

**As Passed by the Senate**

**131st General Assembly**

**Regular Session**

**2015-2016**

**Am. Sub. H. B. No. 4**

**Representatives Sprague, Rezabek**

**Cosponsors: Representatives Gonzales, Huffman, Antonio, Barnes, Bishoff, Brown, Butler, Ginter, Johnson, T., LaTourette, Lepore-Hagan, Ramos, Sears, Schuring, Sykes, Amstutz, Anielski, Antani, Baker, Blessing, Boose, Brenner, Buchy, Burkley, Celebrezze, Cera, Conditt, Craig, Curtin, Derickson, Dever, Dovilla, Driehaus, Duffey, Fedor, Gerberry, Green, Grossman, Hackett, Hall, Hayes, Henne, Howse, Johnson, G., Koehler, Kraus, Kunze, Landis, Leland, Manning, McClain, O'Brien, M., O'Brien, S., Patmon, Patterson, Pelanda, Perales, Phillips, Rogers, Ruhl, Scherer, Sheehy, Slaby, Smith, K., Smith, R., Stinziano, Strahorn, Sweeney, Terhar, Thompson, Vitale, Zeltwanger, Speaker Rosenberger**

**Senators Hottinger, Jones, Tavares, Brown, Hite, Beagle, Bacon, Balderson, Burke, Cafaro, Coley, Eklund, Gardner, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Thomas, Uecker, Widener, Williams, Yuko**

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**A BILL**

To amend sections 2925.61, 3719.13, 3719.27, 1  
4723.488, 4729.01, 4729.16, 4729.29, 4729.291, 2  
4729.51, 4729.60, 4730.431, 4731.94, and 3  
5119.371 and to enact sections 3707.56, 4  
4729.292, 4729.44, 4731.941, 4731.942, and 5  
5119.372 of the Revised Code to modify the laws 6  
governing the authority to dispense or furnish 7  
naloxone for opioid overdoses, to establish 8  
standards for certain opioid treatment programs, 9  
and to declare an emergency. 10

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 2925.61, 3719.13, 3719.27, 11  
4723.488, 4729.01, 4729.16, 4729.29, 4729.291, 4729.51, 4729.60, 12  
4730.431, 4731.94, and 5119.371 be amended and sections 13  
3707.56, 4729.292, 4729.44, 4731.941, 4731.942, and 5119.372 of 14  
the Revised Code be enacted to read as follows: 15

**Sec. 2925.61.** (A) As used in this section: 16

(1) ~~"Administer naloxone" means to give naloxone to a 17  
person by either of the following routes: 18~~

~~(a) Using a device manufactured for the intranasal 19  
administration of liquid drugs; 20~~

~~(b) Using an autoinjector in a manufactured dosage form. 21~~

~~(2) "Law enforcement agency" means a government entity 22  
that employs peace officers to perform law enforcement duties. 23~~

~~(3) (2) "Licensed health professional" means all of the 24  
following: 25~~

~~(a) A physician who is authorized under Chapter 4731. of 26  
the Revised Code to practice medicine and surgery, osteopathic 27  
medicine and surgery, or podiatric medicine and surgery; 28~~

~~(b) A physician assistant who holds a certificate to 29  
prescribe issued under Chapter 4730. of the Revised Code; 30~~

~~(c) A clinical nurse specialist, certified nurse-midwife, 31  
or certified nurse practitioner who holds a certificate to 32  
prescribe issued under section 4723.48 of the Revised Code. 33~~

~~(4) (3) "Peace officer" has the same meaning as in section 34  
2921.51 of the Revised Code. 35~~

(4) "Physician" means an individual who is authorized 36  
under Chapter 4731. of the Revised Code to practice medicine and 37

surgery, osteopathic medicine and surgery, or podiatric medicine 38  
and surgery. 39

(B) A family member, friend, or other individual who is in 40  
a position to assist an individual who is apparently 41  
experiencing or at risk of experiencing an opioid-related 42  
overdose, is not subject to criminal prosecution for a violation 43  
of section 4731.41 of the Revised Code or criminal prosecution 44  
under this chapter if the individual, acting in good faith, does 45  
all of the following: 46

(1) Obtains naloxone ~~from a licensed health professional~~ 47  
~~or pursuant to a prescription for naloxone from~~ issued by a 48  
licensed health professional or obtains naloxone from one of the 49  
following: a licensed health professional, an individual who is 50  
authorized by a physician under section 4731.941 of the Revised 51  
Code to personally furnish naloxone, or a pharmacist or pharmacy 52  
intern who is authorized by a physician or board of health under 53  
section 4729.44 of the Revised Code to dispense naloxone without 54  
a prescription; 55

(2) Administers ~~that~~ the naloxone obtained as described in 56  
division (B)(1) of this section to an individual who is 57  
apparently experiencing an opioid-related overdose; 58

(3) Attempts to summon emergency services as soon as 59  
practicable either ~~immediately~~ before or ~~immediately~~ after 60  
administering the naloxone. 61

(C) Division (B) of this section does not apply to a peace 62  
officer or to an emergency medical technician-basic, emergency 63  
medical technician-intermediate, or emergency medical 64  
technician-paramedic, as defined in section 4765.01 of the 65  
Revised Code. 66

(D) A peace officer employed by a law enforcement agency 67  
is not subject to administrative action, criminal prosecution 68  
for a violation of section 4731.41 of the Revised Code, or 69  
criminal prosecution under this chapter if the peace officer, 70  
acting in good faith, obtains naloxone from the peace officer's 71  
law enforcement agency and administers the naloxone to an 72  
individual who is apparently experiencing an opioid-related 73  
overdose. 74

Sec. 3707.56. (A) As used in this section, "board of 75  
health" means a board of health of a city or general health 76  
district or the authority having the duties of a board of health 77  
under section 3709.05 of the Revised Code. 78

(B) A board of health, through a physician serving as the 79  
board's health commissioner or medical director, may authorize 80  
pharmacists and pharmacy interns working in the board's 81  
jurisdiction to use the protocol developed pursuant to rules 82  
adopted under section 4729.44 of the Revised Code for the 83  
purpose of dispensing naloxone under section 4729.44 of the 84  
Revised Code. 85

**Sec. 3719.13.** Prescriptions, orders, and records, required 86  
by Chapter 3719. of the Revised Code, and stocks of dangerous 87  
drugs and controlled substances, shall be open for inspection 88  
only to federal, state, county, and municipal officers, and 89  
employees of the state board of pharmacy whose duty it is to 90  
enforce the laws of this state or of the United States relating 91  
to controlled substances. Such prescriptions, orders, records, 92  
and stocks shall be open for inspection by employees of the 93  
state medical board for purposes of enforcing Chapters 4730. and 94  
4731. of the Revised Code ~~and~~, employees of the board of 95  
nursing for purposes of enforcing Chapter 4723. of the Revised 96

Code, and employees of the department of mental health and 97  
addiction services for purposes of section 5119.372 of the 98  
Revised Code. No person having knowledge of any such 99  
prescription, order, or record shall divulge such knowledge, 100  
except in connection with a prosecution or proceeding in court 101  
or before a licensing or registration board or officer, to which 102  
prosecution or proceeding the person to whom such prescriptions, 103  
orders, or records relate is a party. 104

