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Sub. H. B. No. 193

Representatives Cutrona, Pavliga

Cosponsors: Representatives Gross, Miller, J., LaRe, Click, Schmidt, Russo, Bird, West, White, Abrams, Blackshear, Boyd, Brent, Brown, Carruthers, Cross, Crossman, Denson, Fraizer, Galonski, Ghanbari, Ginter, Holmes, Ingram, Jarrells, Lanese, Leland, Lepore-Hagan, Lightbody, Liston, Loychik, Miller, A., O'Brien, Patton, Plummer, Richardson, Smith, M., SobECKi, Stephens, Wilkin, Young, T., Speaker Cupp

Senators Huffman, S., Antonio, Blessing, Cirino, Craig, Hackett, Johnson, Manning, Reineke, Romanchuk, Rulli, Sykes, Thomas, Yuko

A BILL

To amend sections 2925.61, 3707.56, 3707.561, 1
3707.562, 3712.01, 3712.031, 3712.061, 3719.05, 2
3719.06, 4723.484, 4723.485, 4723.486, 4729.01, 3
4729.29, 4729.44, 4729.51, 4729.511, 4729.514, 4
4729.515, 4729.541, 4730.434, 4730.435, 5
4730.436, 4731.36, 4731.94, 4731.941, 4731.942, 6
4731.943, 4765.44, 4765.45, and 4765.52 of the 7
Revised Code and to amend Section 337.205 of 8
H.B. 110 of the 134th General Assembly regarding 9
electronic prescriptions and schedule II 10
controlled substances, terminology related to 11
overdose reversal drugs, a pilot program for 12
dispensing controlled substances in lockable 13
containers, out-of-state physician 14
consultations, and pediatric respite care 15
programs. 16

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

Section 1. That sections 2925.61, 3707.56, 3707.561, 17
3707.562, 3712.01, 3712.031, 3712.061, 3719.05, 3719.06, 18
4723.484, 4723.485, 4723.486, 4729.01, 4729.29, 4729.44, 19
4729.51, 4729.511, 4729.514, 4729.515, 4729.541, 4730.434, 20
4730.435, 4730.436, 4731.36, 4731.94, 4731.941, 4731.942, 21
4731.943, 4765.44, 4765.45, and 4765.52 of the Revised Code be 22
amended to read as follows: 23

Sec. 2925.61. (A) As used in this section: 24

(1) "Law enforcement agency" means a government entity 25
that employs peace officers to perform law enforcement duties. 26

(2) "Licensed health professional" means all of the 27
following: 28

(a) A physician; 29

(b) A physician assistant who is licensed under Chapter 30
4730. of the Revised Code, holds a valid prescriber number 31
issued by the state medical board, and has been granted 32
physician-delegated prescriptive authority; 33

(c) An advanced practice registered nurse who holds a 34
current, valid license issued under Chapter 4723. of the Revised 35
Code and is designated as a clinical nurse specialist, certified 36
nurse-midwife, or certified nurse practitioner. 37

(3) "Overdose reversal drug" has the same meaning as in 38
section 4729.01 of the Revised Code. 39

(4) "Peace officer" has the same meaning as in section 40
2921.51 of the Revised Code. 41

~~(4)~~ (5) "Physician" means an individual who is authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.

(B) A family member, friend, or other individual who is in a position to assist an individual who is apparently experiencing or at risk of experiencing an opioid-related overdose is not subject to criminal prosecution for a violation of section 4731.41 of the Revised Code, is not subject to criminal prosecution under this chapter, and is not liable for damages in a civil action for injury, death, or loss to person or property for an act or omission that allegedly arises from obtaining, maintaining, accessing, or administering ~~naloxone~~ overdose reversal drugs, if the individual, acting in good faith, does all of the following:

(1) Obtains ~~naloxone~~ overdose reversal drugs pursuant to a prescription issued by a licensed health professional, or obtains ~~naloxone~~ overdose reversal drugs from one of the following:

(a) A licensed health professional;

(b) An individual who is authorized to personally furnish ~~naloxone~~ overdose reversal drugs by any of the following:

(i) A physician under section 4731.941 of the Revised Code;

(ii) An advanced practice registered nurse under section 4723.485 of the Revised Code;

(iii) A physician assistant under section 4730.435 of the Revised Code;

(iv) A board of health under section 3707.561 of the Revised Code. 70
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(c) A pharmacist or pharmacy intern who is authorized by a physician or board of health under section 4729.44 of the Revised Code to dispense ~~naloxone~~ overdose reversal drugs without a prescription. 72
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(2) Administers ~~the naloxone~~ an overdose reversal drug obtained as described in division (B)(1) of this section to an individual who is apparently experiencing an opioid-related overdose; 76
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(3) Attempts to summon emergency services as soon as practicable either before or after administering the ~~naloxone~~ overdose reversal drug. 80
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(C) An individual who is an employee, volunteer, or contractor of a service entity, as defined in section 4729.514 of the Revised Code, and has been authorized under section 3707.562, 4723.486, 4730.436, or 4731.943 of the Revised Code to administer ~~naloxone~~ overdose reversal drugs is not subject to criminal prosecution for a violation of section 4731.41 of the Revised Code or criminal prosecution under this chapter, if the individual, acting in good faith, does all of the following: 83
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(1) Obtains ~~naloxone~~ overdose reversal drugs from the service entity of which the individual is an employee, volunteer, or contractor; 91
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(2) Administers ~~the naloxone~~ an overdose reversal drug obtained to an individual who is apparently experiencing an opioid-related overdose; 94
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(3) Attempts to summon emergency services as soon as practicable either before or after administering the ~~naloxone~~ 97
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<u>overdose reversal drug.</u>	99
(D) Divisions (B) and (C) of this section do not apply to a peace officer or to an emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic, as defined in section 4765.01 of the Revised Code.	100 101 102 103 104
(E) (1) If a peace officer, acting in good faith, administers naloxone <u>an overdose reversal drug</u> to an individual who is apparently experiencing an opioid-related overdose, both of the following apply:	105 106 107 108
(a) The peace officer is not subject to administrative action, criminal prosecution for a violation of section 4731.41 of the Revised Code, or criminal prosecution under this chapter.	109 110 111
(b) The peace officer is not liable for damages in a civil action for injury, death, or loss to person or property for an act or omission that allegedly arises from obtaining, maintaining, accessing, or administering the naloxone <u>overdose reversal drug</u> .	112 113 114 115 116
(2) Division (E) (1) (b) of this section does not eliminate, limit, or reduce any other immunity or defense that an entity or person may be entitled to under section 9.86 or Chapter 2744. of the Revised Code, any other provision of the Revised Code, or the common law of this state.	117 118 119 120 121
Sec. 3707.56. (A) As used in this section and in sections 3707.561 and 3707.562 of the Revised Code, "board :	122 123
(1) <u>"Board of health"</u> means a board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code.	124 125 126

(2) "Overdose reversal drug" has the same meaning as in 127
section 4729.01 of the Revised Code. 128

(B) A board of health, through a physician serving as the 129
board's health commissioner or medical director, may authorize 130
pharmacists and pharmacy interns practicing pharmacy in a county 131
that includes all or part of the health district represented by 132
the board to use the protocol developed pursuant to rules 133
adopted under section 4729.44 of the Revised Code for the 134
purpose of dispensing ~~naloxone~~ overdose reversal drugs under 135
section 4729.44 of the Revised Code. 136

Sec. 3707.561. (A) A board of health that establishes a 137
protocol under division (C) of this section may, through a 138
physician serving as the board's health commissioner or medical 139
director, authorize one or more individuals to personally 140
furnish a supply of ~~naloxone~~ overdose reversal drugs pursuant to 141
the protocol to either of the following: 142

(1) An individual who there is reason to believe is 143
experiencing or at risk of experiencing an opioid-related 144
overdose; 145

(2) A family member, friend, or other person in a position 146
to assist an individual who there is reason to believe is at 147
risk of experiencing an opioid-related overdose. 148

(B) (1) An individual authorized under this section may 149
personally furnish ~~naloxone~~ overdose reversal drugs to an 150
individual described in division (A) of this section if both of 151
the following conditions are met: 152

(a) The authorized individual complies with the protocol 153
established by the authorizing board, including having completed 154
the training required by the protocol. 155

(b) The authorized individual instructs the individual to whom ~~naloxone is~~ overdose reversal drugs are furnished to summon emergency services as soon as practicable either before or after administering ~~naloxone~~ such drugs.

(2) An individual authorized under this section to personally furnish ~~naloxone~~ overdose reversal drugs may do so without having examined the individual to whom it may be administered.

(C) A board of health, through a physician serving as the board's health commissioner or medical director, may establish a protocol for personally furnishing ~~naloxone~~ overdose reversal drugs under division (A) of this section. The protocol must be in writing and include all of the following:

(1) A description of the clinical pharmacology of ~~naloxone~~ the overdose reversal drugs specified in the protocol;

(2) Precautions and contraindications concerning furnishing ~~naloxone~~ overdose reversal drugs;

(3) Any limitations the board specifies concerning the individuals to whom ~~naloxone~~ overdose reversal drugs may be furnished;

(4) The ~~naloxone~~ dosage that may be furnished and any variation in the dosage based on circumstances specified in the protocol;

(5) Labeling, storage, record keeping, and administrative requirements;

(6) Training requirements that must be met before an individual can be authorized to furnish ~~naloxone~~ overdose reversal drugs;

(7) Any instructions or training the authorized individual 184
must provide to an individual to whom ~~naloxone is overdose~~ 185
reversal drugs are furnished. 186

(D) A board that in good faith authorizes an individual to 187
personally furnish ~~naloxone overdose reversal drugs~~ under this 188
section is not liable for damages in any civil action for any 189
act or omission of the individual to whom the ~~naloxone is drugs~~ 190
are furnished. 191

A physician serving as a board's health commissioner or 192
medical director who in good faith authorizes an individual to 193
personally furnish ~~naloxone overdose reversal drugs~~ under this 194
section is not liable for or subject to any of the following for 195
any act or omission of the individual to whom the ~~naloxone is~~ 196
drugs are furnished: damages in any civil action, prosecution in 197
any criminal proceeding, or professional disciplinary action. 198

An individual authorized under this section to personally 199
furnish ~~naloxone overdose reversal drugs~~ who does so in good 200
faith is not liable for or subject to any of the following for 201
any act or omission of the individual to whom the ~~naloxone is~~ 202
drugs are furnished: damages in any civil action, prosecution in 203
any criminal proceeding, or professional disciplinary action. 204

Sec. 3707.562. (A) As used in this section, "service 205
entity" has the same meaning as in section 4729.514 of the 206
Revised Code. 207

(B) A board of health that has established a protocol 208
under division (D) of this section may authorize an individual 209
who is an employee, volunteer, or contractor of a service entity 210
to administer ~~naloxone overdose reversal drugs~~ to an individual 211
who is apparently experiencing an opioid-related overdose. 212

(C) An individual authorized by a board of health under 213
this section may administer ~~naloxone~~ overdose reversal drugs to 214
an individual who is apparently experiencing an opioid-related 215
overdose if both of the following conditions are met: 216

(1) The authorized individual complies with the protocol 217
established by the board. 218

(2) The authorized individual summons emergency services 219
as soon as practicable either before or after administering ~~the~~ 220
~~naloxone~~ an overdose reversal drug. 221

(D) A board of health, through a physician serving as the 222
board's health commissioner or medical director, may establish a 223
protocol for administering ~~naloxone~~ overdose reversal drugs 224
under this section. The protocol must be established in writing 225
and include all of the following: 226

(1) A description of the clinical pharmacology of ~~naloxone~~ 227
the overdose reversal drugs specified in the protocol; 228

(2) Precautions and contraindications concerning the 229
administration of ~~naloxone~~ overdose reversal drugs; 230

(3) Any limitations the board specifies concerning the 231
individuals to whom ~~naloxone~~ overdose reversal drugs may be 232
administered; 233

(4) The ~~naloxone~~ dosage that may be administered and any 234
variation in the dosage based on circumstances specified in the 235
protocol; 236

(5) Labeling, storage, record keeping, and administrative 237
requirements; 238

(6) Training requirements that must be met before an 239
individual can be authorized to administer ~~naloxone~~ overdose 240

reversal drugs. 241

(E) A board that in good faith authorizes an individual to 242
administer ~~naloxone~~ overdose reversal drugs under this section 243
is not liable for damages in any civil action for any act or 244
omission of the authorized individual. 245

A physician serving as a board's health commissioner or 246
medical director who in good faith authorizes an individual to 247
administer ~~naloxone~~ overdose reversal drugs under this section 248
is not liable for or subject to any of the following for any act 249
or omission of the authorized individual: damages in any civil 250
action, prosecution in any criminal proceeding, or professional 251
disciplinary action. 252

A service entity or an employee, volunteer, or contractor 253
of a service entity is not liable for or subject to any of the 254
following for injury, death, or loss to person or property that 255
allegedly arises from an act or omission associated with 256
procuring, maintaining, accessing, or using ~~naloxone~~ overdose 257
reversal drugs under this section, unless the act or omission 258
constitutes willful or wanton misconduct: damages in any civil 259
action, prosecution in any criminal proceeding, or professional 260
disciplinary action. 261

