



# OHIO LEGISLATIVE SERVICE COMMISSION

## Sub. Bill Comparative Synopsis

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### Sub. S.B. 229

132nd General Assembly  
(H. Health)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Passed by Senate)	Sub. Version (L_132_1626-5)
<b>Emergency rules for previously unscheduled substances</b>	Authorizes the State Board of Pharmacy to use a telephone conference call in reviewing criteria to determine whether a previously unscheduled substance should be added to Schedule I through an emergency rule ( <i>R.C. 3719.45(B)(2)</i> ).	Same, but also specifies that the Board may use a telephone conference call to determine whether to issue a resolution requesting that the Governor permit the Board to adopt the emergency rule ( <i>R.C. 3719.45(B) and (C)</i> ).
<b>Dispensing limits on opioid analgesics</b>	Establishes additional exemptions to existing limitations on the dispensing or sale of outpatient prescriptions for opioid analgesics ( <i>R.C. 4729.46</i> ).	Same, except makes the additional exemptions, as well as existing limitations and exemptions, applicable only when a pharmacist dispenses the drug (not when a terminal distributor subsequently sells a drug) ( <i>R.C. 4729.46</i> ).
<b>Peace Officer Training Commission</b>	No provision.	Designates Board investigators as "peace officers" for purposes of the Ohio Peace Officer Training Commission; thereby requires them to complete continuing professional training each year, and permits the Board to apply to the Commission for reimbursement of training costs ( <i>R.C. 109.71(A)(25) and 4729.04</i> ).

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<b>Supervision of dangerous drugs</b>	No provision.	<p>Specifies that, in addition to a pharmacist or prescriber, another person authorized by the Board may supervise the procurement for sale and distribution of dangerous drugs by a terminal distributor (<i>R.C. 4729.01(Q)</i>).</p> <p>Specifies that, for purposes of providing proof of supervision and control of dangerous drugs as part of an application for licensure as a terminal distributor, proof of supervision by other persons authorized by the Board is permitted (<i>R.C. 4729.55(B)</i>).</p>
<b>Terminal distributor of dangerous drugs licensure – possession of controlled substances</b>	<p>No provision.</p> <p>No provision.</p>	<p>In the context of an application for licensure as a terminal distributor, clarifies that a licensed terminal distributor may be in possession of controlled substances (which includes drugs in Schedule I), in addition to dangerous drugs (which generally means prescription drugs) (<i>R.C. 4729.55(B)</i>).</p> <p>Clarifies by definition that a laboratory, as a licensed terminal distributor, may possess Schedule I controlled substances as well as dangerous drugs (<i>R.C. 4729.01(BB)</i>).</p>
<b>Criminal records checks</b>	No provision.	Permits the Superintendent of the Bureau of Criminal Identification and Investigation to conduct criminal records checks of the following applicants: (1) manufacturers of dangerous drugs, (2) outsourcing facilities, (3) third-party logistics providers, (4) repackagers of



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		<p>dangerous drugs, (5) wholesale distributors of dangerous drugs, (6) pharmacy technician trainees, (7) registered pharmacy technicians, and (8) certified pharmacy technicians (R.C. 109.572(A)(9)).</p> <p>Requires the Superintendent to review relevant information gathered, including sealed records, for the applicants listed above, as well as pharmacists (R.C. 109.572(B)(1)).</p>
<b>Prosecutor conviction reporting</b>	No provision.	<p>Generally requires a prosecutor to report a conviction of a violation of the Controlled Substances Law or Drug Offenses Law to the Board for any of the following: (1) outsourcing facilities, (2) third-party logistics providers, (3) repackagers of dangerous drugs, (4) pharmacy technician trainees, (5) registered pharmacy technicians, and (6) certified pharmacy technicians (R.C. 3719.12).</p>
<b>Reporting convictions of "professionally licensed persons"</b>	No provision.	<p>For purposes of the Drug Offenses Law and reporting certain convictions to regulatory or licensing boards and agencies, adds pharmacy technician trainees, registered pharmacy technicians, and certified pharmacy technicians to the definition of a "professionally licensed person" (R.C. 2925.01(W)(14)).</p>



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<b>Applications for pharmacy technicians and trainees</b>	No provision.	For purposes of the application for registration as a registered pharmacy technician or certified pharmacy technician, eliminates a provision under which a pharmacy's responsible person must attest that the applicant has met education and training requirements (the applicant still must prove education and training requirements are met, but the method of doing so is no longer specified) ( <i>R.C. 4729.90(B)</i> ).
<b>Outsourcing facilities, third-party logistics providers, and repackagers of dangerous drugs</b>	No provision.	Includes in the Controlled Substances Law, with regard to existing references to wholesale distributors of dangerous drugs, the following additional categories of distributors: outsourcing facilities, third-party logistics providers, and repackagers of dangerous drugs ( <i>R.C. 2925.23(C)(6), 3719.09(A), and 3719.12</i> ).