**Sec. 3719.27.** (A) Persons required by Chapter 3719. of 105  
the Revised Code to keep files or records shall, upon the 106  
written request of an officer or employee designated by the 107  
state board of pharmacy, make such files or records available to 108  
such officer or employee, at all reasonable hours, for 109  
inspection and copying, and accord to such officer or employee 110  
full opportunity to check the correctness of such files or 111  
records, including opportunity to make inventory of all stocks 112  
of controlled substances on hand. No person shall fail to make 113  
such files or records available or to accord such opportunity to 114  
check their correctness. 115

(B) Persons required by Chapter 3719. of the Revised Code 116  
to keep files or records shall, upon the written request of an 117  
employee designated by the director of mental health and 118  
addiction services, make such files or records available to the 119  
employee for the purpose of section 5119.372 of the Revised 120  
Code, at all reasonable hours, for inspection and copying, and 121  
accord to such employee full opportunity to check the 122  
correctness of such files or records. No person shall fail to 123  
make such files or records available or to accord such 124  
opportunity to check their correctness. 125

**Sec. 4723.488.** (A) Notwithstanding any provision of this 126

chapter or rule adopted by the board of nursing, a clinical 127  
nurse specialist, certified nurse-midwife, or certified nurse 128  
practitioner who holds a certificate to prescribe issued under 129  
section 4723.48 of the Revised Code may personally furnish a 130  
supply of naloxone, or issue a prescription for naloxone, 131  
without having examined the individual to whom it may be 132  
administered if ~~all~~both of the following conditions are met: 133

(1) The naloxone supply is furnished to, or the 134  
prescription is issued to and in the name of, a family member, 135  
friend, or other individual in a position to assist an 136  
individual who there is reason to believe is at risk of 137  
experiencing an opioid-related overdose. 138

(2) The nurse instructs the individual receiving the 139  
naloxone supply or prescription to summon emergency services as 140  
soon as practicable either ~~immediately~~ before or ~~immediately~~ 141  
after administering naloxone to an individual apparently 142  
experiencing an opioid-related overdose. 143

~~(3) The naloxone is personally furnished or prescribed in~~ 144  
~~such a manner that it may be administered by only either of the~~ 145  
~~following routes:~~ 146

~~(a) Using a device manufactured for the intranasal~~ 147  
~~administration of liquid drugs;~~ 148

~~(b) Using an autoinjector in a manufactured dosage form.~~ 149

(B) A nurse who under division (A) of this section in good 150  
faith furnishes a supply of naloxone or issues a prescription 151  
for naloxone is not liable for or subject to any of the 152  
following for any action or omission of the individual to whom 153  
the naloxone is furnished or the prescription is issued: damages 154  
in any civil action, prosecution in any criminal proceeding, or 155

professional disciplinary action.	156
<b>Sec. 4729.01.</b> As used in this chapter:	157
(A) "Pharmacy," except when used in a context that refers	158
to the practice of pharmacy, means any area, room, rooms, place	159
of business, department, or portion of any of the foregoing	160
where the practice of pharmacy is conducted.	161
(B) "Practice of pharmacy" means providing pharmacist care	162
requiring specialized knowledge, judgment, and skill derived	163
from the principles of biological, chemical, behavioral, social,	164
pharmaceutical, and clinical sciences. As used in this division,	165
"pharmacist care" includes the following:	166
(1) Interpreting prescriptions;	167
(2) Dispensing drugs and drug therapy related devices;	168
(3) Compounding drugs;	169
(4) Counseling individuals with regard to their drug	170
therapy, recommending drug therapy related devices, and	171
assisting in the selection of drugs and appliances for treatment	172
of common diseases and injuries and providing instruction in the	173
proper use of the drugs and appliances;	174
(5) Performing drug regimen reviews with individuals by	175
discussing all of the drugs that the individual is taking and	176
explaining the interactions of the drugs;	177
(6) Performing drug utilization reviews with licensed	178
health professionals authorized to prescribe drugs when the	179
pharmacist determines that an individual with a prescription has	180
a drug regimen that warrants additional discussion with the	181
prescriber;	182

(7) Advising an individual and the health care professionals treating an individual with regard to the individual's drug therapy;

(8) Acting pursuant to a consult agreement with a physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, if an agreement has been established with the physician;

(9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code.

(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:

(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;

(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;

(3) As an incident to research, teaching activities, or chemical analysis;

(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;

(5) Pursuant to a request made by a licensed health professional authorized to prescribe drugs for a drug that is to be used by the professional for the purpose of direct administration to patients in the course of the professional's practice, if all of the following apply:

(a) At the time the request is made, the drug is not



commercially available regardless of the reason that the drug is 211  
not available, including the absence of a manufacturer for the 212  
drug or the lack of a readily available supply of the drug from 213  
a manufacturer. 214

(b) A limited quantity of the drug is compounded and 215  
provided to the professional. 216

(c) The drug is compounded and provided to the 217  
professional as an occasional exception to the normal practice 218  
of dispensing drugs pursuant to patient-specific prescriptions. 219

(D) "Consult agreement" means an agreement to manage an 220  
individual's drug therapy that has been entered into by a 221  
pharmacist and a physician authorized under Chapter 4731. of the 222  
Revised Code to practice medicine and surgery or osteopathic 223  
medicine and surgery. 224

(E) "Drug" means: 225

(1) Any article recognized in the United States 226  
pharmacopoeia and national formulary, or any supplement to them, 227  
intended for use in the diagnosis, cure, mitigation, treatment, 228  
or prevention of disease in humans or animals; 229

(2) Any other article intended for use in the diagnosis, 230  
cure, mitigation, treatment, or prevention of disease in humans 231  
or animals; 232

(3) Any article, other than food, intended to affect the 233  
structure or any function of the body of humans or animals; 234

(4) Any article intended for use as a component of any 235  
article specified in division (E) (1), (2), or (3) of this 236  
section; but does not include devices or their components, 237  
parts, or accessories. 238

(F) "Dangerous drug" means any of the following:	239
(1) Any drug to which either of the following applies:	240
(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or the drug may be dispensed only upon a prescription;	241 242 243 244 245 246 247
(b) Under Chapter 3715. or 3719. of the Revised Code, the drug may be dispensed only upon a prescription.	248 249
(2) Any drug that contains a schedule V controlled substance and that is exempt from Chapter 3719. of the Revised Code or to which that chapter does not apply;	250 251 252
(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body.	253 254 255
(G) "Federal drug abuse control laws" has the same meaning as in section 3719.01 of the Revised Code.	256 257
(H) "Prescription" means <u>both of the following:</u>	258
(1) <u>A written, electronic, or oral order for drugs or combinations or mixtures of drugs to be used by a particular individual or for treating a particular animal, issued by a licensed health professional authorized to prescribe drugs;</u>	259 260 261 262
(2) <u>For purposes of section 2925.61, 4723.488, 4729.44, 4730.431, and 4731.94 of the Revised Code, a written, electronic, or oral order for naloxone issued to and in the name of a family member, friend, or other individual in a position to</u>	263 264 265 266

assist an individual who there is reason to believe is at risk 267  
of experiencing an opioid-related overdose. 268