This section does not eliminate, limit, or reduce any 262
other immunity or defense that a service entity or an employee, 263
volunteer, or contractor of a service entity may be entitled to 264
under Chapter 2305. or any other provision of the Revised Code 265
or under the common law of this state. 266

Sec. 3712.01. As used in this chapter: 267

(A) "Hospice care program" means a coordinated program of 268
home, outpatient, and inpatient care and services that is 269

operated by a person or public agency and that provides the	270
following care and services to hospice patients, including	271
services as indicated below to hospice patients' families,	272
through a medically directed interdisciplinary team, under	273
interdisciplinary plans of care established pursuant to section	274
3712.06 of the Revised Code, in order to meet the physical,	275
psychological, social, spiritual, and other special needs that	276
are experienced during the final stages of illness, dying, and	277
bereavement:	278
(1) Nursing care by or under the supervision of a	279
registered nurse;	280
(2) Physical, occupational, or speech or language therapy,	281
unless waived by the department of health pursuant to rules	282
adopted under division (A) of section 3712.03 of the Revised	283
Code;	284
(3) Medical social services by a social worker under the	285
direction of a physician;	286
(4) Services of a home health aide;	287
(5) Medical supplies, including drugs and biologicals, and	288
the use of medical appliances;	289
(6) Physician's services;	290
(7) Short-term inpatient care, including both palliative	291
and respite care and procedures;	292
(8) Counseling for hospice patients and hospice patients'	293
families;	294
(9) Services of volunteers under the direction of the	295
provider of the hospice care program;	296

(10) Bereavement services for hospice patients' families.	297
"Hospice care program" does not include a pediatric respite care program.	298 299
(B) "Hospice patient" means a patient, other than a pediatric respite care patient, who has been diagnosed as terminally ill, has an anticipated life expectancy of six months or less, and has voluntarily requested and is receiving care from a person or public agency licensed under this chapter to provide a hospice care program.	300 301 302 303 304 305
(C) "Hospice patient's family" means a hospice patient's immediate family members, including a spouse, brother, sister, child, or parent, and any other relative or individual who has significant personal ties to the patient and who is designated as a member of the patient's family by mutual agreement of the patient, the relative or individual, and the patient's interdisciplinary team.	306 307 308 309 310 311 312
(D) "Interdisciplinary team" means a working unit composed of professional and lay persons that includes at least a physician, a registered nurse, a social worker, a member of the clergy or a counselor, and a volunteer.	313 314 315 316
(E) "Palliative care" means specialized care for a patient of any age who has been diagnosed with a serious or life-threatening illness that is provided at any stage of the illness by an interdisciplinary team working in consultation with other health care professionals, including those who may be seeking to cure the illness, and that aims to do all of the following:	317 318 319 320 321 322
(1) Relieve the symptoms, stress, and suffering resulting from the illness;	323 324
(2) Improve the quality of life of the patient and the	325

patient's family;	326
(3) Address the patient's physical, emotional, social, and spiritual needs;	327 328
(4) Facilitate patient autonomy, access to information, and medical decision making.	329 330
(F) "Physician" means a person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.	331 332 333
(G) "Attending physician" means the physician identified by the hospice patient, pediatric respite care patient, hospice patient's family, or pediatric respite care patient's family as having primary responsibility for the medical care of the hospice patient or pediatric respite care patient.	334 335 336 337 338
(H) "Registered nurse" means a person registered under Chapter 4723. of the Revised Code to practice professional nursing.	339 340 341
(I) "Social worker" means a person licensed under Chapter 4757. of the Revised Code to practice as a social worker or independent social worker.	342 343 344
(J) "Pediatric respite care program" means a program operated by a person or public agency that provides <u>does either</u> <u>of the following:</u>	345 346 347
<u>(1) Provides</u> inpatient respite care and related services, including all of the following services, only to pediatric respite care patients and, as indicated below, pediatric respite care patients' families, in order to meet the physical, psychological, social, spiritual, and other special needs that are experienced during or leading up to the final stages of	348 349 350 351 352 353

illness, dying, and bereavement:	354
(1) <u>(a)</u> Short-term inpatient care, including both palliative and respite care and procedures;	355 356
(2) <u>(b)</u> Nursing care by or under the supervision of a registered nurse;	357 358
(3) <u>(c)</u> Physician's services;	359
(4) <u>(d)</u> Medical social services by a social worker under the direction of a physician;	360 361
(5) <u>(e)</u> Medical supplies, including drugs and biologicals, and the use of medical appliances;	362 363
(6) <u>(f)</u> Counseling for pediatric respite care patients and pediatric respite care patients' families;	364 365
(7) <u>(g)</u> Bereavement services for respite care patients' families.	366 367
<u>(2) Provides in a home-like setting inpatient respite care and related services, including all of the following services, only to pediatric respite care patients and, as indicated below, the parents and siblings of pediatric respite care patients, in order to meet the physical, psychological, social, spiritual, and other special needs of children who have been diagnosed with life-threatening diseases and conditions:</u>	368 369 370 371 372 373 374
<u>(a) Inpatient care, including both palliative and respite care and procedures;</u>	375 376
<u>(b) Skilled nursing care;</u>	377
<u>(c) Nursing care by or under the supervision of a registered nurse;</u>	378 379
<u>(d) Physician's services;</u>	380

(e) Medical social services by a social worker under the 381
direction of a physician; 382

(f) Medical supplies, including drugs and biologicals, and 383
the use of medical appliances; 384

(g) For a pediatric respite care patients' parents and 385
siblings, counseling, education, visitation, and reunification. 386

"Pediatric respite care program" does not include a 387
hospice care program. 388

(K) "Pediatric respite care patient" means a patient, 389
other than a hospice patient, who is less than twenty-seven 390
years of age and to whom all of the following conditions apply: 391

(1) The patient has been diagnosed with a disease or 392
condition that is life-threatening and is expected to shorten 393
the life expectancy that would have applied to the patient 394
absent the patient's diagnosis, regardless of whether the 395
patient is terminally ill. 396

(2) The diagnosis described in division (K) (1) of this 397
section occurred while the patient was less than eighteen years 398
of age. 399

(3) The patient, or the parent or guardian of the patient 400
if the patient is under eighteen years of age or under 401
guardianship, has voluntarily requested and is receiving care 402
from a person or public agency licensed under this chapter to 403
provide a pediatric respite care program. 404

(L) "Pediatric respite care patient's family" means a 405
pediatric respite care patient's family members, including a 406
spouse, brother, sister, child, or parent, and any other 407
relative or individual who has significant personal ties to the 408

patient and who is designated as a member of the patient's 409
family by mutual agreement of the patient, the relative or 410
individual, and the patient's interdisciplinary team. 411

(M) "Skilled nursing care" means procedures that require 412
technical skills and knowledge beyond those the untrained person 413
possesses and that are commonly employed in providing for the 414
physical, mental, and emotional needs of the ill or otherwise 415
incapacitated. "Skilled nursing care" includes the following: 416

(a) Irrigations, catheterizations, application of 417
dressings, and supervision of special diets; 418

(b) Objective observation of changes in the patient's 419
condition as a means of analyzing and determining the nursing 420
care required and the need for further medical diagnosis and 421
treatment; 422

(c) Special procedures contributing to rehabilitation; 423

(d) Administration of medication by any method ordered by 424
a physician, such as hypodermically, rectally, or orally, 425
including observation of the patient after receipt of the 426
medication; 427

(e) Carrying out other treatments prescribed by the 428
physician that involve a similar level of complexity and skill 429
in administration. 430

Sec. 3712.031. (A) In accordance with Chapter 119. of the 431
Revised Code, the director of health shall adopt, and may amend 432
and rescind, rules: 433

(1) Providing for the licensing of persons or public 434
agencies providing pediatric respite care programs within this 435
state by the department of health and for the suspension and 436

revocation of licenses;	437
(2) Establishing a license fee and license renewal fee for pediatric respite care programs, neither of which shall, except as provided in division (B) of this section, exceed six hundred dollars. The fees shall cover the three-year period during which an existing license is valid as provided in division (B) of section 3712.041 of the Revised Code.	438 439 440 441 442 443
(3) Establishing an inspection fee not to exceed, except as provided in division (B) of this section, one thousand seven hundred fifty dollars;	444 445 446
(4) Establishing requirements for pediatric respite care program facilities and services;	447 448
(5) Providing for the granting of licenses to provide pediatric respite care programs to persons and public agencies that are accredited or certified to provide such programs by an entity whose standards for accreditation or certification equal or exceed those provided for licensure under this chapter and rules adopted under it;	449 450 451 452 453 454
(6) Establishing interpretive guidelines for each rule adopted under this section.	455 456
(B) Subject to the approval of the controlling board, the director of health may establish fees in excess of the maximum amounts specified in this section, provided that the fees do not exceed those amounts by greater than fifty per cent.	457 458 459 460
(C) The department of health shall:	461
(1) Grant, suspend, and revoke licenses for pediatric respite care programs in accordance with this chapter and rules adopted under it;	462 463 464

(2) Make such inspections as are necessary to determine 465
whether pediatric respite care program facilities and services 466
meet the requirements of this chapter and rules adopted under 467
it; and 468

(3) Implement and enforce provisions of this chapter and 469
rules adopted under it as such provisions apply to pediatric 470
respite care programs. 471

(D) Rules adopted under this section that relate to a 472
pediatric respite care program described under division (J) (2) 473
of section 3712.01 of the Revised Code are not subject to 474
sections 121.95 to 121.953 of the Revised Code. 475

Sec. 3712.061. (A) Any person or public agency licensed 476
under section 3712.041 of the Revised Code to provide a 477
pediatric respite care program shall do all of the following: 478

(1) Provide a planned and continuous pediatric respite 479
care program, the medical components of which shall be under the 480
direction of a physician; 481

(2) Ensure that care commensurate with a pediatric respite 482
care patient's needs is available twenty-four hours a day and 483
seven days a week; 484

(3) Establish an interdisciplinary plan of care for each 485
pediatric respite care patient and the patient's family that: 486

(a) Is coordinated by one designated individual who shall 487
ensure that all components of the plan of care are addressed and 488
implemented; 489

(b) Addresses maintenance of patient-family participation 490
in decision making related to the patient's health care and 491
well-being; and 492

(c) Is reviewed by the patient's attending physician and 493
by the patient's interdisciplinary team immediately prior to or 494
on admission to each session of respite care. 495

(4) Have an interdisciplinary team or teams that provide 496
or supervise the provision of pediatric respite care program 497
services and establish the policies governing the provision of 498
the services; 499

(5) Maintain central clinical records on all pediatric 500
respite care patients under its care; 501

(6) In the case of a pediatric respite care program that 502
is described in division (J) (2) of section 3712.01 of the 503
Revised Code, maintain birth certificates and certified 504
guardianship letters of authority for any patient who receives 505
care for longer than thirty days, unless this requirement is 506
waived by the director of health; 507

(7) In the case of a pediatric respite care program that 508
is described in division (J) (2) of section 3712.01 of the 509
Revised Code, provide the services identified in that division 510
to not more than ten patients at any time, unless additional 511
patients are authorized by the director of health. 512

(B) A provider of a pediatric respite care program may 513
include pharmacist services among the other services that are 514
made available to its pediatric respite care patients. 515

(C) A provider of a pediatric respite care program may 516
arrange for another person or public agency to furnish a 517
component or components of the pediatric respite care program 518
pursuant to a written contract. When a provider of a pediatric 519
respite care program arranges for a home health agency to 520
furnish a component or components of the pediatric respite care 521

program to its patient, the care shall be provided by a home 522
health agency pursuant to a written contract under which: 523

(1) The provider of a pediatric respite care program 524
furnishes to the contractor a copy of the pediatric respite care 525
patient's interdisciplinary plan of care that is established 526
under division (A) (3) of this section and specifies the care 527
that is to be furnished by the contractor; 528

(2) The regimen described in the established plan of care 529
is continued while the pediatric respite care patient receives 530
care from the contractor, subject to the patient's needs, and 531
with approval of the coordinator of the interdisciplinary team 532
designated pursuant to division (A) (3) (a) of this section; 533

(3) All care, treatment, and services furnished by the 534
contractor are entered into the pediatric respite care patient's 535
medical record; 536

(4) The designated coordinator of the interdisciplinary 537
team ensures conformance with the established plan of care; and 538

(5) A copy of the contractor's medical record and 539
discharge summary is retained as part of the pediatric respite 540
care patient's medical record. 541

Sec. 3719.05. (A) A pharmacist may dispense controlled 542
substances to any person upon a prescription issued in 543
accordance with section 3719.06 of the Revised Code. When 544
dispensing controlled substances, a pharmacist shall act in 545
accordance with rules adopted by the state board of pharmacy and 546
in accordance with the following: 547

(1) The prescription shall be retained on file by the 548
owner of the pharmacy in which it is filled for a period of 549
three years, so as to be readily accessible for inspection by 550

any public officer or employee engaged in the enforcement of 551
Chapter 2925., 3719., or 4729. of the Revised Code. 552

