirements for active duty veteran members and their spouses. If a current pharmacist or their spouse is called to active duty for military service, the time period allowed for completion of any continuing education requirements or license renewal will be extended by the amount of time that the pharmacist or the pharmacist's spouse was on active duty.

(2) Upon receiving the application and proper documentation, the board's director of licensing shall extend the current reporting period by an amount of time equal to the total number of months that the licensee or their spouse spent on active duty during the current reporting period. For purposes of this division, any portion of a month served on active duty shall be considered one full month.

(3) The licensee shall submit proper documentation certifying the active duty service and the length of that active duty service. Documentation required to obtain an extension or waiver pursuant to paragraph (C)(1) of this rule will be published on the state board of pharmacy's web site: www.pharmacy.ohio.gov.

(D) Determining fulfillment of continuing education.

(1) If a pharmacist is a veteran, the state board of pharmacy shall consider relevant military education, training or service that has been completed by the license holder when determining the fulfillment of any continuing education requirements.

(2) In order for the board to consider relevant education, training, or service completed by a pharmacist, the licensee shall submit a request for consideration and evidence or documentation of the education, training, or service to the director of licensing at least thirty days prior to the required

continuing education reporting period pursuant to rule 4729-7-02 of the Ohio Administrative Code.

(E) Renewal of an expired license.

(1) In accordance with section 5903.10 of the Revised Code, a holder of an expired license shall be granted a renewal of the license or certificate by the state board of pharmacy at the usual cost without penalty and without re-examination if not otherwise disqualified because of mental or physical disability and if either of the following applies:

(a) The license or certificate was not renewed because of the holder's service in the armed forces.

(b) The license or certificate was not renewed because the holder's spouse served in the armed forces of the United States or a reserve component of the armed forces and the service resulted in the holder's absence from this state.

(2) A pharmacist shall submit proper documentation certifying the active duty service and the length of that active duty service. Documentation required to obtain a renewal pursuant to paragraph (E)(1) of this rule will be published on the state board of pharmacy's web site: www.pharmacy.ohio.gov.

(F) Upon receipt of all required documentation and when applicable, a pharmacist or pharmacy intern license shall be issued no later than three business days of the applicant's eligibility for licensure, to each applicant who is a veteran, spouse or surviving spouse of a veteran.

(G) The director of licensing shall maintain a system to record, track and monitor applications that have been received from a veteran, spouse or surviving spouse of a veteran.

(H) The state board of pharmacy may implement fee waivers for licensure. If implemented, the waivers will be published on the state board of pharmacy's web site: www.pharmacy.ohio.gov.

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01/09/2015

Date

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Rule Amplifies: 4729.12, 4729.13, 4729.15

4729-5-12

Criminal records check for pharmacists and pharmacy interns.

- (A) Pursuant to section 4729.071 of the Revised Code, an applicant seeking an initial license as a pharmacist by examination or reciprocity, and an applicant seeking an initial license as a pharmacy intern must first submit fingerprint impressions to the Ohio bureau of criminal identification and investigation (BCI&I) for a criminal records check.
- (B) Pursuant to section 4776.02 of the Revised Code, the criminal records check performed by BCI&I shall consist of both a BCI&I criminal records check and a federal bureau of investigation (FBI) criminal records check. BCI&I shall send the results of the BCI&I and FBI criminal records checks directly to the state board of pharmacy.
- (C) The state board of pharmacy requires that the criminal records check:
- (1) Be based on electronic fingerprint impressions that are submitted directly to BCI&I from a "WebCheck" provider agency located in Ohio. The state board of pharmacy may accept the results of a criminal records check based on ink impressions from a "WebCheck" provider agency only in the event that readable electronic fingerprint impressions cannot be obtained.
 - (2) Results will only be considered valid if the fingerprint impressions were obtained within the previous twelve months.
- (D) An applicant may submit electronic fingerprint impressions for a criminal records check anytime after he/she has submitted a licensure application to the state board of pharmacy.
- (E) After the state board of pharmacy receives the results from both of the required criminal records checks the licensing process will proceed.
- (F) If a pharmacist or pharmacy intern's identification card has lapsed for more than three years after the expiration of the card, the applicant shall submit to a criminal records check that meets the criteria prescribed in this rule.

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4729-5-21

Manner of processing a prescription.

