



OHIO LEGISLATIVE SERVICE COMMISSION

Robert Meeker

Fiscal Note & Local Impact Statement

Bill: H.B. 231 of the 132nd G.A.
(L_132_1135-7)

Status: In House Health

Sponsor: Reps. Ginter and Sprague

Local Impact Statement Procedure Required: No

Subject: Pharmacist responsibility to offer lockable or tamper-evident container

State & Local Fiscal Highlights

- The bill requires the State Board of Pharmacy to: (1) develop and operate a two-year program regarding lockable or tamper-evident containers for certain controlled substances dispensed by a pharmacist, (2) reimburse participating pharmacies for costs associated with the program, and (3) submit a report on the program to the General Assembly. The Board is only required to do any of the above if an appropriation is made by the General Assembly. Additional costs to the Board will vary based on the future appropriation and the number of participating pharmacies.
- There should be no discernible ongoing costs for the Board to develop the required educational statement or to adopt and enforce rules related to the bill's requirement that a pharmacist offer to dispense certain drugs in a lockable or tamper-evident container.
- The bill will have no discernible ongoing fiscal effects on any of the state's political subdivisions.

Detailed Fiscal Analysis

The bill requires the State Board of Pharmacy, within six months of an appropriation by the General Assembly, to develop and operate a two-year pilot program under which pharmacists who dispense a drug containing a schedule II controlled substance will be required to: (1) offer to dispense the drug in a lockable or tamper-evident container, and (2) provide an educational statement developed by the Board which includes a warning of the risks of abuse, diversion, addiction, and death associated with controlled substances.

Any pharmacy in the state is permitted to volunteer to be a part of the pilot program and the Board is required to select participating pharmacies from among the volunteers taking into consideration areas of the state which have the highest levels of dispensing drugs containing a schedule II controlled substance. For participating pharmacies, the Board is required to reimburse any program-related expenses, including those related to administration, stocking, and dispensing.

The bill also requires the Board to adopt any necessary rules and to report its findings to the General Assembly not later than six months following the completion of the pilot period regarding the success of the program.

Synopsis of Fiscal Effect Changes

Like the As Introduced version of the bill, the previous adopted substitute version of the bill (L_132_1135-4) required the State Board of Pharmacy to create an informational statement and authorized the Board to adopt any necessary rules, neither of which would have created any discernible ongoing costs. Additionally, the previous version of the bill expanded those tasks to include requiring the Board to: (1) develop and operate a one-year program regarding lockable or tamper-evident containers for certain controlled substances dispensed by a pharmacist, (2) compile data and complete a report on the program, and (3) continue to operate the program indefinitely if certain conditions are met. At the least, in the short term, the costs for the Board to comply with the previous version's additional requirements could have been significant, as it would have had to develop and maintain a system to collect and analyze data and then report its findings.

The current substitute bill (L_132_1135-7) requires the Board: (1) to operate a two-year pilot program under which certain drugs are dispensed in lockable or tamper-evident containers and (2) to reimburse participating pharmacies for any expenses incurred participating in the program. Costs under the current version of the bill are wholly dependent on a future appropriation by the General Assembly, without which the Board is not required to run the pilot program and which will be a determining factor in the number of pharmacies selected for participation.