(2) Each oral prescription shall be recorded by the 553
pharmacist and the record shall show the name and address of the 554
patient for whom, or of the owner of the animal for which the 555
controlled substance is dispensed, the full name, address, and 556
registry number under the federal drug abuse control laws of the 557
prescriber, the name of the controlled substance dispensed, the 558
amount dispensed, and the date when dispensed. The record shall 559
be retained on file by the owner of the pharmacy in which it is 560
filled for a period of three years. 561

~~(3) (a) Except as provided in divisions (A) (3) (b) and 562
(c) of this section, a schedule II controlled substance shall be 563
dispensed only upon a written or an electronic prescription, 564
except that it. 565~~

(b) A schedule II controlled substance may be dispensed 566
upon an oral prescription in emergency situations as provided in 567
the federal drug abuse control laws. 568

(c) A schedule II controlled substance may be dispensed 569
upon a written prescription if either of the following applies: 570

(i) A temporary technical, electrical, or broadband 571
failure prevents the pharmacist from dispensing upon an 572
electronic prescription. 573

(ii) The written prescription was issued as described in 574
division (C) of section 3719.06 of the Revised Code. 575

(d) A pharmacist who receives a faxed, oral, or written 576
prescription for a schedule II controlled substance is not 577
required to verify that the prescription was issued under an 578
exception to the requirement that a prescriber issue such a 579

prescription electronically, including an exception described in 580
divisions (A) (3) (b) and (c) of this section or division (C) of 581
section 3719.06 of the Revised Code. 582

A pharmacist may continue to dispense any other drug upon 583
an otherwise valid faxed, oral, or written prescription that is 584
consistent with state and federal statutes, rules, and 585
regulations. 586

(4) A prescription for a schedule II controlled substance 587
shall not be refilled. 588

(5) Prescriptions for schedule III and IV controlled 589
substances may be refilled not more than five times in a six- 590
month period from the date the prescription is given by a 591
prescriber. 592

(B) The legal owner of any stock of schedule II controlled 593
substances in a pharmacy, upon discontinuance of dealing in 594
those drugs, may sell the stock to a manufacturer, wholesaler, 595
or owner of a pharmacy registered under the federal drug abuse 596
control laws pursuant to an official written order. 597

Sec. 3719.06. (A) (1) A licensed health professional 598
authorized to prescribe drugs, if acting in the course of 599
professional practice, in accordance with the laws regulating 600
the professional's practice, and in accordance with rules 601
adopted by the state board of pharmacy, may, except as provided 602
in division (A) (2) or (3) of this section, do the following: 603

(a) Prescribe schedule II, III, IV, and V controlled 604
substances; 605

(b) Administer or personally furnish to patients schedule 606
II, III, IV, and V controlled substances; 607

(c) Cause schedule II, III, IV, and V controlled substances to be administered under the prescriber's direction and supervision.

(2) A licensed health professional authorized to prescribe drugs who is a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner is subject to both of the following:

(a) A schedule II controlled substance may be prescribed only in accordance with division (C) of section 4723.481 of the Revised Code.

(b) No schedule II controlled substance shall be personally furnished to any patient.

(3) A licensed health professional authorized to prescribe drugs who is a physician assistant is subject to all of the following:

(a) A controlled substance may be prescribed or personally furnished only if it is included in the physician-delegated prescriptive authority granted to the physician assistant in accordance with Chapter 4730. of the Revised Code.

(b) A schedule II controlled substance may be prescribed only in accordance with division (B)(4) of section 4730.41 and section 4730.411 of the Revised Code.

(c) No schedule II controlled substance shall be personally furnished to any patient.

(B) No licensed health professional authorized to prescribe drugs shall prescribe, administer, or personally furnish a schedule III anabolic steroid for the purpose of human muscle building or enhancing human athletic performance and no

pharmacist shall dispense a schedule III anabolic steroid for 636
either purpose, unless it has been approved for that purpose 637
under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 638
(1938), 21 U.S.C.A. 301, as amended. 639

(C) When issuing a prescription for a schedule II 640
controlled substance, a licensed health professional authorized 641
to prescribe drugs shall do so only upon an electronic 642
prescription, except that the prescriber may issue a written 643
prescription if any of the following apply: 644

(1) A temporary technical, electrical, or broadband 645
failure occurs preventing the prescriber from issuing an 646
electronic prescription. 647

(2) The prescription is issued for a nursing home resident 648
or hospice care patient. 649

(3) The prescriber is employed by or under contract with 650
the same entity that operates the pharmacy. 651

(4) The prescriber determines that an electronic 652
prescription cannot be issued in a timely manner and the 653
patient's medical condition is at risk. 654

(5) The prescriber issues the prescription from a health 655
care facility, which may include an emergency department, and 656
reasonably determines that an electronic prescription would be 657
impractical for the patient or would cause a delay that may 658
adversely impact the patient's medical condition. 659

(6) The prescriber issues per year not more than fifty 660
prescriptions for schedule II controlled substances. 661

(7) The prescriber is a veterinarian licensed under 662
Chapter 4741. of the Revised Code. 663

(D) Each written or electronic prescription for a controlled substance shall be properly executed, dated, and signed by the prescriber on the day when issued and shall bear the full name and address of the person for whom, or the owner of the animal for which, the controlled substance is prescribed and the full name, address, and registry number under the federal drug abuse control laws of the prescriber. If the prescription is for an animal, it shall state the species of the animal for which the controlled substance is prescribed.

Sec. 4723.484. (A) As used in this section and in sections 4723.485 and 4723.486 of the Revised Code, "overdose reversal drug" has the same meaning as in section 4729.01 of the Revised Code.

(B) Notwithstanding any provision of this chapter or rule adopted by the board of nursing, an advanced practice registered nurse who is designated as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner may personally furnish a supply of ~~naloxone~~ overdose reversal drugs, or issue a prescription for ~~naloxone~~ overdose reversal drugs, without having examined the individual to whom it may be administered if both of the following conditions are met:

(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.

(2) The advanced practice registered nurse instructs the individual receiving the ~~naloxone~~ supply or prescription to summon emergency services as soon as practicable either before or after administering ~~naloxone~~ an overdose reversal drug to an

individual apparently experiencing an opioid-related overdose. 694

~~(B)~~ (C) An advanced practice registered nurse who under 695
division ~~(A)~~ (B) of this section in good faith furnishes a 696
supply of ~~naloxone-overdose reversal drugs~~ or issues a 697
prescription for ~~naloxone-overdose reversal drugs~~ is not liable 698
for or subject to any of the following for any action or 699
omission of the individual to whom the ~~naloxone-is-overdose~~ 700
reversal drugs are furnished or the prescription is issued: 701
damages in any civil action, prosecution in any criminal 702
proceeding, or professional disciplinary action. 703

Sec. 4723.485. (A) (1) An advanced practice registered 704
nurse who is designated as a clinical nurse specialist, 705
certified nurse-midwife, or certified nurse practitioner and who 706
has established a protocol that meets the requirements of 707
division (C) of this section may authorize one or more other 708
individuals to personally furnish a supply of ~~naloxone-overdose~~ 709
reversal drugs pursuant to the protocol to either of the 710
following: 711

(a) An individual who there is reason to believe is 712
experiencing or at risk of experiencing an opioid-related 713
overdose; 714

(b) A family member, friend, or other person in a position 715
to assist an individual who there is reason to believe is at 716
risk of experiencing an opioid-related overdose. 717

(2) An individual authorized under this section to 718
personally furnish ~~naloxone-overdose reversal drugs~~ may do so 719
without having examined the individual to whom it may be 720
administered. 721

(B) An individual authorized by an advanced practice 722

registered nurse under this section may personally furnish 723
~~naloxone overdose reversal drugs~~ to an individual described in 724
division (A) (1) (a) or (b) of this section if both of the 725
following conditions are met: 726

(1) The authorized individual complies with the protocol 727
established by the authorizing advanced practice registered 728
nurse, including having completed the training required by the 729
protocol. 730

(2) The authorized individual instructs the individual to 731
whom ~~naloxone is overdose reversal drugs are~~ furnished to summon 732
emergency services as soon as practicable either before or after 733
administering ~~naloxone~~ the drug. 734

(C) A protocol established by an advanced practice 735
registered nurse for purposes of this section shall be 736
established in writing and include all of the following: 737

(1) A description of the clinical pharmacology of ~~naloxone~~ 738
the overdose reversal drugs specified in the protocol; 739

(2) Precautions and contraindications concerning 740
furnishing ~~naloxone~~ overdose reversal drugs; 741

(3) Any limitations the advanced practice registered nurse 742
specifies concerning the individuals to whom ~~naloxone overdose~~ 743
reversal drugs may be furnished; 744

(4) The ~~naloxone~~ dosage that may be furnished and any 745
variation in the dosage based on circumstances specified in the 746
protocol; 747

(5) Labeling, storage, record keeping, and administrative 748
requirements; 749

(6) Training requirements that must be met before an 750

individual will be authorized to furnish ~~naloxone overdose~~
reversal drugs; 751
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(7) Any instructions or training that the authorized 753
individual must provide to an individual to whom ~~naloxone is~~
overdose reversal drugs are furnished. 754
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(D) An advanced practice registered nurse who in good 756
faith authorizes another individual to personally furnish 757
~~naloxone overdose reversal drugs~~ in accordance with a protocol 758
established by the advanced practice registered nurse under this 759
section is not liable for or subject to any of the following for 760
any action or omission of the individual to whom the ~~naloxone is~~
drugs are furnished: damages in any civil action, prosecution in 761
any criminal proceeding, or professional disciplinary action. 762
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An individual authorized under this section to personally 764
furnish ~~naloxone overdose reversal drugs~~ who does so in good 765
faith is not liable for or subject to any of the following for 766
any action or omission of the individual to whom the ~~naloxone is~~
drugs are furnished: damages in any civil action, prosecution in 767
any criminal proceeding, or professional disciplinary action. 768
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Sec. 4723.486. (A) As used in this section, "service 770
entity" has the same meaning as in section 4729.514 of the 771
Revised Code. 772

(B) An advanced practice registered nurse who is 773
designated as a clinical nurse specialist, certified nurse- 774
midwife, or certified nurse practitioner and who has established 775
a protocol under division (D) of this section may authorize an 776
individual who is an employee, volunteer, or contractor of a 777
service entity to administer ~~naloxone overdose reversal drugs~~ to 778
an individual who is apparently experiencing an opioid-related 779

overdose. 780

(C) An individual authorized by an advanced practice 781
registered nurse under this section may administer ~~naloxone~~ 782
overdose reversal drugs to an individual who is apparently 783
experiencing an opioid-related overdose if all of the following 784
conditions are met: 785

(1) The ~~naloxone is~~ overdose reversal drugs are obtained 786
from a service entity of which the authorized individual is an 787
employee, volunteer, or contractor. 788

(2) The authorized individual complies with the protocol 789
established by the authorizing advanced practice registered 790
nurse. 791

(3) The authorized individual summons emergency services 792
as soon as practicable either before or after administering the 793
~~naloxone~~ overdose reversal drugs. 794

(D) A protocol established by an advanced practice 795
registered nurse for purposes of this section must be in writing 796
and include all of the following: 797

(1) A description of the clinical pharmacology of ~~naloxone~~ 798
the overdose reversal drugs specified in the protocol; 799

(2) Precautions and contraindications concerning the 800
administration of ~~naloxone~~ overdose reversal drugs; 801

(3) Any limitations the advanced practice registered nurse 802
specifies concerning the individuals to whom ~~naloxone~~ overdose 803
reversal drugs may be administered; 804

(4) The ~~naloxone~~ dosage that may be administered and any 805
variation in the dosage based on circumstances specified in the 806
protocol; 807

(5) Labeling, storage, record keeping, and administrative requirements; 808
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(6) Training requirements that must be met before an individual can be authorized to administer ~~naloxone~~ overdose reversal drugs. 810
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(E) An advanced practice registered nurse who in good faith authorizes an individual to administer ~~naloxone~~ overdose reversal drugs under this section is not liable for or subject to any of the following for any act or omission of the authorized individual: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action. 813
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A service entity or an employee, volunteer, or contractor of a service entity is not liable for or subject to any of the following for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or administering ~~naloxone~~ overdose reversal drugs under this section, unless the act or omission constitutes willful or wanton misconduct: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action. 819
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This section does not eliminate, limit, or reduce any other immunity or defense that a service entity or an employee, volunteer, or contractor of a service entity may be entitled to under Chapter 2305. or any other provision of the Revised Code or under the common law of this state. 828
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Sec. 4729.01. As used in this chapter: 833

(A) "Pharmacy," except when used in a context that refers to the practice of pharmacy, means any area, room, rooms, place of business, department, or portion of any of the foregoing 834
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where the practice of pharmacy is conducted.	837
(B) "Practice of pharmacy" means providing pharmacist care	838
requiring specialized knowledge, judgment, and skill derived	839
from the principles of biological, chemical, behavioral, social,	840
pharmaceutical, and clinical sciences. As used in this division,	841
"pharmacist care" includes the following:	842
(1) Interpreting prescriptions;	843
(2) Dispensing drugs and drug therapy related devices;	844
(3) Compounding drugs;	845
(4) Counseling individuals with regard to their drug	846
therapy, recommending drug therapy related devices, and	847
assisting in the selection of drugs and appliances for treatment	848
of common diseases and injuries and providing instruction in the	849
proper use of the drugs and appliances;	850
(5) Performing drug regimen reviews with individuals by	851
discussing all of the drugs that the individual is taking and	852
explaining the interactions of the drugs;	853
(6) Performing drug utilization reviews with licensed	854
health professionals authorized to prescribe drugs when the	855
pharmacist determines that an individual with a prescription has	856
a drug regimen that warrants additional discussion with the	857
prescriber;	858
(7) Advising an individual and the health care	859
professionals treating an individual with regard to the	860
individual's drug therapy;	861
(8) Acting pursuant to a consult agreement, if an	862
agreement has been established;	863

(9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code;	864 865
(10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.	866 867
(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:	868 869 870
(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;	871 872
(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;	873 874
(3) As an incident to research, teaching activities, or chemical analysis;	875 876
(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;	877 878 879
(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:	880 881 882 883 884
(a) At the time the request is made, the drug is not commercially available regardless of the reason that the drug is not available, including the absence of a manufacturer for the drug or the lack of a readily available supply of the drug from a manufacturer.	885 886 887 888 889
(b) A limited quantity of the drug is compounded and provided to the professional.	890 891

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

(D) "Consult agreement" means an agreement that has been entered into under section 4729.39 of the Revised Code.