(I) "Licensed health professional authorized to prescribe 269  
drugs" or "prescriber" means an individual who is authorized by 270  
law to prescribe drugs or dangerous drugs or drug therapy 271  
related devices in the course of the individual's professional 272  
practice, including only the following: 273

(1) A dentist licensed under Chapter 4715. of the Revised 274  
Code; 275

(2) A clinical nurse specialist, certified nurse-midwife, 276  
or certified nurse practitioner who holds a certificate to 277  
prescribe issued under section 4723.48 of the Revised Code; 278

(3) An optometrist licensed under Chapter 4725. of the 279  
Revised Code to practice optometry under a therapeutic 280  
pharmaceutical agents certificate; 281

(4) A physician authorized under Chapter 4731. of the 282  
Revised Code to practice medicine and surgery, osteopathic 283  
medicine and surgery, or podiatric medicine and surgery; 284

(5) A physician assistant who holds a certificate to 285  
prescribe issued under Chapter 4730. of the Revised Code; 286

(6) A veterinarian licensed under Chapter 4741. of the 287  
Revised Code. 288

(J) "Sale" and "sell" include delivery, transfer, barter, 289  
exchange, or gift, or offer therefor, and each such transaction 290  
made by any person, whether as principal proprietor, agent, or 291  
employee. 292

(K) "Wholesale sale" and "sale at wholesale" mean any sale 293  
in which the purpose of the purchaser is to resell the article 294

purchased or received by the purchaser. 295

(L) "Retail sale" and "sale at retail" mean any sale other 296  
than a wholesale sale or sale at wholesale. 297

(M) "Retail seller" means any person that sells any 298  
dangerous drug to consumers without assuming control over and 299  
responsibility for its administration. Mere advice or 300  
instructions regarding administration do not constitute control 301  
or establish responsibility. 302

(N) "Price information" means the price charged for a 303  
prescription for a particular drug product and, in an easily 304  
understandable manner, all of the following: 305

(1) The proprietary name of the drug product; 306

(2) The established (generic) name of the drug product; 307

(3) The strength of the drug product if the product 308  
contains a single active ingredient or if the drug product 309  
contains more than one active ingredient and a relevant strength 310  
can be associated with the product without indicating each 311  
active ingredient. The established name and quantity of each 312  
active ingredient are required if such a relevant strength 313  
cannot be so associated with a drug product containing more than 314  
one ingredient. 315

(4) The dosage form; 316

(5) The price charged for a specific quantity of the drug 317  
product. The stated price shall include all charges to the 318  
consumer, including, but not limited to, the cost of the drug 319  
product, professional fees, handling fees, if any, and a 320  
statement identifying professional services routinely furnished 321  
by the pharmacy. Any mailing fees and delivery fees may be 322

stated separately without repetition. The information shall not 323  
be false or misleading. 324

(O) "Wholesale distributor of dangerous drugs" means a 325  
person engaged in the sale of dangerous drugs at wholesale and 326  
includes any agent or employee of such a person authorized by 327  
the person to engage in the sale of dangerous drugs at 328  
wholesale. 329

(P) "Manufacturer of dangerous drugs" means a person, 330  
other than a pharmacist, who manufactures dangerous drugs and 331  
who is engaged in the sale of those dangerous drugs within this 332  
state. 333

(Q) "Terminal distributor of dangerous drugs" means a 334  
person who is engaged in the sale of dangerous drugs at retail, 335  
or any person, other than a wholesale distributor or a 336  
pharmacist, who has possession, custody, or control of dangerous 337  
drugs for any purpose other than for that person's own use and 338  
consumption, and includes pharmacies, hospitals, nursing homes, 339  
and laboratories and all other persons who procure dangerous 340  
drugs for sale or other distribution by or under the supervision 341  
of a pharmacist or licensed health professional authorized to 342  
prescribe drugs. 343

(R) "Promote to the public" means disseminating a 344  
representation to the public in any manner or by any means, 345  
other than by labeling, for the purpose of inducing, or that is 346  
likely to induce, directly or indirectly, the purchase of a 347  
dangerous drug at retail. 348

(S) "Person" includes any individual, partnership, 349  
association, limited liability company, or corporation, the 350  
state, any political subdivision of the state, and any district, 351

department, or agency of the state or its political 352  
subdivisions. 353

(T) "Finished dosage form" has the same meaning as in 354  
section 3715.01 of the Revised Code. 355

(U) "Generically equivalent drug" has the same meaning as 356  
in section 3715.01 of the Revised Code. 357

(V) "Animal shelter" means a facility operated by a humane 358  
society or any society organized under Chapter 1717. of the 359  
Revised Code or a dog pound operated pursuant to Chapter 955. of 360  
the Revised Code. 361

(W) "Food" has the same meaning as in section 3715.01 of 362  
the Revised Code. 363

(X) "Pain management clinic" has the same meaning as in 364  
section 4731.054 of the Revised Code. 365

**Sec. 4729.16.** (A) The state board of pharmacy, after 366  
notice and hearing in accordance with Chapter 119. of the 367  
Revised Code, may revoke, suspend, limit, place on probation, or 368  
refuse to grant or renew an identification card, or may impose a 369  
monetary penalty or forfeiture not to exceed in severity any 370  
fine designated under the Revised Code for a similar offense, or 371  
in the case of a violation of a section of the Revised Code that 372  
does not bear a penalty, a monetary penalty or forfeiture of not 373  
more than five hundred dollars, if the board finds a pharmacist 374  
or pharmacy intern: 375

(1) Guilty of a felony or gross immorality; 376

(2) Guilty of dishonesty or unprofessional conduct in the 377  
practice of pharmacy; 378

(3) Addicted to or abusing liquor or drugs or impaired 379

physically or mentally to such a degree as to render the 380  
pharmacist or pharmacy intern unfit to practice pharmacy; 381

(4) Has been convicted of a misdemeanor related to, or 382  
committed in, the practice of pharmacy; 383

(5) Guilty of willfully violating, conspiring to violate, 384  
attempting to violate, or aiding and abetting the violation of 385  
any of the provisions of this chapter, sections 3715.52 to 386  
3715.72 of the Revised Code, Chapter 2925. or 3719. of the 387  
Revised Code, or any rule adopted by the board under those 388  
provisions; 389

(6) Guilty of permitting anyone other than a pharmacist or 390  
pharmacy intern to practice pharmacy; 391

(7) Guilty of knowingly lending the pharmacist's or 392  
pharmacy intern's name to an illegal practitioner of pharmacy or 393  
having professional connection with an illegal practitioner of 394  
pharmacy; 395

(8) Guilty of dividing or agreeing to divide remuneration 396  
made in the practice of pharmacy with any other individual, 397  
including, but not limited to, any licensed health professional 398  
authorized to prescribe drugs or any owner, manager, or employee 399  
of a health care facility, residential care facility, or nursing 400  
home; 401

