



OHIO LEGISLATIVE SERVICE COMMISSION

Synopsis of House Committee Amendments*

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Sub. S.B. 229

132nd General Assembly
(H. Health)

I. Modifications to Senate-passed provisions

Emergency rules for previously unscheduled substances

Specifies that, in addition to using a telephone conference call to review criteria to determine whether a previously unscheduled substance should be added to Schedule I through an emergency rule as provided in the Senate-passed version, a telephone conference call may also be used by the State Board of Pharmacy in determining whether to issue a resolution requesting that the Governor permit the Board to adopt the emergency rule.

Dispensing limits on opioid analgesics

Makes limitations on dispensing and selling outpatient prescriptions for opioid analgesics, both as added in the Senate-passed version and in existing law, applicable only when a pharmacist dispenses a drug (and not also when a terminal distributor subsequently sells a drug).

Schedule V – cannabidiol drugs

During the one-year period before the effective date of Senate-passed provisions eliminating the existing statutory controlled substance schedules and moving the schedules to rules, adds to Schedule V certain cannabidiol drugs that have been approved by the U.S. Food and Drug Administration.

II. Additions to the Senate-passed version of the bill

Peace Officer Training Commission

Designates State Board of Pharmacy investigators as "peace officers" for purposes of the Ohio Peace Officer Training Commission; thereby requires them to complete continuing professional training each year.

* This synopsis does not address amendments that may have been adopted on the House Floor.

Permits the Board to apply to the Commission for reimbursement of the training costs.

Licensed terminal distributors of dangerous drugs

Permits the State Board of Pharmacy to authorize additional persons, beyond those identified in current law, to supervise the procurement for sale and distribution of dangerous drugs by terminal distributors.

Clarifies that a licensed terminal distributor, including a laboratory, may possess Schedule I controlled substances, as well as dangerous drugs.

Emergency medical service organization satellites

Requires emergency medical service organization (EMS) satellites, which are locations where dangerous drugs are stored that are separate from, but associated with, an EMS headquarters, to be licensed as terminal distributors separately from the EMS headquarters.

Specifies that application requirements for an EMS satellite will be specified in rules adopted by the State Board of Pharmacy.

Establishes a reduced license fee of \$120 for an EMS satellite.

Criminal records checks

State Board of Pharmacy licensees and registrants

Permits the Superintendent of the Bureau of Criminal Identification and Investigation to conduct criminal records checks for (1) manufacturers of dangerous drugs, (2) outsourcing facilities, (3) third-party logistics providers, (4) repackagers of dangerous drugs, (5) wholesale distributors of dangerous drugs, (6) pharmacy technician trainees, (7) registered pharmacy technicians, and (8) certified pharmacy technicians.

Requires the Superintendent to review relevant information gathered, including sealed records, for those applicants, as well as pharmacists.

Medicaid providers

Permits a Medicaid provider to choose to employ a person who otherwise may not be employed because of a database review or criminal records check requirement so long as the provider does not submit any Medicaid claims for the person's services.

Conviction reporting

Generally requires a prosecutor to report a conviction of a violation of the Controlled Substances Law or Drug Offenses Law to the State Board of Pharmacy for (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.

For purposes of the Drug Offenses Law and reporting certain convictions to regulatory or licensing boards and agencies, adds to the definition of a "professionally licensed person" pharmacy technician trainees, registered pharmacy technicians, and certified pharmacy technicians.

Applications for pharmacy technicians and trainees

Eliminates a provision requiring applications related to pharmacy technician registration to include an attestation from a pharmacy's responsible person that the applicant has met education and training requirements. (The applicant continues to be required to meet education and training requirements, but the method of providing proof is no longer specified.)

Outsourcing facilities, third-party logistics providers, and repackagers of dangerous drugs

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.

Occasional sales of commercially unavailable drugs

Authorizes a licensed terminal distributor of dangerous drugs that is not a pharmacy to make occasional sales of dangerous drugs at wholesale if the drugs being sold are in shortage, as defined in rules to be adopted by the State Board of Pharmacy.

Drug take-back program

Makes the following changes to the existing drug take-back program operated by the State Board of Pharmacy:

--Specifies entities that may participate in the program.

--Modifies the information the Board must include in its report of the program.

--Requires the Board to publish on its website certain information about the program.

--Permits the Board to engage in other activities designed to promote public awareness for the program.

State Medical Board website

Eliminates a current requirement that the State Medical Board maintain on its website the name of each supervising physician with authority to grant prescriptive authority to a physician assistant. (Current law no longer requires supervision agreements to be submitted to the Board for review.)

State Board of Emergency Medical, Fire, and Transportation Services

Expands the authority of the State Board of Emergency Medical, Fire, and Transportation Services to transmit data from its Emergency Medical Services Incident Reporting System, by allowing the Board to do both of the following:

--Transmit data identifying recipients of care, rather than just data identifying providers as under current law, to the National Emergency Medical Services Information System;

--Transmit provider and recipient data to other eligible information systems.

Grants the Board authority to transmit from its State Trauma Registry data identifying trauma care recipients and providers to eligible research and monitoring databases, including the National Trauma Data Bank.

Boards of health

Credit card use by boards of health

Permits a board of health to authorize an officer or employee of the board to use a credit card account held by the board.

Requires boards of health to adopt written policies for the use of credit card accounts.

Use of titles

Permits a board of health to select the titles it uses to refer to itself, the health district it represents, or the facilities it operates, including use of the term "public health."