(E) "Drug" means:

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

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

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

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

"Drug" does not include "hemp" or a "hemp product" as those terms are defined in section 928.01 of the Revised Code.

(F) "Dangerous drug" means any of the following:

(1) Any drug to which either of the following applies:

(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;

(b) Under Chapter 3715. or 3719. of the Revised Code, the drug may be dispensed only upon a prescription.

(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;

(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body;

(4) Any drug that is a biological product, as defined in section 3715.01 of the Revised Code.

(G) "Federal drug abuse control laws" has the same meaning as in section 3719.01 of the Revised Code.

(H) "Prescription" means all of the following:

(1) 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;

(2) For purposes of sections 2925.61, 4723.484, 4730.434, and 4731.94 of the Revised Code, a written, electronic, or oral order for ~~naloxone~~an overdose reversal drug 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.

(3) For purposes of section 4729.44 of the Revised Code, a written, electronic, or oral order for ~~naloxone~~an overdose

reversal drug issued to and in the name of either of the 947
following: 948

(a) An individual who there is reason to believe is at 949
risk of experiencing an opioid-related overdose; 950

(b) A family member, friend, or other individual in a 951
position to assist an individual who there is reason to believe 952
is at risk of experiencing an opioid-related overdose. 953

(4) For purposes of sections 4723.4810, 4729.282, 954
4730.432, and 4731.93 of the Revised Code, a written, 955
electronic, or oral order for a drug to treat chlamydia, 956
gonorrhoea, or trichomoniasis issued to and in the name of a 957
patient who is not the intended user of the drug but is the 958
sexual partner of the intended user; 959

(5) For purposes of sections 3313.7110, 3313.7111, 960
3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433, 961
4731.96, and 5101.76 of the Revised Code, a written, electronic, 962
or oral order for an epinephrine autoinjector issued to and in 963
the name of a school, school district, or camp; 964

(6) For purposes of Chapter 3728. and sections 4723.483, 965
4729.88, 4730.433, and 4731.96 of the Revised Code, a written, 966
electronic, or oral order for an epinephrine autoinjector issued 967
to and in the name of a qualified entity, as defined in section 968
3728.01 of the Revised Code; 969

(7) For purposes of sections 3313.7115, 3313.7116, 970
3314.147, 3326.60, 3328.38, 4723.4811, 4730.437, 4731.92, and 971
5101.78 of the Revised Code, a written, electronic, or oral 972
order for injectable or nasally administered glucagon in the 973
name of a school, school district, or camp. 974

(I) "Licensed health professional authorized to prescribe 975

drugs" or "prescriber" means an individual who is authorized by	976
law to prescribe drugs or dangerous drugs or drug therapy	977
related devices in the course of the individual's professional	978
practice, including only the following:	979
(1) A dentist licensed under Chapter 4715. of the Revised	980
Code;	981
(2) A clinical nurse specialist, certified nurse-midwife,	982
or certified nurse practitioner who holds a current, valid	983
license issued under Chapter 4723. of the Revised Code to	984
practice nursing as an advanced practice registered nurse;	985
(3) A certified registered nurse anesthetist who holds a	986
current, valid license issued under Chapter 4723. of the Revised	987
Code to practice nursing as an advanced practice registered	988
nurse, but only to the extent of the nurse's authority under	989
sections 4723.43 and 4723.434 of the Revised Code;	990
(4) An optometrist licensed under Chapter 4725. of the	991
Revised Code to practice optometry under a therapeutic	992
pharmaceutical agents certificate;	993
(5) A physician authorized under Chapter 4731. of the	994
Revised Code to practice medicine and surgery, osteopathic	995
medicine and surgery, or podiatric medicine and surgery;	996
(6) A physician assistant who holds a license to practice	997
as a physician assistant issued under Chapter 4730. of the	998
Revised Code, holds a valid prescriber number issued by the	999
state medical board, and has been granted physician-delegated	1000
prescriptive authority;	1001
(7) A veterinarian licensed under Chapter 4741. of the	1002
Revised Code.	1003

(J) "Sale" or "sell" includes any transaction made by any person, whether as principal proprietor, agent, or employee, to do or offer to do any of the following: deliver, distribute, broker, exchange, gift or otherwise give away, or transfer, whether the transfer is by passage of title, physical movement, or both.

(K) "Wholesale sale" and "sale at wholesale" mean any sale in which the purpose of the purchaser is to resell the article purchased or received by the purchaser.

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

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

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

(1) The proprietary name of the drug product;

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

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

(4) The dosage form;	1033
(5) The price charged for a specific quantity of the drug product. The stated price shall include all charges to the consumer, including, but not limited to, the cost of the drug product, professional fees, handling fees, if any, and a statement identifying professional services routinely furnished by the pharmacy. Any mailing fees and delivery fees may be stated separately without repetition. The information shall not be false or misleading.	1034 1035 1036 1037 1038 1039 1040 1041
(O) "Wholesale distributor of dangerous drugs" or "wholesale distributor" means a person engaged in the sale of dangerous drugs at wholesale and includes any agent or employee of such a person authorized by the person to engage in the sale of dangerous drugs at wholesale.	1042 1043 1044 1045 1046
(P) "Manufacturer of dangerous drugs" or "manufacturer" means a person, other than a pharmacist or prescriber, who manufactures dangerous drugs and who is engaged in the sale of those dangerous drugs.	1047 1048 1049 1050
(Q) "Terminal distributor of dangerous drugs" or "terminal distributor" means a person who is engaged in the sale of dangerous drugs at retail, or any person, other than a manufacturer, repackager, outsourcing facility, third-party logistics provider, wholesale distributor, or pharmacist, who has possession, custody, or control of dangerous drugs for any purpose other than for that person's own use and consumption. "Terminal distributor" includes pharmacies, hospitals, nursing homes, and laboratories and all other persons who procure dangerous drugs for sale or other distribution by or under the supervision of a pharmacist, licensed health professional authorized to prescribe drugs, or other person authorized by the	1051 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062

state board of pharmacy. 1063

(R) "Promote to the public" means disseminating a 1064
representation to the public in any manner or by any means, 1065
other than by labeling, for the purpose of inducing, or that is 1066
likely to induce, directly or indirectly, the purchase of a 1067
dangerous drug at retail. 1068

(S) "Person" includes any individual, partnership, 1069
association, limited liability company, or corporation, the 1070
state, any political subdivision of the state, and any district, 1071
department, or agency of the state or its political 1072
subdivisions. 1073

(T) (1) "Animal shelter" means a facility operated by a 1074
humane society or any society organized under Chapter 1717. of 1075
the Revised Code or a dog pound operated pursuant to Chapter 1076
955. of the Revised Code. 1077

(2) "County dog warden" means a dog warden or deputy dog 1078
warden appointed or employed under section 955.12 of the Revised 1079
Code. 1080

(U) "Food" has the same meaning as in section 3715.01 of 1081
the Revised Code. 1082

(V) "Pain management clinic" has the same meaning as in 1083
section 4731.054 of the Revised Code. 1084

(W) "Investigational drug or product" means a drug or 1085
product that has successfully completed phase one of the United 1086
States food and drug administration clinical trials and remains 1087
under clinical trial, but has not been approved for general use 1088
by the United States food and drug administration. 1089
"Investigational drug or product" does not include controlled 1090
substances in schedule I, as defined in section 3719.01 of the 1091

Revised Code.	1092
(X) "Product," when used in reference to an	1093
investigational drug or product, means a biological product,	1094
other than a drug, that is made from a natural human, animal, or	1095
microorganism source and is intended to treat a disease or	1096
medical condition.	1097
(Y) "Third-party logistics provider" means a person that	1098
provides or coordinates warehousing or other logistics services	1099
pertaining to dangerous drugs including distribution, on behalf	1100
of a manufacturer, wholesale distributor, or terminal	1101
distributor of dangerous drugs, but does not take ownership of	1102
the drugs or have responsibility to direct the sale or	1103
disposition of the drugs.	1104
(Z) "Repackager of dangerous drugs" or "repackager" means	1105
a person that repacks and relabels dangerous drugs for sale or	1106
distribution.	1107
(AA) "Outsourcing facility" means a facility that is	1108
engaged in the compounding and sale of sterile drugs and is	1109
registered as an outsourcing facility with the United States	1110
food and drug administration.	1111
(BB) "Laboratory" means a laboratory licensed under this	1112
chapter as a terminal distributor of dangerous drugs and	1113
entrusted to have custody of any of the following drugs and to	1114
use the drugs for scientific and clinical purposes and for	1115
purposes of instruction: dangerous drugs that are not controlled	1116
substances, as defined in section 3719.01 of the Revised Code;	1117
dangerous drugs that are controlled substances, as defined in	1118
that section; and controlled substances in schedule I, as	1119
defined in that section.	1120

<u>(CC) "Overdose reversal drug" means both of the following:</u>	1121
<u>(1) Naloxone;</u>	1122
<u>(2) Any other drug that the state board of pharmacy,</u>	1123
<u>through rules adopted in accordance with Chapter 119. of the</u>	1124
<u>Revised Code, designates as a drug that is approved by the</u>	1125
<u>federal food and drug administration for the reversal of a known</u>	1126
<u>or suspected opioid-related overdose.</u>	1127
Sec. 4729.29. Divisions (A) and (B) of section 4729.01 and	1128
section 4729.28 of the Revised Code do not do any of the	1129
following:	1130
(A) Apply to a licensed health professional authorized to	1131
prescribe drugs who is acting within the prescriber's scope of	1132
professional practice;	1133
(B) Prevent a prescriber from personally furnishing the	1134
prescriber's patients with drugs, within the prescriber's scope	1135
of professional practice, that seem proper to the prescriber, as	1136
long as the drugs are furnished in accordance with section	1137
4729.291 of the Revised Code;	1138
(C) Apply to an individual who personally furnishes a	1139
supply of naloxone <u>overdose reversal drugs</u> under authority	1140
conferred under section 4723.485, 4730.435, or 4731.941 of the	1141
Revised Code or prevent that individual from personally	1142
furnishing the supply of naloxone <u>overdose reversal drugs</u> in	1143
accordance with a protocol established under section 4723.485,	1144
4730.435, or 4731.941 of the Revised Code;	1145
(D) Apply to the sale of oxygen, the sale of peritoneal	1146
dialysis solutions, or the sale of drugs that are not dangerous	1147
drugs by a retail dealer, in original packages when labeled as	1148
required by the "Federal Food, Drug, and Cosmetic Act," 52 Stat.	1149

1040 (1938), 21 U.S.C.A. 301, as amended. 1150

Sec. 4729.44. (A) As used in this section: 1151

(1) "Board of health" means a board of health of a city or 1152
general health district or an authority having the duties of a 1153
board of health under section 3709.05 of the Revised Code. 1154

(2) "Physician" means an individual authorized under 1155
Chapter 4731. of the Revised Code to practice medicine and 1156
surgery, osteopathic medicine and surgery, or podiatric medicine 1157
and surgery. 1158

(B) If use of the protocol developed pursuant to rules 1159
adopted under division (G) of this section has been authorized 1160
under section 3707.56 or 4731.942 of the Revised Code, a 1161
pharmacist or pharmacy intern may dispense ~~naloxone overdose~~ 1162
reversal drugs without a prescription to either of the following 1163
in accordance with that protocol: 1164

(1) An individual who there is reason to believe is 1165
experiencing or at risk of experiencing an opioid-related 1166
overdose; 1167

(2) A family member, friend, or other individual in a 1168
position to assist an individual who there is reason to believe 1169
is at risk of experiencing an opioid-related overdose. 1170