(9) Has violated the terms of a consult agreement entered 402  
into pursuant to section 4729.39 of the Revised Code; 403

(10) Has committed fraud, misrepresentation, or deception 404  
in applying for or securing a license or identification card 405  
issued by the board under this chapter or under Chapter 3715. or 406  
3719. of the Revised Code. 407

(B) Any individual whose identification card is revoked, 408  
suspended, or refused, shall return the identification card and 409  
license to the offices of the state board of pharmacy within ten 410  
days after receipt of notice of such action. 411

(C) As used in this section: 412

"Unprofessional conduct in the practice of pharmacy" 413  
includes any of the following: 414

(1) Advertising or displaying signs that promote dangerous 415  
drugs to the public in a manner that is false or misleading; 416

(2) Except as provided in section 4729.281 or 4729.44 of 417  
the Revised Code, the dispensing or sale of any drug for which a 418  
prescription is required, without having received a prescription 419  
for the drug; 420

(3) Knowingly dispensing medication pursuant to false or 421  
forged prescriptions; 422

(4) Knowingly failing to maintain complete and accurate 423  
records of all dangerous drugs received or dispensed in 424  
compliance with federal laws and regulations and state laws and 425  
rules; 426

(5) Obtaining any remuneration by fraud, 427  
misrepresentation, or deception. 428

(D) The board may suspend a license or identification card 429  
under division (B) of section 3719.121 of the Revised Code by 430  
utilizing a telephone conference call to review the allegations 431  
and take a vote. 432

(E) If, pursuant to an adjudication under Chapter 119. of 433  
the Revised Code, the board has reasonable cause to believe that 434  
a pharmacist or pharmacy intern is physically or mentally 435



impaired, the board may require the pharmacist or pharmacy 436  
intern to submit to a physical or mental examination, or both. 437

**Sec. 4729.29.** Divisions (A) and (B) of section 4729.01 and 438  
section 4729.28 of the Revised Code do not do any of the 439  
following: 440

(A) Apply to a licensed health professional authorized to 441  
prescribe drugs who is acting within the prescriber's scope of 442  
professional practice; 443

(B) Prevent a prescriber from personally furnishing the 444  
prescriber's patients with drugs, within the prescriber's scope 445  
of professional practice, that seem proper to the prescriber, as 446  
long as the drugs are furnished in accordance with section 447  
4729.291 of the Revised Code; 448

(C) Apply to an individual who personally furnishes a 449  
supply of naloxone under authority conferred by a physician 450  
under section 4731.941 of the Revised Code or prevent that 451  
individual from personally furnishing the supply of naloxone in 452  
accordance with a protocol established by the physician under 453  
section 4731.941 of the Revised Code; 454

(D) Apply to the sale of oxygen, the sale of peritoneal 455  
dialysis solutions, or the sale of drugs that are not dangerous 456  
drugs by a retail dealer, in original packages when labeled as 457  
required by the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 458  
1040 (1938), 21 U.S.C.A. 301, as amended. 459

**Sec. 4729.291.** (A) When a licensed health professional 460  
authorized to prescribe drugs personally furnishes drugs to a 461  
patient pursuant to division (B) of section 4729.29 of the 462  
Revised Code, the prescriber shall ensure that the drugs are 463  
labeled and packaged in accordance with state and federal drug 464

laws and any rules and regulations adopted pursuant to those 465  
laws. Records of purchase and disposition of all drugs 466  
personally furnished to patients shall be maintained by the 467  
prescriber in accordance with state and federal drug statutes 468  
and any rules adopted pursuant to those statutes. 469

(B) When personally furnishing to a patient RU-486 470  
(mifepristone), a prescriber is subject to section 2919.123 of 471  
the Revised Code. A prescription for RU-486 (mifepristone) shall 472  
be in writing and in accordance with section 2919.123 of the 473  
Revised Code. 474

(C) (1) Except as provided in ~~division~~ divisions (D) and 475  
(E) of this section, no prescriber shall do either of the 476  
following: 477

(a) In any thirty-day period, personally furnish to or for 478  
patients, taken as a whole, controlled substances in an amount 479  
that exceeds a total of two thousand five hundred dosage units; 480

(b) In any seventy-two-hour period, personally furnish to 481  
or for a patient an amount of a controlled substance that 482  
exceeds the amount necessary for the patient's use in a seventy- 483  
two-hour period. 484

(2) The state board of pharmacy may impose a fine of not 485  
more than five thousand dollars on a prescriber who fails to 486  
comply with the limits established under division (C) (1) of this 487  
section. A separate fine may be imposed for each instance of 488  
failing to comply with the limits. In imposing the fine, the 489  
board's actions shall be taken in accordance with Chapter 119. 490  
of the Revised Code. 491

(D) ~~(1)~~ None of the following shall be counted in 492  
determining whether the amounts specified in division (C) (1) of 493

this section have been exceeded: 494

~~(a) (1) Methadone provided personally furnished to~~ 495  
patients for the purpose of treating drug dependence or 496  
addiction, if the prescriber meets the conditions specified in 497  
21 C.F.R. 1306.07; 498

~~(b) (2) Buprenorphine provided personally furnished to~~ 499  
patients for the purpose of treating drug dependence or 500  
addiction as part of an opioid treatment program that possesses 501  
a terminal distributor of dangerous drugs license issued under 502  
section 4729.54 of the Revised Code, is the subject of a 503  
current, valid certification from the substance abuse and mental 504  
health services administration of the United States department 505  
of health and human services pursuant to 42 C.F.R. 8.11, and 506  
~~distributes both buprenorphine meets either of the following~~ 507  
criteria: 508

(a) Buprenorphine and methadone, are personally furnished 509  
by physicians treating patients participating in the program. 510

(b) Buprenorphine, but not methadone, is personally 511  
furnished by physicians treating patients participating in the 512  
program, the program is accredited by a national accrediting 513  
organization approved by the substance abuse and mental health 514  
services administration, the service of personally furnishing 515  
buprenorphine has, notwithstanding section 5119.371 of the 516  
Revised Code, been certified by the department of mental health 517  
and addiction services under section 5119.36 of the Revised 518  
Code, and the program maintains in the record of a patient to 519  
whom buprenorphine has been administered or personally furnished 520  
a copy of the physician's signed and dated written order for 521  
that act. 522

(c) Controlled substances ~~provided personally furnished~~ to 523  
research subjects by a facility conducting clinical research in 524  
studies approved by a hospital-based institutional review board 525  
or an institutional review board accredited by the association 526  
for the accreditation of human research protection programs. 527

~~(2)~~ ~~(E)~~ Division (C) (1) of this section does not apply to 528  
a prescriber who is a veterinarian. 529

**Sec. 4729.292.** The state board of pharmacy shall annually 530  
conduct an on-site inspection of a community mental health 531  
services provider or community addiction services provider that 532  
is an opioid treatment program described in division (D) (2) (b) 533  
of section 4729.291 of the Revised Code. 534

**Sec. 4729.44.** (A) As used in this section: 535

(1) "Board of health" means a board of health of a city or 536  
general health district or an authority having the duties of a 537  
board of health under section 3709.05 of the Revised Code. 538

