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OHIO LEGISLATIVE SERVICE COMMISSION

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Office

H.B. 645
134th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 645's Bill Analysis](#)

Version: As Passed by the House

Primary Sponsors: Reps. Fraizer and Holmes

Local Impact Statement Procedure Required: No

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Highlights

- The State Board of Pharmacy (PRX) will incur minimal one-time costs to draft and update administrative rules governing remote dispensing pharmacies. To the extent that additional facilities require oversight, PRX will experience some manner of costs related to inspections, investigations, and possible disciplinary action if warranted, although likely minimal in comparison to current workload.

Detailed Analysis

Board of Pharmacy

The bill requires the State Board of Pharmacy (PRX) to regulate remote dispensing pharmacies. Under the bill, such a pharmacy is one where a supervising pharmacist, using a telepharmacy system, dispenses drugs and drug therapy-related devices, counsels patients, and provides other pharmacist care. A telepharmacy system is one that monitors the dispensing of drugs and provides for related drug utilization review and patient counseling services by an electronic method. Under the bill, several eligibility standards and operational conditions must be met in order to operate a remote dispensing pharmacy, including being licensed by PRX as a terminal distributor of dangerous drugs, and having quality assurance plans and inventory controls in place.

Costs to develop the rules will likely be absorbed by PRX utilizing existing staff and resources. The number of remote dispensing pharmacies that may become operational after the bill's effective date is unknown. However, to the extent that additional facilities require oversight, PRX will experience some manner of costs related to inspections, investigations, and possible disciplinary action if warranted.

Courts of common pleas

The bill requires PRX to adopt rules governing the regulation of remote dispensing pharmacies not later than 18 months after the bill's effective date. If PRX fails to meet this deadline, the bill authorizes the Ohio Attorney General or a county prosecuting attorney to apply to a court of common pleas for a court order requiring the rules to be adopted.

It is presumed that PRX will meet the deadline to enact rules by the deadline prescribed by the bill. However, if a court order is pursued, the court impacted by the filing would experience a negligible cost to hear the case and issue an order. The bill does not designate a specific court of common pleas where the case would be filed.

Possible indirect effects

Government-owned hospitals

Depending on the rules that will be promulgated by PRX, government-owned hospitals or any state or local entities that operate a pharmacy could be impacted if their current operational plans include implementing a remote dispensing facility. However, such plans would be undertaken voluntarily, and it is presumed that such entities would comply with any such rules enacted by PRX and as stipulated in the bill. It is expected that remote dispensing pharmacies could create certain efficiencies and cost savings in the health care delivery system as a whole, the magnitude of which is unknown and would depend on a variety of factors, including certain regional characteristics, the availability of brick and mortar, pharmacies, and community needs.