(A) A prescription, to be valid, must be issued for a legitimate medical purpose by an individual prescriber acting in the usual course of his/her professional practice. The responsibility for the proper prescribing is upon the prescriber, but a corresponding responsibility rests with the pharmacist who dispenses the prescription. An order purporting to be a prescription issued not in the usual course of bona fide treatment of a patient is not a prescription and the person knowingly dispensing such a purported prescription, as well as the person issuing it, shall be subject to the penalties of law.

(B) A pharmacist when dispensing a prescription must:

- (1) Ensure that patient information is profiled pursuant to rule 4729-5-18 of the Administrative Code;
- (2) Perform prospective drug utilization review pursuant to rule 4729-5-20 of the Administrative Code;
- (3) Ensure that the drug is labeled pursuant to rule 4729-5-16 of the Administrative Code;
- (4) Ensure that a patient is given an offer to counsel pursuant to rule 4729-5-22 of the Administrative Code;
- (5) Ensure that a prescription is filed pursuant to rule 4729-5-09 of the Administrative Code.

(C) Prescriptions:

- (1) A pharmacist may receive a signed hard copy prescription, an oral prescription, a facsimile of a signed prescription, or a prescription sent using a board approved electronic prescription transmission system. The pharmacist shall follow the prescription record keeping processes noted in paragraphs (C), (D), (E), and (F) of this rule for each of these types of prescriptions received unless utilizing an alternate record keeping system pursuant to rule 4729-5-27 of the Administrative Code that has been approved by the board.
- (2) When a pharmacist dispenses a drug pursuant to an original prescription, he/she must record the date of such dispensing and either manually record his/her name or initials on the original prescription or, if approved by the state board of pharmacy, enter his/her positive identification into the computerized record keeping system pursuant to rule 4729-5-27 of the Administrative Code. If an

alternate record keeping system is being used pursuant to rule 4729-5-27 of the Administrative Code, the record of dispensing must also be recorded in the alternate record keeping system.

- (3) When a pharmacist dispenses a drug pursuant to an authorized refill of a prescription, he/she must record the date of such dispensing and either manually record his/her name or initials on the original prescription or enter such information in an alternate record keeping system or, if approved by the state board of pharmacy, enter his/her positive identification into a computerized record keeping system pursuant to rule 4729-5-27 of the Administrative Code.

(D) Oral prescriptions:

- (1) The pharmacist shall make a record of the full name of the prescriber and, if transmitted by the prescriber's agent, the full name of the agent, on the original prescription and, if used, on the alternate system of record keeping. The pharmacist is responsible for assuring the validity of the source of the oral prescription.
- (2) Upon receiving a prescription from a recording device, the pharmacist must remove the prescription from the recorder and reduce it to writing. The pharmacist must document on the original prescription the full name of the prescriber and, if transmitted by the prescriber's agent, the full name of the agent. The pharmacist is responsible for assuring the validity of the prescription removed from the recorder.
- (3) A licensed pharmacy intern may receive telephone prescriptions and remove prescriptions from a recording device if the pharmacist on duty who is supervising the activity of the intern determines that the intern is competent to perform this function.
 - (a) The intern shall immediately reduce the prescription to writing, document the full name of the prescriber and, if transmitted by the prescriber's agent, the full name of the agent, and shall review the prescription with the supervising pharmacist. Prior to dispensing, positive identification of the intern and the supervising pharmacist shall be made on the prescription to identify the responsibility for the receipt of the oral order.
 - (b) The supervising pharmacist on duty is responsible for the accuracy of the prescription.

- (c) The supervising pharmacist on duty must be immediately available to answer questions or discuss the prescription with the caller.

(E) Facsimile prescriptions:

- (1) A facsimile shall only be valid as a prescription if a system is in place that will allow the pharmacist to maintain the facsimile as a part of the prescription record including the full name of the prescriber and, if transmitted by the prescriber's agent, the full name of the agent as well as identification of the origin of the facsimile.
- (2) The pharmacist must record the prescription in writing pursuant to section 4729.37 of the Revised Code or store the facsimile copy in such a manner that will allow retention of the prescription record for three years from the date of the last transaction.

