



REISSUED: For Stakeholder Feedback – Zoning Requirements for Terminal Distributors of Dangerous Drugs

Reissued: 7/31/2024

In accordance with Chapter 119. of the Revised Code, the Ohio Board of Pharmacy proposes the adoption of the following rule:

- **4729:5-2-06 – Zoning Requirements for Terminal Distributors of Dangerous Drugs**

Comments on the proposed rules will be accepted until close of business on Friday, August 16, 2024. Please send all comments to the following email address:

rulecomments@pharmacy.ohio.gov.

4729:5-2-06 – Zoning Requirements for Terminal Distributors of Dangerous Drugs (NEW)

(A) Except as provided in paragraphs (B) and (C) of this rule, a terminal distributor of dangerous drugs shall operate out of a location that is zoned for commercial use and not out of a residence or personal dwelling.

(B) This rule does not apply to a terminal distributor of dangerous drugs who is a veterinarian licensed under Chapter 4741. of the Revised Code.

(C) A terminal distributor of dangerous drugs may operate in a location that is a residence or personal dwelling if it meets all the following conditions:

(1) Drugs and record storage areas are maintained in either:

(a) A structure or building that is detached or separate from the residence or personal dwelling; or

(b) There is clear delineation between the licensed location and the residence or personal dwelling (e.g., a prescriber clinic located at a residence with a separate means of egress).

(2) The licensed location shall not contain any other personal items.

(3) The licensed location shall only be accessible by authorized personnel employed by the licensee.

(4) The licensed location shall be in compliance with applicable building, fire, safety, and zoning statutes, local ordinances, and rules and regulations adopted by the locality in which the licensee's property is located.

(D) Licensees described in paragraph (C) this rule shall be able to demonstrate compliance with this rule and all other requirements pursuant to Chapter 4729. of the Revised Code and all rules adopted thereunder.

(E) Locations licensed as a terminal distributor of dangerous drugs on or before the effective date of this rule shall have until March 31, 2027, to comply with the requirements of this rule.

(F) Licensees that submit a change of application in accordance with rule 4729:5-2-03 of the Administrative Code shall comply with the requirements of this rule.