(C) A pharmacist or pharmacy intern who dispenses ~~naloxone~~ 1171
overdose reversal drugs under this section shall instruct the 1172
individual to whom ~~naloxone is the drugs are~~ dispensed to summon 1173
emergency services as soon as practicable either before or after 1174
administering ~~naloxone the drugs~~. 1175

(D) A pharmacist may document on a prescription form the 1176
dispensing of ~~naloxone overdose reversal drugs~~ by the pharmacist 1177

or a pharmacy intern supervised by the pharmacist. The form may 1178
be assigned a number for record-keeping purposes. 1179

(E) This section does not affect the authority of a 1180
pharmacist or pharmacy intern to fill or refill a prescription 1181
for ~~naloxone overdose reversal drugs~~. 1182

(F) A board of health that in good faith authorizes a 1183
pharmacist or pharmacy intern to dispense ~~naloxone overdose~~ 1184
~~reversal drugs~~ without a prescription in accordance with a 1185
protocol developed pursuant to rules adopted under division (G) 1186
of this section is not liable for or subject to any of the 1187
following for any action or omission of the individual to whom 1188
the ~~naloxone is drugs are~~ dispensed: damages in any civil 1189
action, prosecution in any criminal proceeding, or professional 1190
disciplinary action. 1191

A physician who in good faith authorizes a pharmacist or 1192
pharmacy intern to dispense ~~naloxone overdose reversal drugs~~ 1193
without a prescription in accordance with a protocol developed 1194
pursuant to rules adopted under division (G) of this section is 1195
not liable for or subject to any of the following for any action 1196
or omission of the individual to whom the ~~naloxone is drugs are~~ 1197
dispensed: damages in any civil action, prosecution in any 1198
criminal proceeding, or professional disciplinary action. 1199

A pharmacist or pharmacy intern authorized under this 1200
section to dispense ~~naloxone overdose reversal drugs~~ without a 1201
prescription who does so in good faith is not liable for or 1202
subject to any of the following for any action or omission of 1203
the individual to whom the ~~naloxone is drugs are~~ dispensed: 1204
damages in any civil action, prosecution in any criminal 1205
proceeding, or professional disciplinary action. 1206

(G) The state board of pharmacy shall, after consulting 1207
with the department of health and state medical board, adopt 1208
rules to implement this section. The rules shall specify a 1209
protocol under which pharmacists or pharmacy interns may 1210
dispense ~~naloxone-overdose reversal drugs~~ without a 1211
prescription. 1212

All rules adopted under this section shall be adopted in 1213
accordance with Chapter 119. of the Revised Code. 1214

(H) (1) The state board of pharmacy shall develop a program 1215
to educate all of the following about the authority of a 1216
pharmacist or pharmacy intern to dispense ~~naloxone-overdose~~ 1217
reversal drugs without a prescription: 1218

(a) Holders of licenses issued under this chapter that 1219
engage in the sale or dispensing of ~~naloxone-overdose reversal~~ 1220
drugs pursuant to this section; 1221

(b) Registered pharmacy technicians, certified pharmacy 1222
technicians, and pharmacy technician trainees registered under 1223
this chapter who engage in the sale of ~~naloxone-overdose~~ 1224
reversal drugs pursuant to this section; 1225

(c) Individuals who are not licensed or registered under 1226
this chapter but are employed by license holders described in 1227
division (H) (1) (a) of this section. 1228

(2) As part of the program, the board also shall educate 1229
the license holders, pharmacy technicians, and employees 1230
described in division (H) (1) of this section about maintaining 1231
an adequate supply of ~~naloxone-overdose reversal drugs~~ and 1232
methods for determining a pharmacy's stock of ~~the drug~~ such 1233
drugs. 1234

(3) The board may use its web site to share information 1235

under the program. 1236

Sec. 4729.51. (A) No person other than a licensed 1237
manufacturer of dangerous drugs, outsourcing facility, third- 1238
party logistics provider, repackager of dangerous drugs, or 1239
wholesale distributor of dangerous drugs shall possess for sale, 1240
sell, distribute, or deliver, at wholesale, dangerous drugs or 1241
investigational drugs or products, except as follows: 1242

(1) A licensed terminal distributor of dangerous drugs 1243
that is a pharmacy may make occasional sales of dangerous drugs 1244
or investigational drugs or products at wholesale. 1245

(2) A licensed terminal distributor of dangerous drugs 1246
having more than one licensed location may transfer or deliver 1247
dangerous drugs from one licensed location to another licensed 1248
location owned by the terminal distributor if the license issued 1249
for each location is in effect at the time of the transfer or 1250
delivery. 1251

(3) A licensed terminal distributor of dangerous drugs 1252
that is not a pharmacy may make occasional sales of the 1253
following at wholesale: 1254

(a) ~~Naloxone~~ Overdose reversal drugs; 1255

(b) Dangerous drugs if the drugs being sold are in 1256
shortage, as defined in rules adopted under section 4729.26 of 1257
the Revised Code; 1258

(c) Dangerous drugs other than those described in 1259
divisions (A) (3) (a) and (b) of this section or investigational 1260
drugs or products if authorized by rules adopted under section 1261
4729.26 of the Revised Code. 1262

(B) No licensed manufacturer, outsourcing facility, third- 1263

party logistics provider, repackager, or wholesale distributor 1264
shall possess for sale, sell, or distribute, at wholesale, 1265
dangerous drugs or investigational drugs or products to any 1266
person other than the following: 1267

(1) Subject to division (D) of this section, a licensed 1268
terminal distributor of dangerous drugs; 1269

(2) Subject to division (C) of this section, any person 1270
exempt from licensure as a terminal distributor of dangerous 1271
drugs under section 4729.541 of the Revised Code; 1272

(3) A licensed manufacturer, outsourcing facility, third- 1273
party logistics provider, repackager, or wholesale distributor; 1274

(4) A terminal distributor, manufacturer, outsourcing 1275
facility, third-party logistics provider, repackager, or 1276
wholesale distributor that is located in another state, is not 1277
engaged in the sale of dangerous drugs within this state, and is 1278
actively licensed to engage in the sale of dangerous drugs by 1279
the state in which the distributor conducts business. 1280

(C) No licensed manufacturer, outsourcing facility, third- 1281
party logistics provider, repackager, or wholesale distributor 1282
shall possess for sale, sell, or distribute, at wholesale, 1283
dangerous drugs or investigational drugs or products to either 1284
of the following: 1285

(1) A prescriber who is employed by either of the 1286
following: 1287

(a) A pain management clinic that is not licensed as a 1288
terminal distributor of dangerous drugs with a pain management 1289
clinic classification issued under section 4729.552 of the 1290
Revised Code; 1291

(b) A facility, clinic, or other location that provides 1292
office-based opioid treatment but is not licensed as a terminal 1293
distributor of dangerous drugs with an office-based opioid 1294
treatment classification issued under section 4729.553 of the 1295
Revised Code if such a license is required by that section. 1296

(2) A business entity described in division (A) (2) or (3) 1297
of section 4729.541 of the Revised Code that is, or is 1298
operating, either of the following: 1299

(a) A pain management clinic without a license as a 1300
terminal distributor of dangerous drugs with a pain management 1301
clinic classification issued under section 4729.552 of the 1302
Revised Code; 1303

(b) A facility, clinic, or other location that provides 1304
office-based opioid treatment without a license as a terminal 1305
distributor of dangerous drugs with an office-based opioid 1306
treatment classification issued under section 4729.553 of the 1307
Revised Code if such a license is required by that section. 1308

(D) No licensed manufacturer, outsourcing facility, third- 1309
party logistics provider, repackager, or wholesale distributor 1310
shall possess dangerous drugs or investigational drugs or 1311
products for sale at wholesale, or sell or distribute such drugs 1312
at wholesale, to a licensed terminal distributor of dangerous 1313
drugs, except as follows: 1314

(1) In the case of a terminal distributor with a category 1315
II license, only dangerous drugs in category II, as defined in 1316
division (A) (1) of section 4729.54 of the Revised Code; 1317

(2) In the case of a terminal distributor with a category 1318
III license, dangerous drugs in category II and category III, as 1319
defined in divisions (A) (1) and (2) of section 4729.54 of the 1320

Revised Code;	1321
(3) In the case of a terminal distributor with a limited category II or III license, only the dangerous drugs specified in the license.	1322 1323 1324
(E) (1) Except as provided in division (E) (2) of this section, no person shall do any of the following:	1325 1326
(a) Sell or distribute, at retail, dangerous drugs;	1327
(b) Possess for sale, at retail, dangerous drugs;	1328
(c) Possess dangerous drugs.	1329
(2) (a) Divisions (E) (1) (a), (b), and (c) of this section do not apply to any of the following:	1330 1331
(i) A licensed terminal distributor of dangerous drugs;	1332
(ii) A person who possesses, or possesses for sale or sells, at retail, a dangerous drug in accordance with Chapters 3719., 4715., 4723., 4725., 4729., 4730., 4731., and 4741. of the Revised Code;	1333 1334 1335 1336
(iii) Any of the persons identified in divisions (A) (1) to (5) and (13) of section 4729.541 of the Revised Code, but only to the extent specified in that section.	1337 1338 1339
(b) Division (E) (1) (c) of this section does not apply to any of the following:	1340 1341
(i) A licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor;	1342 1343
(ii) Any of the persons identified in divisions (A) (6) to (12) of section 4729.541 of the Revised Code, but only to the extent specified in that section.	1344 1345 1346

(F) No licensed terminal distributor of dangerous drugs or 1347
person that is exempt from licensure under section 4729.541 of 1348
the Revised Code shall purchase dangerous drugs or 1349
investigational drugs or products from any person other than a 1350
licensed manufacturer, outsourcing facility, third-party 1351
logistics provider, repackager, or wholesale distributor, except 1352
as follows: 1353

(1) A licensed terminal distributor of dangerous drugs or 1354
person that is exempt from licensure under section 4729.541 of 1355
the Revised Code may make occasional purchases of dangerous 1356
drugs or investigational drugs or products that are sold in 1357
accordance with division (A) (1) or (3) of this section. 1358

(2) A licensed terminal distributor of dangerous drugs 1359
having more than one licensed location may transfer or deliver 1360
dangerous drugs or investigational drugs or products from one 1361
licensed location to another licensed location if the license 1362
issued for each location is in effect at the time of the 1363
transfer or delivery. 1364

(G) No licensed terminal distributor of dangerous drugs 1365
shall engage in the retail sale or other distribution of 1366
dangerous drugs or investigational drugs or products or maintain 1367
possession, custody, or control of dangerous drugs or 1368
investigational drugs or products for any purpose other than the 1369
distributor's personal use or consumption, at any establishment 1370
or place other than that or those described in the license 1371
issued by the state board of pharmacy to such terminal 1372
distributor. 1373

(H) Nothing in this section shall be construed to 1374
interfere with the performance of official duties by any law 1375
enforcement official authorized by municipal, county, state, or 1376

federal law to collect samples of any drug, regardless of its 1377
nature or in whose possession it may be. 1378

(I) Notwithstanding anything to the contrary in this 1379
section, the board of education of a city, local, exempted 1380
village, or joint vocational school district may distribute 1381
epinephrine autoinjectors for use in accordance with section 1382
3313.7110 of the Revised Code, may distribute inhalers for use 1383
in accordance with section 3313.7113 of the Revised Code, and 1384
may distribute injectable or nasally administered glucagon for 1385
use in accordance with section 3313.7115 of the Revised Code. 1386

Sec. 4729.511. (A) As used in this section, "~~naloxone-~~ 1387
overdose reversal drug distributor" means either of the 1388
following: 1389

(1) A wholesale distributor of dangerous drugs; 1390

(2) A terminal distributor of dangerous drugs that 1391
supplies ~~naloxone-overdose reversal drugs~~ to any entity under 1392
division (B) (1) of this section. 1393

(B) (1) ~~A naloxone-~~An overdose reversal drug distributor 1394
shall prioritize the sale, distribution, and delivery of 1395
~~naloxone-overdose reversal drugs~~ to all of the following: 1396

(a) A children's hospital, as defined in section 3727.01 1397
of the Revised Code; 1398

(b) A hospital, as defined in section 3727.01 of the 1399
Revised Code; 1400

(c) An emergency medical service organization, as defined 1401
in section 4765.01 of the Revised Code; 1402

(d) A facility that is operated as an urgent care center. 1403

(2) The order in which the entities are listed in division 1404
(B) (1) of this section does not establish levels of priority 1405
among the listed entities. 1406

(C) ~~A naloxone~~An overdose reversal drug distributor who 1407
in good faith complies with division (B) of this section is not 1408
liable for or subject to any of the following for an act or 1409
omission arising from that compliance: damages in any civil 1410
action, prosecution in any criminal proceeding, or professional 1411
disciplinary action. 1412

Sec. 4729.514. (A) As used in this section, "service 1413
entity" means a public or private entity that may provide 1414
services to or interact with individuals who there is reason to 1415
believe may be at risk of experiencing an opioid-related 1416
overdose. "Service entity" includes a church or other place of 1417
worship, college or university, school, library, health 1418
department operated by the board of health of a city or general 1419
health district, community addiction services provider, court, 1420
probation department, halfway house, prison, jail, community 1421
residential center, homeless shelter, or similar entity. 1422