(2) "Physician" means an individual authorized under 539  
Chapter 4731. of the Revised Code to practice medicine and 540  
surgery, osteopathic medicine and surgery, or podiatric medicine 541  
and surgery. 542

(B) If use of the protocol developed pursuant to rules 543  
adopted under division (G) of this section has been authorized 544  
under section 3707.56 or 4731.942 of the Revised Code, a 545  
pharmacist or pharmacy intern may dispense naloxone without a 546  
prescription to either of the following in accordance with that 547  
protocol: 548

(1) An individual who there is reason to believe is 549  
experiencing or at risk of experiencing an opioid-related 550  
overdose; 551

(2) A family member, friend, or other person in a position 552  
to assist an individual who there is reason to believe is at 553  
risk of experiencing an opioid-related overdose. 554

(C) A pharmacist or pharmacy intern who dispenses naloxone 555  
under this section shall instruct the individual to whom 556  
naloxone is dispensed to summon emergency services as soon as 557  
practicable either before or after administering naloxone. 558

(D) A pharmacist may document the dispensing of naloxone 559  
by the pharmacist or a pharmacy intern supervised by the 560  
pharmacist on a prescription form. The form may be assigned a 561  
number for record-keeping purposes. 562

(E) This section does not affect the authority of a 563  
pharmacist or pharmacy intern to fill or refill a prescription 564  
for naloxone. 565

(F) A board of health that in good faith authorizes a 566  
pharmacist or pharmacy intern to dispense naloxone without a 567  
prescription in accordance with a protocol developed pursuant to 568  
rules adopted under division (G) of this section is not liable 569  
for or subject to any of the following for any action or 570  
omission of the individual to whom the naloxone is dispensed: 571  
damages in any civil action, prosecution in any criminal 572  
proceeding, or professional disciplinary action. 573

A physician who in good faith authorizes a pharmacist or 574  
pharmacy intern to dispense naloxone without a prescription in 575  
accordance with a protocol developed pursuant to rules adopted 576  
under division (G) of this section is not liable for or subject 577  
to any of the following for any action or omission of the 578  
individual to whom the naloxone is dispensed: damages in any 579  
civil action, prosecution in any criminal proceeding, or 580

professional disciplinary action. 581

A pharmacist or pharmacy intern authorized under this 582  
section to dispense naloxone without a prescription who does so 583  
in good faith is not liable for or subject to any of the 584  
following for any action or omission of the individual to whom 585  
the naloxone is dispensed: damages in any civil action, 586  
prosecution in any criminal proceeding, or professional 587  
disciplinary action. 588

(G) The state board of pharmacy shall, after consulting 589  
with the department of health and state medical board, adopt 590  
rules to implement this section. The rules shall specify a 591  
protocol under which pharmacists or pharmacy interns may 592  
dispense naloxone without a prescription. 593

All rules adopted under this section shall be adopted in 594  
accordance with Chapter 119. of the Revised Code. 595

**Sec. 4729.51.** (A) (1) Except as provided in division (A) (2) 596  
of this section, no person other than a registered wholesale 597  
distributor of dangerous drugs shall possess for sale, sell, 598  
distribute, or deliver, at wholesale, dangerous drugs, except as 599  
follows: 600

(a) A pharmacist who is a licensed terminal distributor of 601  
dangerous drugs or who is employed by a licensed terminal 602  
distributor of dangerous drugs may make occasional sales of 603  
dangerous drugs at wholesale. 604

(b) A licensed terminal distributor of dangerous drugs 605  
having more than one establishment or place may transfer or 606  
deliver dangerous drugs from one establishment or place for 607  
which a license has been issued to the terminal distributor to 608  
another establishment or place for which a license has been 609

issued to the terminal distributor if the license issued for 610  
each establishment or place is in effect at the time of the 611  
transfer or delivery. 612

(c) A licensed terminal distributor of dangerous drugs may 613  
make occasional sales of naloxone at wholesale to a state or 614  
local law enforcement agency if the terminal distributor is any 615  
of the following: 616

(i) A board of health of a city or general health 617  
district; 618

(ii) An authority having the duties of a board of health 619  
under section 3709.05 of the Revised Code; 620

(iii) A health department operated by such a board or 621  
authority. 622

(2) A manufacturer of dangerous drugs may donate 623  
epinephrine autoinjectors to any of the following: 624

(a) The board of education of a city, local, exempted 625  
village, or joint vocational school district; 626

(b) A community school established under Chapter 3314. of 627  
the Revised Code; 628

(c) A STEM school established under Chapter 3326. of the 629  
Revised Code; 630

(d) A college-preparatory boarding school established 631  
under Chapter 3328. of the Revised Code; 632

(e) A chartered or nonchartered nonpublic school. 633

(B) (1) No registered wholesale distributor of dangerous 634  
drugs shall possess for sale, or sell, at wholesale, dangerous 635  
drugs to any person other than the following: 636

- (a) Except as provided in division (B) (2) (a) of this section, a licensed health professional authorized to prescribe drugs;
- (b) An optometrist licensed under Chapter 4725. of the Revised Code who holds a topical ocular pharmaceutical agents certificate;
- (c) A registered wholesale distributor of dangerous drugs;
- (d) A manufacturer of dangerous drugs;
- (e) Subject to division (B) (3) of this section, a licensed terminal distributor of dangerous drugs;
- (f) Carriers or warehouses for the purpose of carriage or storage;
- (g) Terminal or wholesale distributors of dangerous drugs who are not engaged in the sale of dangerous drugs within this state;
- (h) An individual who holds a current license, certificate, or registration issued under Title XLVII of the Revised Code and has been certified to conduct diabetes education by a national certifying body specified in rules adopted by the state board of pharmacy under section 4729.68 of the Revised Code, but only with respect to insulin that will be used for the purpose of diabetes education and only if diabetes education is within the individual's scope of practice under statutes and rules regulating the individual's profession;
- (i) An individual who holds a valid certificate issued by a nationally recognized S.C.U.B.A. diving certifying organization approved by the state board of pharmacy in rule, but only with respect to medical oxygen that will be used for



the purpose of emergency care or treatment at the scene of a 665  
diving emergency; 666

(j) Except as provided in division (B)(2)(b) of this 667  
section, a business entity that is a corporation formed under 668  
division (B) of section 1701.03 of the Revised Code, a limited 669  
liability company formed under Chapter 1705. of the Revised 670  
Code, or a professional association formed under Chapter 1785. 671  
of the Revised Code if the entity has a sole shareholder who is 672  
a licensed health professional authorized to prescribe drugs and 673  
is authorized to provide the professional services being offered 674  
by the entity; 675

(k) Except as provided in division (B)(2)(c) of this 676  
section, a business entity that is a corporation formed under 677  
division (B) of section 1701.03 of the Revised Code, a limited 678  
liability company formed under Chapter 1705. of the Revised 679  
Code, a partnership or a limited liability partnership formed 680  
under Chapter 1775. of the Revised Code, or a professional 681  
association formed under Chapter 1785. of the Revised Code, if, 682  
to be a shareholder, member, or partner, an individual is 683  
required to be licensed, certified, or otherwise legally 684  
authorized under Title XLVII of the Revised Code to perform the 685  
professional service provided by the entity and each such 686  
individual is a licensed health professional authorized to 687  
prescribe drugs; 688