(F) Electronic prescriptions:

- (1) Electronic prescriptions may be received by a pharmacy if the electronic prescription transmission system has been approved by the state board of pharmacy.
- (2) A pharmacy desiring to receive electronic prescriptions directly into its computer system must obtain approval from the state board of pharmacy. The original prescription information received from the prescriber must be saved and a hardcopy prescription must be printed to document the dispensing. The hardcopy prescription must be filed in the prescription file pursuant to rule 4729-5-09 of the Administrative Code.
- (3) A pharmacy computer system meeting the requirements of 21 C.F.R. 1311 (04/01/13) shall be considered approved by the state board of pharmacy.

- (G) A pharmacist may not dispense a dangerous drug for the first time beyond six months from the date of issuance of a prescription.

- (H) The quantity dispensed shall be considered the quantity prescribed unless the quantity dispensed on a:

- (1) New prescription is less than the quantity prescribed, the pharmacist shall note the quantity dispensed on the original prescription. If the quantity dispensed on a new prescription is greater than the quantity prescribed, the pharmacist

shall also record on the original prescription the name of the authorizing prescriber, the full name of the agent of the prescriber if applicable, the quantity authorized to be dispensed, and the date that the authorization was obtained.

- (2) Refill prescription is less than the quantity prescribed, the pharmacist shall note the quantity dispensed on the original prescription or enter the quantity dispensed on an alternate record pursuant to paragraph (F) of rule 4729-5-27 of the Administrative Code. If the quantity dispensed on a refill prescription is greater than the quantity prescribed, the pharmacist shall also record the name of the authorizing prescriber, the full name of the agent of the prescriber if applicable, the quantity authorized to be dispensed, and the date that the authorization was obtained.
- (I) Where a prescription is written using a generic name, or where the pharmacist dispenses an equivalent drug product pursuant to the provisions of sections 4729.38 and 4729.381 of the Revised Code, the brand name or drug name and name of the manufacturer or distributor of the drug or the national drug code (NDC) number of the drug dispensed must be recorded on the record of dispensing by the pharmacist.
 - (J) A pharmacist who modifies a patient's drug therapy pursuant to a consult agreement and is:
 - (1) Also responsible for the dispensing of the drug to the patient must include on the drug order the name of the physician who originally prescribed the drug, sign the pharmacist's full name, and be in compliance with this rule in the same manner as the prescriber.
 - (2) Not responsible for the dispensing of the drug to the patient may transmit the order to a pharmacy by acting as an agent of the physician. Such pharmacist must personally transmit the order verbally or by facsimile to another pharmacist and be in compliance with this rule.
 - (K) A pharmacist may document their own administration of an immunization, or an immunization administered by a pharmacy intern they are supervising, on a prescription form, which may be assigned a number for record keeping purposes. This documentation is in addition to the record keeping requirements noted in rule 4729-5-27 of the Administrative Code.

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3719.05
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4729-21-06

Sales of medical oxygen to S.C.U.B.A. divers.

(A) S.C.U.B.A. divers who hold a valid certificate in the following nationally recognized S.C.U.B.A. diving certifying organization programs may purchase, possess, and use medical oxygen for the purpose of emergency care or treatment at the scene of a diving emergency pursuant to divisions (B)(1)(i) and (C)(4) of section 4729.51 of the Revised Code:

- (1) Diver alert network (DAN): oxygen first aid for scuba diving injuries;
- (2) International association of nitrox and technical divers: oxygen provider course;
- (3) Professional association of diving instructors (PADI): emergency first response;
- (4) PADI: PADI oxygen first aid;
- (5) PADI: rescue diver course;
- (6) PADI: tec deep diver;
- (7) Scuba schools international: medic first aid emergency oxygen administration;
- (8) Technical diving international-S.C.U.B.A. diving international: diver advanced development program as a CPROX administrator;
- (9) YMCA: slam rescue;
- (10) National Association of Underwater Instructors (NAUI) First Aid;
- (11) NAUI Rescue Scuba Diver;
- (12) NAUI Advanced Rescue Scuba Diver;
- (13) NAUI First Aid Instructor;
- (14) NAUI Oxygen Administration; and
- (15) NAUI Instructor.

(B) Any subsequent revisions to a course after the initial approval must be submitted to the state board of pharmacy for approval.

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4729-5-27

Record keeping.