(B) A service entity may procure and maintain ~~naloxone~~ 1423
overdose reversal drugs for either or both of the following 1424
purposes: 1425

(1) To use in emergency situations; 1426

(2) To permit an employee, volunteer, or contractor of the 1427
service entity to personally furnish a supply of ~~naloxone~~ 1428
overdose reversal drugs pursuant to a protocol established under 1429
section 3707.561, 4723.485, 4730.435, or 4731.941 of the Revised 1430
Code. 1431

(C) A service entity or an employee, volunteer, or 1432

contractor of a service entity is not liable for or subject to 1433
any of the following for injury, death, or loss to person or 1434
property that allegedly arises from an act or omission 1435
associated with procuring, maintaining, accessing, using, or 1436
personally furnishing ~~naloxone overdose reversal~~ drugs under 1437
this section, unless the act or omission constitutes willful or 1438
wanton misconduct: damages in any civil action, prosecution in 1439
any criminal proceeding, or professional disciplinary action. 1440

This section does not eliminate, limit, or reduce any 1441
other immunity or defense that a service entity or an employee, 1442
volunteer, or contractor of a service entity may be entitled to 1443
under Chapter 2305. or any other provision of the Revised Code 1444
or under the common law of this state. 1445

Sec. 4729.515. (A) In accordance with divisions (B) and 1446
(C) of this section, a terminal distributor of dangerous drugs 1447
may acquire and maintain a supply of ~~naloxone overdose reversal~~ drugs 1448
drugs for use in emergency situations and for distribution 1449
through an automated mechanism. The ~~naloxone overdose reversal~~ drugs 1450
drugs may be maintained at a location other than the location 1451
licensed as a terminal distributor of dangerous drugs. 1452

(B) In the case of ~~naloxone overdose reversal~~ drugs for 1453
use in emergency situations, a terminal distributor of dangerous 1454
drugs shall do all of the following: 1455

(1) Provide instructions regarding the emergency 1456
administration of ~~naloxone overdose reversal~~ drugs to any 1457
individual who accesses ~~the naloxone~~ such drugs, including a 1458
specific instruction to summon emergency services as set forth 1459
in division (D) of this section; 1460

(2) Specify a process to be used to notify the terminal 1461

distributor that ~~the naloxone~~ an overdose reversal drug has been 1462
accessed within a reasonable time of its being accessed; 1463

(3) Maintain ~~the naloxone~~ overdose reversal drugs in 1464
accordance with the manufacturer's or distributor's 1465
instructions. 1466

(C) In the case of ~~naloxone~~ overdose reversal drugs for 1467
distribution through an automated mechanism, a terminal 1468
distributor of dangerous drugs shall comply with standards and 1469
procedures specified in rules adopted under division (F) of this 1470
section. 1471

(D) (1) Notwithstanding any conflicting provision of the 1472
Revised Code, both of the following apply: 1473

(a) Any individual may access ~~naloxone~~ overdose reversal 1474
drugs maintained as provided in division (B) of this section and 1475
may administer ~~it~~ the drugs to an individual who there is reason 1476
to believe is experiencing an opioid-related overdose. 1477

(b) Any individual may receive ~~naloxone~~ overdose reversal 1478
drugs distributed through an automated system as provided in 1479
division (C) of this section and may administer ~~it~~ the drugs to 1480
an individual who there is reason to believe is experiencing an 1481
opioid-related overdose. 1482

(2) An individual who administers ~~naloxone~~ overdose 1483
reversal drugs as authorized by this section shall make a good 1484
faith effort to activate or have another individual activate an 1485
emergency medical services system as soon as possible, except 1486
that this requirement does not apply if the individual 1487
administering the ~~naloxone~~ drugs is doing so as part of an 1488
emergency medical services system or at a hospital, as defined 1489
in section 3727.01 of the Revised Code. 1490

(E) An individual is not liable for or subject to any of 1491
the following for injury, death, or loss to person or property 1492
that allegedly arises from an act or omission associated with 1493
any action authorized by this section, unless the act or 1494
omission constitutes willful or wanton misconduct: damages in 1495
any civil action, prosecution in any criminal proceeding, or 1496
professional disciplinary action. 1497

(F) The state board of pharmacy shall adopt rules 1498
establishing standards and procedures applicable to the 1499
distribution of ~~naloxone~~ overdose reversal drugs through an 1500
automated mechanism. The rules shall be adopted in accordance 1501
with Chapter 119. of the Revised Code. 1502

Sec. 4729.541. (A) Except as provided in divisions (B) to 1503
(D) of this section, all of the following are exempt from 1504
licensure as a terminal distributor of dangerous drugs: 1505

(1) A licensed health professional authorized to prescribe 1506
drugs; 1507

(2) A business entity that is a corporation formed under 1508
division (B) of section 1701.03 of the Revised Code, a limited 1509
liability company formed under Chapter 1705. or 1706. of the 1510
Revised Code, or a professional association formed under Chapter 1511
1785. of the Revised Code if the entity has a sole shareholder 1512
who is a prescriber and is authorized to provide the 1513
professional services being offered by the entity; 1514

(3) A business entity that is a corporation formed under 1515
division (B) of section 1701.03 of the Revised Code, a limited 1516
liability company formed under Chapter 1705. or 1706. of the 1517
Revised Code, a partnership or a limited liability partnership 1518
formed under Chapter 1775. of the Revised Code, or a 1519

professional association formed under Chapter 1785. of the 1520
Revised Code, if, to be a shareholder, member, or partner, an 1521
individual is required to be licensed, certified, or otherwise 1522
legally authorized under Title XLVII of the Revised Code to 1523
perform the professional service provided by the entity and each 1524
such individual is a prescriber; 1525

(4) An individual who holds a current license, 1526
certificate, or registration issued under Title XLVII of the 1527
Revised Code and has been certified to conduct diabetes 1528
education by a national certifying body specified in rules 1529
adopted by the state board of pharmacy under section 4729.68 of 1530
the Revised Code, but only with respect to insulin that will be 1531
used for the purpose of diabetes education and only if diabetes 1532
education is within the individual's scope of practice under 1533
statutes and rules regulating the individual's profession; 1534

(5) An individual who holds a valid certificate issued by 1535
a nationally recognized S.C.U.B.A. diving certifying 1536
organization approved by the state board of pharmacy under rules 1537
adopted by the board, but only with respect to medical oxygen 1538
that will be used for the purpose of emergency care or treatment 1539
at the scene of a diving emergency; 1540

(6) With respect to epinephrine autoinjectors that may be 1541
possessed under section 3313.7110, 3313.7111, 3314.143, 3326.28, 1542
or 3328.29 of the Revised Code, any of the following: the board 1543
of education of a city, local, exempted village, or joint 1544
vocational school district; a chartered or nonchartered 1545
nonpublic school; a community school established under Chapter 1546
3314. of the Revised Code; a STEM school established under 1547
Chapter 3326. of the Revised Code; or a college-preparatory 1548
boarding school established under Chapter 3328. of the Revised 1549

Code; 1550

(7) With respect to epinephrine autoinjectors that may be 1551
possessed under section 5101.76 of the Revised Code, any of the 1552
following: a residential camp, as defined in section 2151.011 of 1553
the Revised Code; a child day camp, as defined in section 1554
5104.01 of the Revised Code; or a child day camp operated by any 1555
county, township, municipal corporation, township park district 1556
created under section 511.18 of the Revised Code, park district 1557
created under section 1545.04 of the Revised Code, or joint 1558
recreation district established under section 755.14 of the 1559
Revised Code; 1560

(8) With respect to epinephrine autoinjectors that may be 1561
possessed under Chapter 3728. of the Revised Code, a qualified 1562
entity, as defined in section 3728.01 of the Revised Code; 1563

(9) With respect to inhalers that may be possessed under 1564
section 3313.7113, 3313.7114, 3314.144, 3326.30, or 3328.30 of 1565
the Revised Code, any of the following: the board of education 1566
of a city, local, exempted village, or joint vocational school 1567
district; a chartered or nonchartered nonpublic school; a 1568
community school established under Chapter 3314. of the Revised 1569
Code; a STEM school established under Chapter 3326. of the 1570
Revised Code; or a college-preparatory boarding school 1571
established under Chapter 3328. of the Revised Code; 1572

(10) With respect to inhalers that may be possessed under 1573
section 5101.77 of the Revised Code, any of the following: a 1574
residential camp, as defined in section 2151.011 of the Revised 1575
Code; a child day camp, as defined in section 5104.01 of the 1576
Revised Code; or a child day camp operated by any county, 1577
township, municipal corporation, township park district created 1578
under section 511.18 of the Revised Code, park district created 1579

under section 1545.04 of the Revised Code, or joint recreation 1580
district established under section 755.14 of the Revised Code; 1581

(11) With respect to ~~naloxone overdose reversal drugs~~ that 1582
may be possessed under section 2925.61 of the Revised Code, a 1583
law enforcement agency and its peace officers; 1584

(12) With respect to ~~naloxone overdose reversal drugs~~ that 1585
may be possessed under section 4729.514 of the Revised Code for 1586
use in emergency situations or for personally furnishing 1587
supplies of ~~naloxone overdose reversal drugs~~, a service entity, 1588
as defined in that section; 1589

(13) A facility that is owned and operated by the United 1590
States department of defense, the United States department of 1591
veterans affairs, or any other federal agency; 1592

(14) With respect to injectable or nasally administered 1593
glucagon that may be possessed under sections 3313.7115, 1594
3313.7116, 3314.147, 3326.60, and 3328.38 of the Revised Code, 1595
any of the following: the board of education of a city, local, 1596
exempted village, or joint vocational school district; a 1597
chartered or nonchartered nonpublic school; a community school 1598
established under Chapter 3314. of the Revised Code; a STEM 1599
school established under Chapter 3326. of the Revised Code; or a 1600
college-preparatory boarding school established under Chapter 1601
3328. of the Revised Code; 1602

(15) With respect to injectable or nasally administered 1603
glucagon that may be possessed under section 5101.78 of the 1604
Revised Code, any of the following: a residential camp, as 1605
defined in section 2151.011 of the Revised Code; a child day 1606
camp, as defined in section 5104.01 of the Revised Code; or a 1607
child day camp operated by any county, township, municipal 1608

corporation, township park district created under section 511.18 1609
of the Revised Code, park district created under section 1545.04 1610
of the Revised Code, or joint recreation district established 1611
under section 755.14 of the Revised Code. 1612

(B) If a person described in division (A) of this section 1613
is a pain management clinic or is operating a pain management 1614
clinic, the person shall hold a license as a terminal 1615
distributor of dangerous drugs with a pain management clinic 1616
classification issued under section 4729.552 of the Revised 1617
Code. 1618

(C) If a person described in division (A) of this section 1619
is operating a facility, clinic, or other location described in 1620
division (B) of section 4729.553 of the Revised Code that must 1621
hold a category III terminal distributor of dangerous drugs 1622
license with an office-based opioid treatment classification, 1623
the person shall hold a license with that classification. 1624

(D) Any of the persons described in divisions (A) (1) to 1625
(12) of this section shall hold a license as a terminal 1626
distributor of dangerous drugs in order to possess, have custody 1627
or control of, and distribute any of the following: 1628

(1) Dangerous drugs that are compounded or used for the 1629
purpose of compounding; 1630

(2) A schedule I, II, III, IV, or V controlled substance, 1631
as defined in section 3719.01 of the Revised Code. 1632

Sec. 4730.434. (A) As used in this section and in sections 1633
4730.435 and 4730.436 of the Revised Code, "overdose reversal 1634
drug" has the same meaning as in section 4729.01 of the Revised 1635
Code. 1636

(B) Notwithstanding any provision of this chapter or rule 1637

adopted by the state medical board, a physician assistant who 1638
holds a valid prescriber number issued by the board and has been 1639
granted physician-delegated prescriptive authority may 1640
personally furnish a supply of ~~naloxone~~ overdose reversal drugs, 1641
or issue a prescription for ~~naloxone~~ such drugs, without having 1642
examined the individual to whom it may be administered if both 1643
of the following conditions are met: 1644

(1) The ~~naloxone~~ supply is furnished to, or the 1645
prescription is issued to and in the name of, a family member, 1646
friend, or other individual in a position to assist an 1647
individual who there is reason to believe is at risk of 1648
experiencing an opioid-related overdose. 1649

(2) The physician assistant instructs the individual 1650
receiving the ~~naloxone~~ supply or prescription to summon 1651
emergency services as soon as practicable either before or after 1652
administering ~~naloxone~~ an overdose reversal drug to an 1653
individual apparently experiencing an opioid-related overdose. 1654

~~(B)~~ (C) A physician assistant who under division ~~(A)~~ (B) 1655
of this section in good faith furnishes a supply of ~~naloxone~~ 1656
overdose reversal drugs or issues a prescription for ~~naloxone~~ 1657
overdose reversal drugs is not liable for or subject to any of 1658
the following for any action or omission of the individual to 1659
whom the ~~naloxone~~ is drugs are furnished or the prescription is 1660
issued: damages in any civil action, prosecution in any criminal 1661
proceeding, or professional disciplinary action. 1662