(l) With respect to epinephrine autoinjectors that may be 689  
possessed under section 3313.7110, 3313.7111, 3314.143, 3326.28, 690  
or 3328.29 of the Revised Code, any of the following: the board 691  
of education of a city, local, exempted village, or joint 692  
vocational school district; a chartered or nonchartered 693  
nonpublic school; a community school established under Chapter 694

3314. of the Revised Code; a STEM school established under 695  
Chapter 3326. of the Revised Code; or a college-preparatory 696  
boarding school established under Chapter 3328. of the Revised 697  
Code; 698

(m) With respect to epinephrine autoinjectors that may be 699  
possessed under section 5101.76 of the Revised Code, any of the 700  
following: a residential camp, as defined in section 2151.011 of 701  
the Revised Code; a child day camp, as defined in section 702  
5104.01 of the Revised Code; or a child day camp operated by any 703  
county, township, municipal corporation, township park district 704  
created under section 511.18 of the Revised Code, park district 705  
created under section 1545.04 of the Revised Code, or joint 706  
recreation district established under section 755.14 of the 707  
Revised Code; 708

(n) With respect to naloxone that may be possessed under 709  
section 2925.61 of the Revised Code, a law enforcement agency 710  
and its peace officers. 711

(2) No registered wholesale distributor of dangerous drugs 712  
shall possess for sale, or sell, at wholesale, dangerous drugs 713  
to any of the following: 714

(a) A prescriber who is employed by a pain management 715  
clinic that is not licensed as a terminal distributor of 716  
dangerous drugs with a pain management clinic classification 717  
issued under section 4729.552 of the Revised Code; 718

(b) A business entity described in division (B) (1) (j) of 719  
this section that is, or is operating, a pain management clinic 720  
without a license as a terminal distributor of dangerous drugs 721  
with a pain management clinic classification issued under 722  
section 4729.552 of the Revised Code; 723

(c) A business entity described in division (B) (1) (k) of this section that is, or is operating, a pain management clinic without a license as a terminal distributor of dangerous drugs with a pain management clinic classification issued under section 4729.552 of the Revised Code.

(3) No registered wholesale distributor of dangerous drugs shall possess dangerous drugs for sale at wholesale, or sell such drugs at wholesale, to a licensed terminal distributor of dangerous drugs, except as follows:

(a) In the case of a terminal distributor with a category I license, only dangerous drugs described in category I, as defined in division (A) (1) of section 4729.54 of the Revised Code;

(b) In the case of a terminal distributor with a category II license, only dangerous drugs described in category I and category II, as defined in divisions (A) (1) and (2) of section 4729.54 of the Revised Code;

(c) In the case of a terminal distributor with a category III license, dangerous drugs described in category I, category II, and category III, as defined in divisions (A) (1), (2), and (3) of section 4729.54 of the Revised Code;

(d) In the case of a terminal distributor with a limited category I, II, or III license, only the dangerous drugs specified in the certificate furnished by the terminal distributor in accordance with section 4729.60 of the Revised Code.

(C) (1) Except as provided in division (C) (4) of this section, no person shall sell, at retail, dangerous drugs.

(2) Except as provided in division (C) (4) of this section,

no person shall possess for sale, at retail, dangerous drugs. 753

(3) Except as provided in division (C)(4) of this section, 754  
no person shall possess dangerous drugs. 755

(4) Divisions (C)(1), (2), and (3) of this section do not 756  
apply to a registered wholesale distributor of dangerous drugs, 757  
a licensed terminal distributor of dangerous drugs, or a person 758  
who possesses, or possesses for sale or sells, at retail, a 759  
dangerous drug in accordance with Chapters 3719., 4715., 4723., 760  
4725., 4729., 4730., 4731., and 4741. of the Revised Code. 761

Divisions (C)(1), (2), and (3) of this section do not 762  
apply to an individual who holds a current license, certificate, 763  
or registration issued under Title XLVII of the Revised Code and 764  
has been certified to conduct diabetes education by a national 765  
certifying body specified in rules adopted by the state board of 766  
pharmacy under section 4729.68 of the Revised Code, but only to 767  
the extent that the individual possesses insulin or personally 768  
supplies insulin solely for the purpose of diabetes education 769  
and only if diabetes education is within the individual's scope 770  
of practice under statutes and rules regulating the individual's 771  
profession. 772

Divisions (C)(1), (2), and (3) of this section do not 773  
apply to an individual who holds a valid certificate issued by a 774  
nationally recognized S.C.U.B.A. diving certifying organization 775  
approved by the state board of pharmacy in rule, but only to the 776  
extent that the individual possesses medical oxygen or 777  
personally supplies medical oxygen for the purpose of emergency 778  
care or treatment at the scene of a diving emergency. 779

Division (C)(3) of this section does not apply to the 780  
board of education of a city, local, exempted village, or joint 781

vocational school district, a school building operated by a 782  
school district board of education, a chartered or nonchartered 783  
nonpublic school, a community school, a STEM school, or a 784  
college-preparatory boarding school for the purpose of 785  
possessing epinephrine autoinjectors under section 3313.7110, 786  
3313.7111, 3314.143, 3326.28, or 3328.29 of the Revised Code. 787

Division (C) (3) of this section does not apply to a 788  
residential camp, as defined in section 2151.011 of the Revised 789  
Code, a child day camp, as defined in section 5104.01 of the 790  
Revised Code, or a child day camp operated by any county, 791  
township, municipal corporation, township park district created 792  
under section 511.18 of the Revised Code, park district created 793  
under section 1545.04 of the Revised Code, or joint recreation 794  
district established under section 755.14 of the Revised Code 795  
for the purpose of possessing epinephrine autoinjectors under 796  
section 5101.76 of the Revised Code. 797

Division (C) (3) of this section does not apply to a law 798  
enforcement agency or the agency's peace officers if the agency 799  
or officers possess naloxone for administration to individuals 800  
who are apparently experiencing opioid-related overdoses. 801

(D) No licensed terminal distributor of dangerous drugs 802  
shall purchase for the purpose of resale dangerous drugs from 803  
any person other than a registered wholesale distributor of 804  
dangerous drugs, except as follows: 805

(1) A licensed terminal distributor of dangerous drugs may 806  
make occasional purchases of dangerous drugs for resale from a 807  
pharmacist who is a licensed terminal distributor of dangerous 808  
drugs or who is employed by a licensed terminal distributor of 809  
dangerous drugs; 810

(2) A licensed terminal distributor of dangerous drugs 811  
having more than one establishment or place may transfer or 812  
receive dangerous drugs from one establishment or place for 813  
which a license has been issued to the terminal distributor to 814  
another establishment or place for which a license has been 815  
issued to the terminal distributor if the license issued for 816  
each establishment or place is in effect at the time of the 817  
transfer or receipt. 818