The following record keeping requirements do not apply to records relating to the practice of pharmacy for an inpatient as defined in rule 4729-17-01 of the Administrative Code.

- (A) There must be positive identification of the pharmacist or pharmacists responsible for performing all activities relating to the practice of pharmacy including, but not limited to:
- (1) Prescription information entered into the record keeping system;
 - (2) Prospective drug utilization review;
 - (3) Dispensing;
 - (4) Patient counseling;
 - (5) Administering adult immunizations;
 - (6) Prescription information reduced to writing from an order received by telephone, facsimile, or recording device.
- (B) Records of dispensing must provide accountability and ensure that patients do not receive more drugs than intended by the prescriber.
- (C) All records relating to the practice of pharmacy shall be uniformly maintained for a period of three years, be readily available, and promptly produced upon request for inspection by a state board of pharmacy officer, agent, and/or inspector during regular business hours.
- (D) All prescriptions or other records relating to the practice of pharmacy, which are required to be kept for three years according to section 4729.37 of the Revised Code, may be microfilmed or placed on electronic, magnetic media. The microfilm or electronic, magnetic media used for this purpose must comply with the "International Standards Organization" standards of quality approved for permanent records. Such records are subject to all other paragraphs of this rule.
- (E) Any pharmacy intending to maintain records relating to the practice of pharmacy at a location other than the place licensed with the state board of pharmacy must first send written notification to the state board of pharmacy. The request shall contain the terminal distributor of dangerous drug name and license number of the requestor and the name and address of the alternate location. The state board of

pharmacy office will send written notification of the approval or denial of the request. A copy of the board's approval shall be maintained with other records relating to the practice of pharmacy. Any such alternate location shall be secured and accessible only to representatives of the terminal distributor of dangerous drugs.

(F) Alternate record keeping systems include, but are not limited to, the following:

(1) A system that utilizes the original hard copy prescription to document the initial dispensing of a prescription, but utilizes a computerized system to dispense refills that does not document the positive identification of the pharmacist responsible for the practice of pharmacy. In order to document positive identification, this system would require the manual signature or initials of a pharmacist on a hard copy record as indicated in paragraph (I) of this rule.

(2) A computerized system that documents the positive identification of the pharmacist responsible for the practice of pharmacy. If this method is used, it must be approved by the board and provide a daily backup.

(3) Any record keeping system approved by the board.

(G) All computerized record keeping systems must be capable of providing immediate retrieval (via ~~CRT~~ digital display and hard copy printout or other mutually agreeable transfer medium) of patient profile information for all prescriptions filled within the previous twelve months and retrieval within three working days, excluding weekends and holidays, of all prescriptions dispensed within the previous three years. This information shall include at least, but is not limited to, the following data:

(1) The original prescription number;

(2) Date of issuance of the original prescription order by the prescriber;

(3) Date of dispensing by the pharmacist;

(4) Full name and address of the patient;

(5) Full name and address of the prescriber;

(6) Directions for use;

- (7) The name, strength, dosage form, and quantity of the drug prescribed;
 - (8) The quantity dispensed if different from the quantity prescribed;
 - (9) If utilizing a board approved system pursuant to paragraph (F)(2) of this rule, there must be positive identification documented within the system of the pharmacist responsible for prescription information entered into the computer system, the pharmacist responsible for prospective drug utilization review as defined in rule 4729-5-20 of the Administrative Code, and the pharmacist responsible for dispensing;
 - (10) The total number of refills authorized by the prescriber;
 - (11) The refill history of the prescription as defined in paragraph (H) of this rule.
- (H) The refill history of the prescription must include, but is not limited to:
- (1) The prescription number;
 - (2) The name and strength of the drug dispensed;
 - (3) The date of refill;
 - (4) The quantity dispensed;
 - (5) If utilizing a board approved system pursuant to paragraph (F)(2) of this rule, there must be positive identification documented within the system of the pharmacist responsible for prospective drug utilization review as defined in rule 4729-5-20 of the Administrative Code and the pharmacist responsible for dispensing for each refill;
 - (6) The total number of refills dispensed to date for that prescription order.
- (I) Hard copy documentation as required pursuant to paragraph (F)(1) of this rule must be provided by each individual pharmacist who makes use of such system by one of the following methods:
- (1) A hard copy printout of each day's prescription refill data that shall include, at a minimum, the following data:

- (a) Date of dispensing;
- (b) Prescription number;
- (c) Patient name;
- (d) Name, strength (if applicable), and quantity of drug;
- (e) Identification of pharmacy and pharmacist;
- (f) Identification of controlled substances.