Sec. 4730.435. (A) (1) A physician assistant who holds a 1663
valid prescriber number issued by the state medical board, who 1664
has been granted physician-delegated prescriptive authority, and 1665
who has established a protocol that meets the requirements of 1666
division (C) of this section may authorize one or more other 1667

individuals to personally furnish a supply of ~~naloxone overdose~~
reversal drugs pursuant to the protocol to either of the 1668
1669
following: 1670

(a) An individual who there is reason to believe is 1671
experiencing or at risk of experiencing an opioid-related 1672
overdose; 1673

(b) A family member, friend, or other person in a position 1674
to assist an individual who there is reason to believe is at 1675
risk of experiencing an opioid-related overdose. 1676

(2) An individual authorized under this section to 1677
personally furnish ~~naloxone overdose reversal drugs~~ may do so 1678
without having examined the individual to whom ~~it~~ the drug may 1679
be administered. 1680

(B) An individual authorized by a physician assistant 1681
under this section may personally furnish ~~naloxone overdose~~ 1682
reversal drugs to an individual described in division (A) (1) (a) 1683
or (b) of this section if both of the following conditions are 1684
met: 1685

(1) The authorized individual complies with the protocol 1686
established by the authorizing physician assistant, including 1687
having completed the training required by the protocol. 1688

(2) The authorized individual instructs the individual to 1689
whom ~~naloxone is~~ overdose reversal drugs are furnished to summon 1690
emergency services as soon as practicable either before or after 1691
administering ~~naloxone~~ the drugs. 1692

(C) A protocol established by a physician assistant for 1693
purposes of this section shall be established in writing and 1694
include all of the following: 1695

- (1) A description of the clinical pharmacology of ~~naloxone~~
the overdose reversal drugs specified in the protocol; 1696
1697
- (2) Precautions and contraindications concerning 1698
furnishing ~~naloxone~~ overdose reversal drugs; 1699
- (3) Any limitations the physician assistant specifies 1700
concerning the individuals to whom ~~naloxone~~ overdose reversal
drugs may be furnished; 1701
1702
- (4) The ~~naloxone~~ dosage that may be furnished and any 1703
variation in the dosage based on circumstances specified in the 1704
protocol; 1705
- (5) Labeling, storage, record keeping, and administrative 1706
requirements; 1707
- (6) Training requirements that must be met before an 1708
individual will be authorized to furnish ~~naloxone~~ overdose
reversal drugs; 1709
1710
- (7) Any instructions or training that the authorized 1711
individual must provide to an individual to whom ~~naloxone is~~
overdose reversal drugs are furnished. 1712
1713
- (D) A physician assistant who in good faith authorizes 1714
another individual to personally furnish ~~naloxone~~ overdose
reversal drugs in accordance with a protocol established by the 1715
physician assistant under this section is not liable for or 1716
subject to any of the following for any action or omission of 1717
the individual to whom the ~~naloxone is~~ drugs are furnished: 1718
1719
damages in any civil action, prosecution in any criminal 1720
proceeding, or professional disciplinary action. 1721
- An individual authorized under this section to personally 1722
furnish ~~naloxone~~ overdose reversal drugs who does so in good 1723

faith is not liable for or subject to any of the following for 1724
any action or omission of the individual to whom the ~~naloxone is~~ 1725
drugs are furnished: damages in any civil action, prosecution in 1726
any criminal proceeding, or professional disciplinary action. 1727

Sec. 4730.436. (A) As used in this section, "service 1728
entity" has the same meaning as in section 4729.514 of the 1729
Revised Code. 1730

(B) A physician assistant who holds a valid prescriber 1731
number issued by the state medical board, who has been granted 1732
physician-delegated prescriptive authority, and who has 1733
established a protocol under division (D) of this section may 1734
authorize an individual who is an employee, volunteer, or 1735
contractor of a service entity to administer ~~naloxone overdose~~ 1736
reversal drugs to an individual who is apparently experiencing 1737
an opioid-related overdose. 1738

(C) An individual authorized by a physician assistant 1739
under this section may administer ~~naloxone overdose reversal~~ 1740
drugs to an individual who is apparently experiencing an opioid- 1741
related overdose if all of the following conditions are met: 1742

(1) The ~~naloxone overdose reversal drug~~ is obtained from a 1743
service entity of which the authorized individual is an 1744
employee, volunteer, or contractor. 1745

(2) The authorized individual complies with the protocol 1746
established by the authorizing physician assistant. 1747

(3) The authorized individual summons emergency services 1748
as soon as practicable either before or after administering the 1749
~~naloxone overdose reversal drug~~. 1750

(D) A protocol established by a physician assistant for 1751
purposes of this section must be in writing and include all of 1752

the following: 1753

(1) A description of the clinical pharmacology of ~~naloxone~~ 1754
the overdose reversal drugs specified in the protocol; 1755

(2) Precautions and contraindications concerning the 1756
administration of ~~naloxone~~ overdose reversal drugs; 1757

(3) Any limitations the physician assistant specifies 1758
concerning the individuals to whom ~~naloxone~~ overdose reversal 1759
drugs may be administered; 1760

(4) The ~~naloxone~~ dosage that may be administered and any 1761
variation in the dosage based on circumstances specified in the 1762
protocol; 1763

(5) Labeling, storage, record keeping, and administrative 1764
requirements; 1765

(6) Training requirements that must be met before an 1766
individual can be authorized to administer ~~naloxone~~ overdose 1767
reversal drugs. 1768

(E) A physician assistant who in good faith authorizes an 1769
individual to administer ~~naloxone~~ overdose reversal drugs under 1770
this section is not liable for or subject to any of the 1771
following for any act or omission of the authorized individual: 1772
damages in any civil action, prosecution in any criminal 1773
proceeding, or professional disciplinary action. 1774

A service entity or an employee, volunteer, or contractor 1775
of a service entity is not liable for or subject to any of the 1776
following for injury, death, or loss to person or property that 1777
allegedly arises from an act or omission associated with 1778
procuring, maintaining, accessing, or administering ~~naloxone~~ 1779
overdose reversal drugs under this section, unless the act or 1780

omission constitutes willful or wanton misconduct: damages in 1781
any civil action, prosecution in any criminal proceeding, or 1782
professional disciplinary action. 1783

This section does not eliminate, limit, or reduce any 1784
other immunity or defense that a service entity or an employee, 1785
volunteer, or contractor of a service entity may be entitled to 1786
under Chapter 2305. or any other provision of the Revised Code 1787
or under the common law of this state. 1788

Sec. 4731.36. (A) Sections 4731.01 to 4731.47 of the 1789
Revised Code shall not prohibit service in case of emergency, 1790
domestic administration of family remedies, or provision of 1791
assistance to another individual who is self-administering 1792
drugs. 1793

Sections 4731.01 to 4731.47 of the Revised Code shall not 1794
apply to any of the following: 1795

(1) A commissioned medical officer of the armed forces of 1796
the United States or an employee of the veterans administration 1797
of the United States or the United States public health service 1798
in the discharge of the officer's or employee's professional 1799
duties; 1800

(2) A dentist authorized under Chapter 4715. of the 1801
Revised Code to practice dentistry when engaged exclusively in 1802
the practice of dentistry or when administering anesthetics in 1803
the practice of dentistry; 1804

(3) A physician or surgeon in another state or territory 1805
who is a legal practitioner of medicine or surgery therein when 1806
providing consultation to an individual holding a license to 1807
practice issued under this chapter who ~~is responsible for the~~ 1808
~~examination, diagnosis, and treatment of~~ has an established 1809

physician-patient relationship with the patient who is the 1810
subject of the consultation, if one of the following applies: 1811

(a) The physician or surgeon does not provide consultation 1812
in this state on a regular or frequent basis. 1813

(b) The physician or surgeon provides the consultation 1814
without compensation of any kind, direct or indirect, for the 1815
consultation. 1816

(c) The consultation is part of the curriculum of a 1817
medical school or osteopathic medical school of this state or a 1818
program described in division (A) (2) of section 4731.291 of the 1819
Revised Code. 1820

(4) A physician or surgeon in another state or territory 1821
who is a legal practitioner of medicine or surgery therein and 1822
provided services to a patient in that state or territory, when 1823
providing, not later than one year after the last date services 1824
were provided in another state or territory, follow-up services 1825
in person or through the use of any communication, including 1826
oral, written, or electronic communication, in this state to the 1827
patient for the same condition; 1828

(5) A physician or surgeon residing on the border of a 1829
contiguous state and authorized under the laws thereof to 1830
practice medicine and surgery therein, whose practice extends 1831
within the limits of this state. Such practitioner shall not 1832
either in person or through the use of any communication, 1833
including oral, written, or electronic communication, open an 1834
office or appoint a place to see patients or receive calls 1835
within the limits of this state. 1836

(6) A board, committee, or corporation engaged in the 1837
conduct described in division (A) of section 2305.251 of the 1838

Revised Code when acting within the scope of the functions of 1839
the board, committee, or corporation; 1840

(7) The conduct of an independent review organization 1841
accredited by the superintendent of insurance under section 1842
3922.13 of the Revised Code for the purpose of external reviews 1843
conducted under Chapter 3922. of the Revised Code. 1844

As used in division (A) (1) of this section, "armed forces 1845
of the United States" means the army, air force, navy, marine 1846
corps, coast guard, and any other military service branch that 1847
is designated by congress as a part of the armed forces of the 1848
United States. 1849

(B) (1) Subject to division (B) (2) of this section, this 1850
chapter does not apply to a person who holds a current, 1851
unrestricted license to practice medicine and surgery or 1852
osteopathic medicine and surgery in another state when the 1853
person, pursuant to a written agreement with an athletic team 1854
located in the state in which the person holds the license, 1855
provides medical services to any of the following while the team 1856
is traveling to or from or participating in a sporting event in 1857
this state: 1858

(a) A member of the athletic team; 1859

(b) A member of the athletic team's coaching, 1860
communications, equipment, or sports medicine staff; 1861

(c) A member of a band or cheerleading squad accompanying 1862
the athletic team; 1863

(d) The athletic team's mascot. 1864

(2) In providing medical services pursuant to division (B) 1865
(1) of this section, the person shall not provide medical 1866

services at a health care facility, including a hospital, an 1867
ambulatory surgical facility, or any other facility in which 1868
medical care, diagnosis, or treatment is provided on an 1869
inpatient or outpatient basis. 1870

(C) Sections 4731.51 to 4731.61 of the Revised Code do not 1871
apply to any graduate of a podiatric school or college while 1872
performing those acts that may be prescribed by or incidental to 1873
participation in an accredited podiatric internship, residency, 1874
or fellowship program situated in this state approved by the 1875
state medical board. 1876

(D) This chapter does not apply to an individual engaged 1877
in the practice of oriental medicine, or to an acupuncturist who 1878
complies with Chapter 4762. of the Revised Code. 1879

(E) This chapter does not prohibit the administration of 1880
drugs by any of the following: 1881

(1) An individual who is licensed or otherwise 1882
specifically authorized by the Revised Code to administer drugs; 1883

(2) An individual who is not licensed or otherwise 1884
specifically authorized by the Revised Code to administer drugs, 1885
but is acting pursuant to the rules for delegation of medical 1886
tasks adopted under section 4731.053 of the Revised Code; 1887

(3) An individual specifically authorized to administer 1888
drugs pursuant to a rule adopted under the Revised Code that is 1889
in effect on April 10, 2001, as long as the rule remains in 1890
effect, specifically authorizing an individual to administer 1891
drugs. 1892

(F) The exemptions described in divisions (A) (3), (4), and 1893
(5) of this section do not apply to a physician or surgeon whose 1894
license to practice issued under this chapter is under 1895

suspension or has been revoked or permanently revoked by action 1896
of the state medical board. 1897

Sec. 4731.94. (A) As used in this section and in sections 1898
4731.941, 4731.942, and 4731.943 of the Revised Code, ~~—~~ 1899
"physician": 1900

(1) "Overdose reversal drug" has the same meaning as in 1901
section 4729.01 of the Revised Code. 1902

(2) "Physician" means an individual authorized under this 1903
chapter to practice medicine and surgery, osteopathic medicine 1904
and surgery, or podiatric medicine and surgery. 1905

(B) Notwithstanding any provision of this chapter or rule 1906
adopted by the state medical board, a physician may personally 1907
furnish a supply of ~~naloxone~~ overdose reversal drugs, or issue a 1908
prescription for ~~naloxone~~ overdose reversal drugs, without 1909
having examined the individual to whom it may be administered if 1910
both of the following conditions are met: 1911

(1) The ~~naloxone~~ supply is furnished to, or the 1912
prescription is issued to and in the name of, a family member, 1913
friend, or other individual in a position to assist an 1914
individual who there is reason to believe is at risk of 1915
experiencing an opioid-related overdose. 1916

(2) The physician instructs the individual receiving the 1917
~~naloxone~~ supply or prescription to summon emergency services as 1918
soon as practicable either before or after administering ~~the~~ 1919
~~naloxone~~ an overdose reversal drug to an individual apparently 1920
experiencing an opioid-related overdose. 1921