(E) No licensed terminal distributor of dangerous drugs 819  
shall engage in the sale or other distribution of dangerous 820  
drugs at retail or maintain possession, custody, or control of 821  
dangerous drugs for any purpose other than the distributor's 822  
personal use or consumption, at any establishment or place other 823  
than that or those described in the license issued by the state 824  
board of pharmacy to such terminal distributor. 825

(F) Nothing in this section shall be construed to 826  
interfere with the performance of official duties by any law 827  
enforcement official authorized by municipal, county, state, or 828  
federal law to collect samples of any drug, regardless of its 829  
nature or in whose possession it may be. 830

(G) Notwithstanding anything to the contrary in this 831  
section, the board of education of a city, local, exempted 832  
village, or joint vocational school district may deliver 833  
epinephrine autoinjectors to a school under its control for the 834  
purpose of possessing epinephrine autoinjectors under section 835  
3313.7110 of the Revised Code. 836

**Sec. 4729.60.** (A) Before a registered wholesale 837  
distributor of dangerous drugs may sell dangerous drugs at 838  
wholesale to any person, other than the persons specified in 839  
divisions (B) (1) (a) to (d), (f) to (h), and (l), and (m) to (n) 840

of section 4729.51 of the Revised Code, such wholesale distributor shall obtain from the purchaser and the purchaser shall furnish to the wholesale distributor a certificate indicating that the purchaser is a licensed terminal distributor of dangerous drugs. The certificate shall be in the form that the state board of pharmacy shall prescribe, and shall set forth the name of the licensee, the number of the license, a description of the place or establishment or each place or establishment for which the license was issued, the category of licensure, and, if the license is a limited category I, II, or III license, the dangerous drugs that the licensee is authorized to possess, have custody or control of, and distribute.

If no certificate is obtained or furnished before a sale is made, it shall be presumed that the sale of dangerous drugs by the wholesale distributor is in violation of division (B) of section 4729.51 of the Revised Code and the purchase of dangerous drugs by the purchaser is in violation of division (C) of section 4729.51 of the Revised Code. If a registered wholesale distributor of dangerous drugs obtains or is furnished a certificate from a terminal distributor of dangerous drugs and relies on the certificate in selling dangerous drugs at wholesale to the terminal distributor of dangerous drugs, the wholesale distributor of dangerous drugs shall be deemed not to have violated division (B) of section 4729.51 of the Revised Code in making the sale.

(B) Before a licensed terminal distributor of dangerous drugs may purchase dangerous drugs at wholesale, the terminal distributor shall obtain from the seller and the seller shall furnish to the terminal distributor the number of the seller's registration certificate to engage in the sale of dangerous drugs at wholesale.

If no registration number is obtained or furnished before 872  
a purchase is made, it shall be presumed that the purchase of 873  
dangerous drugs by the terminal distributor is in violation of 874  
division (D) of section 4729.51 of the Revised Code and the sale 875  
of dangerous drugs by the seller is in violation of division (A) 876  
of section 4729.51 of the Revised Code. If a licensed terminal 877  
distributor of dangerous drugs obtains or is furnished a 878  
registration number from a wholesale distributor of dangerous 879  
drugs and relies on the registration number in purchasing 880  
dangerous drugs at wholesale from the wholesale distributor of 881  
dangerous drugs, the terminal distributor shall be deemed not to 882  
have violated division (D) of section 4729.51 of the Revised 883  
Code in making the purchase. 884

**Sec. 4730.431.** (A) Notwithstanding any provision of this 885  
chapter or rule adopted by the state medical board, a physician 886  
assistant who holds a certificate to prescribe issued under this 887  
chapter may personally furnish a supply of naloxone, or issue a 888  
prescription for naloxone, without having examined the 889  
individual to whom it may be administered if all both of the 890  
following conditions are met: 891

(1) The naloxone supply is furnished to, or the 892  
prescription is issued to and in the name of, a family member, 893  
friend, or other individual in a position to assist an 894  
individual who there is reason to believe is at risk of 895  
experiencing an opioid-related overdose. 896

(2) The physician assistant instructs the individual 897  
receiving the naloxone supply or prescription to summon 898  
emergency services as soon as practicable either ~~immediately~~ 899  
before or ~~immediately~~ after administering naloxone to an 900  
individual apparently experiencing an opioid-related overdose. 901



~~(3) The naloxone is personally furnished or prescribed in such a manner that it may be administered by only either of the following routes:~~ 902  
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~~(a) Using a device manufactured for the intranasal administration of liquid drugs;~~ 905  
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~~(b) Using an autoinjector in a manufactured dosage form.~~ 907

(B) A physician assistant who under division (A) of this section in good faith furnishes a supply of naloxone or issues a prescription for naloxone is not liable for or subject to any of the following for any action or omission of the individual to whom the naloxone is furnished or the prescription is issued: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action. 908  
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**Sec. 4731.94.** (A) As used in this section and sections 4731.941 and 4731.942 of the Revised Code, "physician" means an individual authorized under this chapter to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery. 915  
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(B) Notwithstanding any provision of this chapter or rule adopted by the state medical board, a physician may personally furnish a supply of naloxone, or issue a prescription for naloxone, without having examined the individual to whom it may be administered if ~~all~~ both of the following conditions are met: 920  
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(1) The naloxone supply is furnished to, or the prescription is issued to and in the name of, a family member, friend, or other individual in a position to assist an individual who there is reason to believe is at risk of experiencing an opioid-related overdose. 925  
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(2) The physician instructs the individual receiving the 930

naloxone supply or prescription to summon emergency services as 931  
soon as practicable either ~~immediately~~ before or ~~immediately~~ 932  
after administering the naloxone to an individual apparently 933  
experiencing an opioid-related overdose. 934

~~(3) The naloxone is personally furnished or prescribed in~~ 935  
~~such a manner that it may be administered by only either of the~~ 936  
~~following routes:~~ 937

~~(a) Using a device manufactured for the intranasal~~ 938  
~~administration of liquid drugs;~~ 939

~~(b) Using an autoinjector in a manufactured dosage form.~~ 940

(C) A physician who under division (B) of this section in 941  
good faith furnishes a supply of naloxone or issues a 942  
prescription for naloxone is not liable for or subject to any of 943  
the following for any action or omission of the individual to 944  
whom the naloxone is furnished or the prescription is issued: 945  
damages in any civil action, prosecution in any criminal 946  
proceeding, or professional disciplinary action. 947

**Sec. 4731.941.** (A) (1) A physician who has established a 948  
protocol that meets the requirements of division (C) of this 949  
section may authorize one or more other individuals to 950  
personally furnish a supply of naloxone pursuant to the protocol 951  
to either of the following: 952

(a) An individual who there is reason to believe is 953  
experiencing or at risk of experiencing an opioid-related 954  
overdose; 955

(b) A family member, friend, or other person in a position 956  
to assist an individual who there is reason to believe is at 957  
risk of experiencing an opioid-related overdose. 958