This printout must be verified, dated, and signed by each individual pharmacist who dispensed a prescription that day. The pharmacist must verify that the data on the printout is complete and correct and sign a statement to that effect on the document as he/she would sign a check or legal document (e.g., J. H. Smith or Jane H. Smith). These documents must be maintained in chronological order in a separate file at the licensed location where the drug was dispensed for a period of three years from the date of dispensing. If the printout is prepared at a location other than that where the drug was dispensed, the printout must be provided to the licensed location within three working days, excluding holidays and weekends, of the date on which the drugs were dispensed. Such printouts must be verified and signed by each pharmacist who dispensed drugs within twenty-four hours of the date the printout is received;

- (2) A tamper evident log book in which shall be entered, at a minimum, the date of dispensing and prescription number. The dispensing pharmacist must manually record his/her name or initials on each log book entry at the time of dispensing each refill; or
- (3) Each individual pharmacist involved in dispensing drugs must enter into a tamper evident log book, at a minimum, the following data for each prescription refilled:
 - (a) Date of dispensing;
 - (b) Prescription number;
 - (c) Patient name;

- (d) Name, strength (if applicable), and quantity of drug;
- (e) Identification of the pharmacist;
- (f) Identification of controlled substances.

Each individual pharmacist involved in dispensing drugs must review this information at the end of each day and then must sign a statement in the log book attesting to the fact that the prescription information entered into the computer that day and recorded in the log book has been reviewed by him/her and is correct as shown.

(J) In addition to the immediate retrieval and production of patient profile information required by paragraph (G) of this rule, a pharmacy that utilizes a computerized record keeping system must be able to:

(1) Produce:

- (a) An electronic record in a character-delimited or fixed-width ASCII text file or other mutually acceptable format that contains any requested data fields the user pharmacy is responsible for maintaining pursuant to all federal and state laws, rules and regulations; and
- (b) A hardcopy printout sorted by any requested data fields that the user pharmacy is responsible for maintaining pursuant to all federal and state laws, rules, and regulations.

(2) Provide, within three working days of a request by an individual authorized by law to access such records, any requested:

- (a) Printout; or
- (b) Electronic record and a definition file describing the file layout and column width, if applicable.

(K) In the event that the computerized record keeping system experiences down time, a record of all refills dispensed during such time must be recorded on the back of the original prescription. The refill information must be entered into the computerized record keeping system as soon as it is available for use. During the time the computerized record keeping system is not available, prescriptions may be refilled only if, in the professional judgment of the pharmacist, the number of refills

authorized by the prescriber has not been exceeded.

(L) A pharmacy purging a computerized record keeping system of prescription records must develop a method of record keeping capable of providing retrieval (via ~~CRT~~ digital display, hard copy printout, or other mutually agreeable transfer medium) within three working days, excluding holidays and weekends, of prescription order information for all prescriptions filled or refilled within the previous three years. This information shall include, at a minimum, the following data:

- (1) Pharmacy name and address;
- (2) Original prescription number;
- (3) Date of issuance of the original prescription order by the prescriber;
- (4) Date of original dispensing by the pharmacist;
- (5) Full name and address of the patient;
- (6) Full name and address of the prescriber;
- (7) Directions for use;
- (8) Name, strength, dosage form, and quantity of the drug prescribed;
- (9) Quantity dispensed if different from the quantity prescribed;
- (10) Total number of refills authorized by the prescriber;
- (11) Total number of refills dispensed to date for that prescription order;
- (12) Date of each refill;
- (13) Name or initials of each individual dispensing pharmacist.

