



OHIO LEGISLATIVE SERVICE COMMISSION

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Fiscal Note & Local Impact Statement

Bill: H.B. 167 of the 132nd G.A.

Status: As Passed by the House

Sponsor: Reps. Edwards and
Householder

Local Impact Statement Procedure Required: No

Subject: Regarding naltrexone and medication-assisted treatment

State Fiscal Highlights

- The Board of Pharmacy could experience an increase in information technology costs if any adjustments are needed to the Ohio Automated Rx Reporting System (OARRS) as a result of the bill's record maintenance requirements relating to naltrexone.
- Any state or local government entities that operate pharmacies may experience an increase in costs to comply with the requirements for dispensing naltrexone without a prescription.
- State and local health programs could realize an increase in dispensing costs as a result of the provision that allows pharmacists to dispense naltrexone without a prescription. This cost could be offset by savings if this provision results in better health outcomes.

Detailed Fiscal Analysis

Dispensing naltrexone

The bill allows a pharmacist to dispense naltrexone without a prescription from a prescriber if the pharmacist:

- Is able to verify a record of a prescription for the injectable long-acting or extended release form of naltrexone for the patient if certain criteria are met;
- Is unable to obtain authorization to refill the prescription; and
- Determines in their professional judgment the drug is needed to continue the patient's therapy for substance use disorder and failure to dispense the drug could result in harm to the health of the patient.

The bill specifies the pharmacist must use their professional judgement in determining the number of times naltrexone can be dispensed to the same patient without a prescription. The Board of Pharmacy may realize a minimal increase in costs if there are any additional duties associated with the provision, such as addressing questions or complaints.

After providing the drug, the pharmacist is required to maintain a record for one year that indicates the amount of and form of naltrexone dispensed, the original prescription number, and the name and address of the patient. Maintaining these records may require the Board of Pharmacy to upgrade the Ohio Automated Rx Reporting System (OARRS), which could result in information technology costs. In addition to maintaining a record, the pharmacist must notify the prescriber within five days after dispensing naltrexone.

Any state or local government entities that operate pharmacies could realize administrative costs to comply with these requirements. The cost would depend on the number of individuals seeking naltrexone under the bill's criteria. Additionally, state and local health programs, including Medicaid, could realize an increase in pharmaceutical dispensing costs as a result of the provision. On the other hand, if the provision led to better health outcomes, then there could be a savings in associated medical or treatment costs. The Ohio Department of Medicaid anticipates the costs associated with this provision to be minimal. However, the total fiscal impact will depend on utilization, as well as the number of times a pharmacist dispenses naltrexone to each individual.

Civil and criminal immunity

The bill establishes conditions for immunity from civil liability, criminal prosecution, or professional discipline for administering naltrexone via injection. These conditions include when the individual is unable to have the drug administered:

- By a person who routinely administers naltrexone to the individual;
- At a facility in which it is routinely administered; or
- Under the direction of the drug's prescriber.

This provision may result in a savings of any court costs and fees for state and political subdivisions that employ workers which administer naltrexone if any cases are brought forward.