



## Retail Seller of Medical Oxygen – Requirements of Sale

Updated 3/11/2021

Please review Ohio Administrative Code (OAC) rule [4729:5-17-02](#), which applies to retail sellers of medical oxygen.

- A terminal distributor of dangerous drugs (TDDD) license authorizes an entity only to sell medical oxygen at retail to patients pursuant to an order from a prescriber [see OAC [4729:5-17-02](#) (F)].
- Depending on your business sales, you may need both a TDDD & WDDD license. If you are selling oxygen to an Ohio business (i.e., physician's office, nursing home, etc.) rather than making a patient specific sale, then you are conducting a wholesale sale and need a wholesale distributor of dangerous drugs (WDDD) license. For more information on obtaining a WDDD license visit: <https://www.pharmacy.ohio.gov/Licensing/WDDD.aspx>
- Prior to selling oxygen as a WDDD to an Ohio business, you must verify that the purchaser is appropriately licensed to purchase it (see [OAC 4729:6-3-04](#)). The TDDD license of the purchaser must be in the facility/business name (i.e., Nursing Home name, NOT Pharmacy name & Nursing Home name). If the prescriber's business does not have a TDDD license, they must prove to you that they are exempt (ex., single prescriber shareholder). Rarely is an individual prescriber purchasing medical oxygen, rather the business is doing the purchasing. Therefore, the business must be appropriately licensed as a terminal distributor of dangerous drugs (TDDD).
- If you are only conducting wholesale sales and therefore do not need the RSOX TDDD license, you must discontinue the TDDD license using the Written Notice of Discontinuing Business form that can be found [on our website](#).

- If you are placing contingency stock oxygen into an entity like a nursing home facility (i.e., you are maintaining ownership, getting the prescriber's order, and billing the patient when it is used), you must have a TDDD license for each physical location where the oxygen will be located.
- Please be advised that OAC [4729:5-17-02](#) (H) does provide some exceptions for the sale of oxygen for emergency use.
- If you have any questions or concerns, please contact the Board's Licensing Department at 614-466-4143 or submit your question electronically: [www.pharmacy.ohio.gov/contact](http://www.pharmacy.ohio.gov/contact)