(M) A log must be maintained of all changes made to a prescription record after the prescription has been dispensed. Such log may be accessible to the pharmacist for review, but shall be protected from being altered in any way. The log must contain at least, but is not limited to, the following:

- (1) Date and time of change;
 - (2) Changes made;
 - (3) Pharmacist making the change.
- (N) Prescriptions entered into a computer system but not dispensed must meet all of the following conditions:
- (1) The complete prescription information must be entered in the computer system;
 - (2) The information must appear in the patient's profile;
 - (3) There is positive identification, in the computer system or on the hard copy prescription, of the pharmacist who is responsible for entering the prescription information into the system; and
 - (4) The original prescription is filed according to rule 4729-5-09 of the Administrative Code.
- (O) Records shall be maintained for three years on all immunizations administered pursuant to section 4729.41 of the Revised Code and rule 4729-5-38 of the Administrative Code and must include at least the following information:
- (1) Full name and address of the patient;
 - (2) Patient's date of birth or age;
 - (3) Patient's gender;
 - (4) Patient's applicable allergy information;
 - (5) Date of administration;
 - (6) Name, strength, and dose of the immunization administered;
 - (7) Lot number and expiration date of the immunization;
 - (8) Route of administration;

- (9) Location of the injection site;
 - (10) Positive identification of the administering pharmacist or the administering pharmacy intern and supervising pharmacist;
 - (11) Positive identification of the patient, parent, or legal guardian of the patient who gives informed consent to administer an immunization.
- (P) A pharmacist or pharmacy intern under the direct supervision of a pharmacist who administers an immunization pursuant to section 4729.41 of the Revised Code and rule 4729-5-38 of the Administrative Code shall maintain and immediately make available, upon the request of the state board of pharmacy, the following records:
- (1) Documentation of the successful completion of a board approved course in the administration of immunizations;
 - (2) Documentation of current certification to perform basic life support procedures pursuant to division (B)(2) of section 4729.41 of the Revised Code.

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7/1/01, 2/1/02, 2/1/05, 10/19/07

4729-21-03

Records.

Records required by state and federal laws and rules or regulations issued pursuant to such laws governing the sale of dangerous drugs and the filling of containers with compressed medical gases shall be maintained for a period of three years at the licensed location for inspection and copying by board of pharmacy agents.

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4729-22-04

Prescriber's order.

Before making an initial sale of medical oxygen to a patient, the retail seller must have an order issued by a prescriber in the course of the prescriber's professional practice. The order must include the full name and address of the patient, the positive identification of the prescriber, the manually printed, typewritten, electronically generated or preprinted full name and address of the prescriber, the telephone number where the prescriber can be personally contacted during normal business hours, and documentation of need. The prescriber's order may be transmitted electronically to the retail seller. This order must be renewed at least annually.

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Statutory Authority: 4729.26
Rule Amplifies: 4729.51 , 4729.54 , 4729.55
Prior Effective Dates: 11/25/94, 3/31/00, 2/1/05

4729-13-01 **Definitions.**

As used in Chapter 4729-13 of the Administrative Code:

- (A) "Controlled substance" has the same meaning as in section ~~4729.01~~3719.01 of the Revised Code.
- (B) "Dangerous drug" has the same meaning as in section 4729.01 of the Revised Code and in rule 4729-9-01 of the Administrative Code.
- (C) "D.E.A." means the federal drug enforcement administration.
- (D) "Laboratory" means any establishment or place where dangerous drugs are possessed for scientific and clinical purposes and for purposes of instruction that has been approved by the state board of pharmacy.
- (E) "Registration numbers" means the numbers assigned to each person registered under the federal drug abuse control laws, sections 4729.52 and/or 4729.54 of the Revised Code.
- (F) "Responsible person" means the individual designated by the licensee as the person who will maintain supervision and control over the possession and custody of such dangerous drugs that may be acquired and utilized by the licensee.

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Five Year Review (FYR) Dates: 10/31/2014 and 01/20/2019

CERTIFIED ELECTRONICALLY

Certification

01/09/2015

Date

Promulgated Under: 119.03
Statutory Authority: 3719.28 , 4729.26
Rule Amplifies: 3719.01 , 4729.01 , 4729.55 , 4729.57
Prior Effective Dates: 4/1/1978, 7/1/1989, 7/1/1994, 01/01/2009

