



Minutes of the March 22, 2020
Emergency Meeting of the State of Ohio Board of Pharmacy

Sunday, March 22, 2020

9:03 a.m. Pursuant to the Emergency Notice issued on Saturday, March 21, 2020, the State of Ohio Board of Pharmacy convened an emergency Board Meeting via telephone conference call for the purpose of addressing reports received of significant increases in the prescribing of chloroquine or hydroxychloroquine as a result of the COVID-19 outbreak with the following members present:

Shawn C. Wilt, *Presiding*; Joshua M. Cox, *RPh*; Megan E. Marchal, *RPh*; Donald R. Miller, *RPh*; Richard J. Newlon, *Public Member*; Jennifer M. Rudell, *RPh*; Kilee S. Yarosh, *RPh* and Fred M. Weaver, *RPh*.

Also present were Steven W. Schierholt, *Executive Director*, Blair Cathcart, *Director of Information Services*, Jenni Wai, *Chief Pharmacist*; Cameron McNamee, *Director of Policy and Communications*; Thomas Pyles, *Chief of Investigations*; Nicole Dehner, *Chief Legal Counsel*; Paula Economus, *Legal Administrative Assistant*; and Kathryn Lewis, *Legal Administrative Assistant*.

The Board had for consideration the following language of a draft emergency rule as published in the emergency meeting notice on Saturday, March 21, 2020:

4729-5-30.02 – Prescription requirements for chloroquine or hydroxychloroquine (DRAFT)

- (A) Unless otherwise approved by the Board’s executive director, no prescription for chloroquine or hydroxychloroquine may be dispensed by a pharmacist or sold at retail by a licensed terminal distributor of dangerous drugs for a COVID-19 diagnosis unless all the following apply:
- a. The prescription bears a written diagnosis code from the prescriber;
 - b. The diagnosis has been confirmed by a positive test result, which is documented on the prescription;
 - c. The prescription is limited to no more than a fourteen-day supply, and
 - d. No refills may be permitted unless a new prescription is furnished.
- (B) Prescriptions for either presumptive positive patients or prophylactic use of chloroquine or hydroxychloroquine related to COVID-19 is strictly prohibited unless otherwise approved by the Board’s Executive Director in consultation with the Board President, at which time a resolution shall issue.



President Wilt inquired of the Board whether there were comments on the draft language, at which time Ms. Rudell proposed modifying the emergency rule draft to specify all prescriptions for chloroquine and hydroxychloroquine contain a diagnosis code, and to further specify COVID-19 related prescriptions be limited to a fourteen-day supply and restrict refills. Upon consideration of Ms. Rudell's proposed changes, President Wilt entertained a motion.

R-2020-0437

Mr. Cox moved that the Board request an emergency rule filing from the Office of Governor DeWine for 4729-5-30.2—Prescription requirements for chloroquine or hydroxychloroquine to address increases in the prescribing of chloroquine or hydroxychloroquine as a result of the COVID-19 outbreak. The motion was seconded by Mr. Newlon and approved by the Board: Aye – 7, Nay – 0. The following emergency rule was adopted by the Board for presentation to the Governor's Office:

4729-5-30.2 – Prescription requirements for chloroquine or hydroxychloroquine


(A) Unless otherwise approved by the board's executive director, no prescription for chloroquine or hydroxychloroquine may be dispensed by a pharmacist or sold at retail by a licensed terminal distributor of dangerous drugs unless all the following apply:

- (1) The prescription bears a written diagnosis code from the prescriber; and
- (2) If written for a COVID-19 diagnosis, the diagnosis has been confirmed by a positive test result, which is documented on the prescription and both of the following apply:
 - (a) The prescription is limited to no more than a fourteen-day supply; and
 - (b) No refills may be permitted unless a new prescription is furnished.

(B) Prescriptions for either presumptive positive patients or prophylactic use of chloroquine or hydroxychloroquine related to COVID-19 is strictly prohibited unless otherwise approved by the board's executive director in consultation with the board president, at which time a resolution shall issue.

9:12 a.m.

The business of the meeting thus finished, the emergency meeting was ended.


Shawn C. Wilt, RPh, President

Date: 05.06.2020


Steven W. Schierholt, Executive Director

Date: 05.06.2020