(2) An individual authorized under this section to personally furnish naloxone may do so without having examined the individual to whom it may be administered. 959  
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(B) An individual authorized by a physician under this section may personally furnish naloxone to an individual described in division (A) (1) (a) or (b) of this section if both of the following conditions are met: 962  
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(1) The authorized individual complies with the protocol established by the authorizing physician, including having completed the training required by the protocol. 966  
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(2) The authorized individual instructs the individual to whom naloxone is furnished to summon emergency services as soon as practicable either before or after administering naloxone. 969  
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(C) A protocol established by a physician for purposes of this section shall be established in writing and include all of the following: 972  
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(1) A description of the clinical pharmacology of naloxone; 975  
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(2) Precautions and contraindications concerning furnishing naloxone; 977  
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(3) Any limitations the physician specifies concerning the individuals to whom naloxone may be furnished; 979  
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(4) The naloxone dosage that may be furnished and any variation in the dosage based on circumstances specified in the protocol; 981  
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(5) Labeling, storage, record-keeping, and administrative requirements; 984  
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(6) Training requirements that must be met before an individual will be authorized to furnish naloxone; 986  
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(7) Any instructions or training that the authorized individual must provide to an individual to whom naloxone is furnished. 988  
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(D) A physician who in good faith authorizes another individual to personally furnish naloxone in accordance with a protocol established by the physician under this section is not liable for or subject to any of the following for any action or omission of the individual to whom the naloxone is furnished: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action. 991  
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An individual authorized under this section to personally furnish naloxone who does so in good faith is not liable for or subject to any of the following for any action or omission of the individual to whom the naloxone is furnished: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action. 998  
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**Sec. 4731.942.** A physician may authorize one or more pharmacists and any of the pharmacy interns supervised by the pharmacist or pharmacists to use the protocol developed pursuant to rules adopted under section 4729.44 of the Revised Code for the purpose of dispensing naloxone under section 4729.44 of the Revised Code. 1004  
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**Sec. 5119.371.** (A) In lieu of a determination by the director of mental health and addiction services of whether the services of a community mental health services provider or a community addiction services provider satisfy the standards for certification under section 5119.36 of the Revised Code, the 1010  
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director shall accept appropriate accreditation of an 1015  
applicant's mental health services, alcohol and drug addiction 1016  
services, integrated mental health and alcohol and other drug 1017  
addiction services, integrated mental health and physical health 1018  
services, or integrated alcohol and other drug addiction and 1019  
physical health services being provided in this state from any 1020  
of the following national accrediting organizations as evidence 1021  
that the applicant satisfies the standards for certification: 1022

(1) The joint commission; 1023

(2) The commission on accreditation of rehabilitation 1024  
facilities; 1025

(3) The council on accreditation; 1026

(4) Other behavioral health accreditation as determined by 1027  
the director. 1028

(B) If the director determines that an applicant's 1029  
accreditation is current, is appropriate for the services for 1030  
which the applicant is seeking certification, and the applicant 1031  
meets any other requirements established under this section or 1032  
in rules adopted under this section, the director shall certify 1033  
the applicant's services that are accredited. Except as provided 1034  
in division (C)(2) of this section, the director shall issue the 1035  
certification without further evaluation of the services. 1036

(C) For purposes of this section, all of the following 1037  
apply: 1038

(1) The director may review the accrediting organizations 1039  
listed in division (A) of this section to evaluate whether the 1040  
accreditation standards and processes used by the organizations 1041  
are consistent with service delivery models the director 1042  
considers appropriate for mental health services, alcohol or 1043

other drug addiction services, physical health services, or 1044  
both. The director may communicate to an accrediting 1045  
organization any identified concerns, trends, needs, and 1046  
recommendations. 1047

(2) The director may conduct an on-site review or 1048  
otherwise evaluate a community mental health services provider 1049  
or a community addiction services provider at any time based on 1050  
cause, including complaints made by or on behalf of persons 1051  
receiving services and confirmed or alleged deficiencies brought 1052  
to the attention of the director. This authority does not affect 1053  
the director's duty to conduct the annual inspections required 1054  
by section 5119.372 of the Revised Code. 1055

(3) The director shall require a community mental health 1056  
services provider and a community addiction services provider to 1057  
notify the director not later than ten days after any change in 1058  
the provider's accreditation status. The provider may notify the 1059  
director by providing a copy of the relevant document the 1060  
provider received from the accrediting organization. 1061

(4) The director shall require a community mental health 1062  
services provider and a community addiction services provider to 1063  
submit to the director reports of major unusual incidents. 1064

(5) The director may require a community mental health 1065  
services provider or a community addiction services provider to 1066  
submit to the director cost reports pertaining to the provider. 1067

(D) The director shall adopt rules in accordance with 1068  
Chapter 119. of the Revised Code to implement this section. In 1069  
adopting the rules, the director shall do all of the following: 1070

(1) Specify the documentation that must be submitted as 1071  
evidence of holding appropriate accreditation; 1072

(2) Establish a process by which the director may review 1073  
the accreditation standards and processes used by the national 1074  
accrediting organizations listed in division (A) of this 1075  
section; 1076

(3) Specify the circumstances under which reports of major 1077  
unusual incidents and provider cost reports must be submitted to 1078  
the director; 1079

(4) Specify the circumstances under which the director may 1080  
conduct an on-site review or otherwise evaluate a community 1081  
mental health services provider and a community addiction 1082  
services provider for cause; 1083

(5) Establish a process by which the director, based on 1084  
deficiencies identified as a result of conducting an on-site 1085  
review or evaluating a community mental health services provider 1086  
or a community addiction services provider under division (C) (2) 1087  
of this section, may take any of a range of corrective actions, 1088  
with the most stringent being revocation of the certification of 1089  
the provider's services. 1090

Sec. 5119.372. The director of mental health and addiction 1091  
services shall annually conduct an on-site review of each 1092  
community mental health services provider and community 1093  
addiction services provider that is an opioid treatment program 1094  
described in division (D) (2) (b) of section 4729.291 of the 1095  
Revised Code. The review may include an inspection of pharmacy 1096  
records as described in section 3719.13 of the Revised Code and 1097  
an inspection of patient treatment records. If the director has 1098  
reason to believe that a violation of local, state, or federal 1099  
drug law, including any provision of Chapter 2925., 3715., 1100  
3719., or 4729. of the Revised Code, has occurred, the director 1101  
shall report that information to the state board of pharmacy. 1102

The director may adopt rules in accordance with Chapter 1103  
119. of the Revised Code to implement this section. 1104

**Section 2.** That existing sections 2925.61, 3719.13, 1105  
3719.27, 4723.488, 4729.01, 4729.16, 4729.29, 4729.291, 4729.51, 1106  
4729.60, 4730.431, 4731.94, and 5119.371 of the Revised Code are 1107  
hereby repealed. 1108

**Section 3.** This act is hereby declared to be an emergency 1109  
measure necessary for the immediate preservation of the public 1110  
peace, health, and safety. The reason for such necessity is that 1111  
abuse of buprenorphine is a growing concern in this state and 1112  
immediate action is necessary to protect patients being treated 1113  
with buprenorphine in opioid treatment programs. Therefore, this 1114  
action shall go into immediate effect. 1115