4729-13-02 **Procedure for state board of pharmacy approval as a laboratory.**

- (A) A person, as defined in division (S) of section 4729.01 of the Revised Code, desiring to be approved by the state board of pharmacy as a laboratory shall file with the state board of pharmacy a completed application containing information relative to the qualifications for approval as set forth in rule 4729-13-03 of the Administrative Code.
- (B) The state board of pharmacy shall issue a terminal distributor of dangerous drugs license to purchase, possess, and utilize dangerous drugs for scientific and clinical purposes and for purposes of instruction at the establishment or place described in the application to each person who has submitted an application and has paid the required license fee if the board determines that such applicant meets the requirements set forth in this chapter.
- (C) All licenses issued pursuant to this rule shall be effective for a period of twelve months from the first day of ~~January~~ April of each year. A license shall be renewed by the state board of pharmacy for a like period, annually, according to the provisions of this rule, and the standard renewal procedure of sections 4745.01 to 4745.03 of the Revised Code.
- (D) The fee required for issuance of the license shall be the same as that required in section 4729.54 of the Revised Code.
- (E) A person desiring to renew the license shall submit a completed application for such renewal and pay the required fee on or before the thirty-first day of ~~December~~ March each year.
- (F) The state board of pharmacy, within thirty days after receipt of an application filed in the form and manner set forth in this rule for the issuance of a new or renewal license, shall notify the applicant whether or not such license will be issued or renewed. If the board determines that such license will not be issued or renewed, such notice to the applicant shall set forth the reason or reasons that such license will not be issued or renewed.

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Statutory Authority: 4729.26
Rule Amplifies: 4729.54 , 4729.55
Prior Effective Dates: 4/1/1978, 7/1/1989, 7/1/1994, 3/1/1999, 1/1/2004

4729-14-01 **Definitions.**

As used in Chapter 4729-14 of the Administrative Code:

- (A) "Animal shelter" means a facility operated by a humane society or any society organized under Chapter 1717. of the Revised Code or a dog pound operated pursuant to Chapter 955. of the Revised Code.
- (B) "Controlled substance" has the same meaning as in section ~~4729.01~~3719.01 of the Revised Code.
- (C) "Dangerous drug" has the same meaning as in section 4729.01 of the Revised Code and in rule 4729-9-01 of the Administrative Code.
- (D) "D.E.A." means the federal drug enforcement administration.
- (E) "Euthanasia technician" is an individual that has successfully completed a euthanasia certification course, the curriculum of which has been approved by the veterinary medical licensing board pursuant to section 4729.532 of the Revised Code, and is in possession of a certificate which documents the successful completion of the certification course.
- (F) "Registered veterinary technician" has the same meaning as given that term in section 4741.01 of the Revised Code.
- (G) "Registration numbers" means the numbers assigned to each person registered under the federal drug abuse control laws and/or Chapter 4729. of the Revised Code.
- (H) "Responsible person" means the individual designated by the licensee as the person who will maintain supervision and control over the possession and custody of the dangerous drugs that may be acquired and utilized by the licensee.

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Rule Amplifies: 4729.01
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4729-14-02

Procedure for licensure as an animal shelter.

- (A) A person, as defined in division (S) of section 4729.01 of the Revised Code, desiring to be licensed by the state board of pharmacy as an animal shelter shall file with the state board of pharmacy a completed application containing information relative to the qualifications for approval as set forth in rule 4729-14-03 of the Administrative Code.
- (B) The state board of pharmacy shall issue a limited terminal distributor of dangerous drugs license, pursuant to sections 4729.531 and 4729.532 of the Revised Code, at the establishment or place described in the application to each person who has submitted an application and has paid the required license fee if the board determines that such applicant meets the requirements set forth in Chapter 4729-14 of the Administrative Code.
- (C) All licenses issued pursuant to this rule shall be effective for a period of twelve months from the first day of ~~January~~ April of each year. A license shall be renewed by the state board of pharmacy for a like period, annually, according to the provisions of this rule, and the standard renewal procedure of sections 4745.01 to 4745.03 of the Revised Code.
- (D) The fee required for issuance of the license shall be the same as that required in section 4729.54 of the Revised Code.
- (E) A person desiring to renew the license shall submit a completed application for such renewal and pay the required fee on or before the thirty-first day of ~~December~~ March each year.
- (F) The state board of pharmacy, within thirty days after receipt of a complete application filed in the form and manner set forth in this rule for the issuance of a new or renewal license, shall notify the applicant whether or not such license will be issued or renewed. If the board determines that such license will not be issued or renewed, such notice to the applicant shall set forth the reason or reasons that such license will not be issued or renewed.

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