



Ohio Legislative Service Commission

Bill Analysis

Elizabeth Molnar

H.B. 366

130th General Assembly
(As Introduced)

Reps. Sprague, Buchy, Hood, Phillips, Ruhl, Smith

BILL SUMMARY

- Requires licensed hospice care programs to establish certain procedures for preventing the diversion of controlled substances containing opioids.

CONTENT AND OPERATION

Procedures to prevent opioid diversion in hospice care programs

The bill requires each hospice care program licensed by the Ohio Department of Health (ODH) to establish procedures for preventing the diversion of controlled substances containing opioids that are prescribed for a patient.¹ The required procedures include the following:

(1) Designating an individual who is employed by or affiliated with the program to be responsible for the controlled substances;

(2) Requiring the controlled substances to be kept in a place that can be accessed only by an authorized person using a key;

(3) Maintaining records of the receipt and disposition of the controlled substances, including accurate counts of the numbers dispensed and used;

(4) Disposing of controlled substances maintained in the patient's home that are no longer needed by the patient. Under current ODH rules, each hospice care program

¹ R.C. 3712.06(I).

is required to have a policy for disposing of controlled drugs maintained in the patient's home when those drugs are no longer needed by the patient.²

Penalties

In the event a hospice care program fails to establish the procedures required by the bill, ODH may suspend or revoke its license.³

Hospice definition

Existing law defines "hospice care program" as a coordinated program of home, outpatient, and inpatient care and services that provides hospice patients and their families with specified care and services through a medically directed interdisciplinary team to meet the physical, psychological, social, spiritual, and other needs experienced during the final stages of illness, dying, and bereavement.⁴

HISTORY

ACTION	DATE
Introduced	12-02-13

H0366-I-130.docx/ks

² Ohio Administrative Code 3701-19-21.

³ R.C. 3712.04(C), not in the bill.

⁴ R.C. 3712.01(A), not in the bill.