(C) A physician who under division (B) of this section in 1922
good faith furnishes a supply of ~~naloxone~~ overdose reversal 1923
drugs or issues a prescription for ~~naloxone~~ overdose reversal 1924

drugs is not liable for or subject to any of the following for 1925
any act or omission of the individual to whom the ~~naloxone is~~ 1926
drugs are furnished or the prescription is issued: damages in 1927
any civil action, prosecution in any criminal proceeding, or 1928
professional disciplinary action. 1929

Sec. 4731.941. (A) (1) A physician who has established a 1930
protocol that meets the requirements of division (C) of this 1931
section may authorize one or more other individuals to 1932
personally furnish a supply of ~~naloxone~~ overdose reversal drugs 1933
pursuant to the protocol to either of the following: 1934

(a) An individual who there is reason to believe is 1935
experiencing or at risk of experiencing an opioid-related 1936
overdose; 1937

(b) A family member, friend, or other person in a position 1938
to assist an individual who there is reason to believe is at 1939
risk of experiencing an opioid-related overdose. 1940

(2) An individual authorized under this section to 1941
personally furnish ~~naloxone~~ overdose reversal drugs may do so 1942
without having examined the individual to whom it may be 1943
administered. 1944

(B) An individual authorized by a physician under this 1945
section may personally furnish ~~naloxone~~ overdose reversal drugs 1946
to an individual described in division (A) (1) (a) or (b) of this 1947
section if both of the following conditions are met: 1948

(1) The authorized individual complies with the protocol 1949
established by the authorizing physician, including having 1950
completed the training required by the protocol. 1951

(2) The authorized individual instructs the individual to 1952
whom ~~naloxone is~~ overdose reversal drugs are furnished to summon 1953

emergency services as soon as practicable either before or after 1954
administering ~~naloxone~~ the drugs. 1955

(C) A protocol established by a physician for purposes of 1956
this section shall be established in writing and include all of 1957
the following: 1958

(1) A description of the clinical pharmacology of ~~naloxone~~ 1959
the overdose reversal drugs specified in the protocol; 1960

(2) Precautions and contraindications concerning 1961
furnishing ~~naloxone~~ overdose reversal drugs; 1962

(3) Any limitations the physician specifies concerning the 1963
individuals to whom ~~naloxone~~ overdose reversal drugs may be 1964
furnished; 1965

(4) The ~~naloxone~~-dosage that may be furnished and any 1966
variation in the dosage based on circumstances specified in the 1967
protocol; 1968

(5) Labeling, storage, record-keeping, and administrative 1969
requirements; 1970

(6) Training requirements that must be met before an 1971
individual will be authorized to furnish ~~naloxone~~ overdose 1972
reversal drugs; 1973

(7) Any instructions or training that the authorized 1974
individual must provide to an individual to whom ~~naloxone is~~ 1975
overdose reversal drugs are furnished. 1976

(D) A physician who in good faith authorizes another 1977
individual to personally furnish ~~naloxone~~ overdose reversal 1978
drugs in accordance with a protocol established by the physician 1979
under this section is not liable for or subject to any of the 1980
following for any action or omission of the individual to whom 1981

the ~~naloxone is~~ drugs are furnished: damages in any civil 1982
action, prosecution in any criminal proceeding, or professional 1983
disciplinary action. 1984

An individual authorized under this section to personally 1985
furnish ~~naloxone-overdose reversal drugs~~ who does so in good 1986
faith is not liable for or subject to any of the following for 1987
any action or omission of the individual to whom the ~~naloxone is~~ 1988
drugs are furnished: damages in any civil action, prosecution in 1989
any criminal proceeding, or professional disciplinary action. 1990

Sec. 4731.942. A physician may authorize one or more 1991
pharmacists and any of the pharmacy interns supervised by the 1992
pharmacist or pharmacists to use the protocol developed pursuant 1993
to rules adopted under section 4729.44 of the Revised Code for 1994
the purpose of dispensing ~~naloxone-overdose reversal drugs~~ under 1995
section 4729.44 of the Revised Code. 1996

Sec. 4731.943. (A) As used in this section, "service 1997
entity" has the same meaning as in section 4729.514 of the 1998
Revised Code. 1999

(B) A physician who has established a protocol under 2000
division (D) of this section may authorize an individual who is 2001
an employee, volunteer, or contractor of a service entity to 2002
administer ~~naloxone-overdose reversal drugs~~ to an individual who 2003
is apparently experiencing an opioid-related overdose. 2004

(C) An individual authorized by a physician under this 2005
section may administer ~~naloxone-overdose reversal drugs~~ to an 2006
individual who is apparently experiencing an opioid-related 2007
overdose if all of the following conditions are met: 2008

(1) The ~~naloxone-overdose reversal drug~~ is obtained from a 2009
service entity of which the authorized individual is an 2010

employee, volunteer, or contractor.	2011
(2) The authorized individual complies with the protocol established by the authorizing physician.	2012 2013
(3) The authorized individual summons emergency services as soon as practicable either before or after administering the naloxone <u>overdose reversal drug</u> .	2014 2015 2016
(D) A protocol established by a physician for purposes of this section must be in writing and include all of the following:	2017 2018 2019
(1) A description of the clinical pharmacology of naloxone <u>overdose reversal drugs specified in the protocol</u> ;	2020 2021
(2) Precautions and contraindications concerning the administration of naloxone <u>overdose reversal drugs</u> ;	2022 2023
(3) Any limitations the physician specifies concerning the individuals to whom naloxone <u>overdose reversal drugs</u> may be administered;	2024 2025 2026
(4) The naloxone dosage that may be administered and any variation in the dosage based on circumstances specified in the protocol;	2027 2028 2029
(5) Labeling, storage, record-keeping, and administrative requirements;	2030 2031
(6) Training requirements that must be met before an individual can be authorized to administer naloxone <u>overdose reversal drugs</u> .	2032 2033 2034
(E) A physician who in good faith authorizes an individual to administer naloxone <u>overdose reversal drugs</u> under this section is not liable for or subject to any of the following for	2035 2036 2037

any act or omission of the authorized individual: damages in any 2038
civil action, prosecution in any criminal proceeding, or 2039
professional disciplinary action. 2040

A service entity or an employee, volunteer, or contractor 2041
of a service entity is not liable for or subject to any of the 2042
following for injury, death, or loss to person or property that 2043
allegedly arises from an act or omission associated with 2044
procuring, maintaining, accessing, or administering ~~naloxone-~~ 2045
overdose reversal drugs under this section, unless the act or 2046
omission constitutes willful or wanton misconduct: damages in 2047
any civil action, prosecution in any criminal proceeding, or 2048
professional disciplinary action. 2049

This section does not eliminate, limit, or reduce any 2050
other immunity or defense that a service entity or an employee, 2051
volunteer, or contractor of a service entity may be entitled to 2052
under Chapter 2305. or any other provision of the Revised Code 2053
or under the common law of this state. 2054

Sec. 4765.44. (A) As used in this section, "law 2055
enforcement agency" ~~has~~ and "overdose reversal drug" have the 2056
same ~~meaning~~ meanings as in section 2925.61 of the Revised Code. 2057

(B) (1) Upon request of a law enforcement agency as 2058
described in division (B) (2) of this section, emergency medical 2059
service personnel and any firefighter or volunteer firefighter 2060
acting within the course of the firefighting profession shall 2061
disclose the name and address, if known, of an individual to 2062
whom the emergency medical ~~services~~ service personnel, 2063
firefighter, or volunteer firefighter administered ~~naloxone-an~~ 2064
overdose reversal drug due to an actual or suspected drug 2065
overdose, unless the emergency medical ~~services~~ service 2066
personnel, firefighter, or volunteer firefighter reasonably 2067

believes that the law enforcement agency making the request does 2068
not have jurisdiction over the place where the ~~naloxone~~-overdose 2069
reversal drug was administered. 2070

(2) A law enforcement agency may request a name and 2071
address of an individual under division (B) (1) of this section 2072
for the purposes of investigation or treatment referral and may 2073
use a name and address received under that division for either 2074
or both of those purposes. 2075

Sec. 4765.45. (A) If the department of public safety 2076
collects any of the following information regarding the 2077
administration of ~~naloxone~~-overdose reversal drugs, as defined 2078
in section 4729.01 of the Revised Code, by emergency medical 2079
service personnel or any firefighter or volunteer firefighter, 2080
the department of public safety shall report the information for 2081
the previous month to the department of health on a monthly 2082
basis and in a manner prescribed by the department of health: 2083

(1) The five-digit postal zip code plus four-digit add-on 2084
where the ~~naloxone~~-overdose reversal drug was administered; 2085

(2) The date on which the ~~naloxone~~-overdose reversal drug 2086
was administered; 2087

(3) The number of doses administered; 2088

(4) The name of the emergency medical service organization 2089
or fire department that administered the ~~naloxone~~-overdose 2090
reversal drug; 2091

(5) Whether or not an overdose was reversed; 2092

(6) Whether the individual to whom ~~naloxone~~-the overdose 2093
reversal drug was administered was taken to a hospital; 2094

(7) If known, the individual's age; 2095

(8) If known, the United States postal zip code in which 2096
the individual resides. 2097

When reporting to the department of health, the department 2098
of public safety shall not include any information that 2099
identifies or tends to identify specific individuals to whom 2100
~~naloxone was overdose reversal drugs were administered.~~ 2101

(B) Each month, the department of health shall compile the 2102
information received under division (A) of this section, 2103
organize it by county, and forward it to each board of alcohol, 2104
drug addiction, and mental health services in this state. 2105

(C) The department of health may adopt rules as necessary 2106
to implement this section. The rules shall be adopted in 2107
accordance with Chapter 119. of the Revised Code. 2108

Sec. 4765.52. (A) As used in this section, "veterinarian": 2109

(1) "Veterinarian" means an individual licensed under 2110
Chapter 4741. of the Revised Code to practice veterinary 2111
medicine. 2112

(2) "Overdose reversal drug" has the same meaning as in 2113
section 4729.01 of the Revised Code. 2114

(B) In the course of an emergency medical response, fire 2115
response, or response to aid law enforcement, a first responder, 2116
emergency medical technician-basic, emergency medical 2117
technician-intermediate, or emergency medical technician- 2118
paramedic may provide any of the following emergency medical 2119
services to a dog or cat prior to the dog or cat being 2120
transferred to a veterinarian for further treatment, but only to 2121
the extent that the first responder, EMT-basic, EMT-I, or 2122
paramedic is authorized by this chapter or rules adopted 2123
pursuant to this chapter to perform the corresponding form of 2124

each of the services when providing emergency medical services	2125
to a human patient:	2126
(1) Opening and manually maintaining an airway;	2127
(2) Giving mouth to snout or mouth to barrier ventilation;	2128
(3) Administering oxygen;	2129
(4) Managing ventilation by mask;	2130
(5) Controlling hemorrhage with direct pressure;	2131
(6) Immobilizing fractures;	2132
(7) Bandaging;	2133
(8) Administering naloxone hydrochloride <u>an overdose</u>	2134
<u>reversal drug</u> , if administering the drug has been authorized by	2135
the medical director or cooperating physician advisory board of	2136
an emergency medical service organization and the drug is	2137
administered either in accordance with a written protocol	2138
established and provided by a veterinarian or pursuant to a	2139
consultation with a veterinarian.	2140
(C) In addition to the immunity from civil liability	2141
granted under division (A) of section 4765.49 of the Revised	2142
Code, a first responder, EMT-basic, EMT-I, paramedic, or medical	2143
director or member of a cooperating physician advisory board of	2144
an emergency medical service organization is not subject to	2145
prosecution in a criminal proceeding or professional	2146
disciplinary action allegedly arising from an act or omission	2147
associated with the provision of emergency medical services to a	2148
dog or cat under this section, unless the act or omission	2149
constitutes willful or wanton misconduct.	2150
(D) (1) An emergency medical service organization is not	2151

liable for or subject to any of the following that allegedly 2152
arises from an act or omission associated with the provision of 2153
emergency medical services to a dog or cat under this section, 2154
unless the act or omission constitutes willful or wanton 2155
misconduct: damages in a civil action for injury, death, or loss 2156
to person or property; prosecution in a criminal proceeding; or 2157
professional disciplinary action. 2158

(2) The state board of pharmacy shall not take 2159
disciplinary action against an emergency medical service 2160
organization's license issued under Chapter 4729. of the Revised 2161
Code as a terminal distributor of dangerous drugs for reasons 2162
arising from an act or omission associated with the provision of 2163
emergency medical services to a dog or cat under this section, 2164
unless the act or omission constitutes willful or wanton 2165
misconduct. 2166

(E) (1) Notwithstanding any conflicting provision of 2167
Chapter 4741. of the Revised Code or rule adopted by the state 2168
veterinary medical licensing board, a veterinarian may establish 2169
and provide a written protocol to, or consult with, a first 2170
responder, EMT-basic, EMT-I, or paramedic for the purpose of 2171
enabling the provision of emergency medical services to a dog or 2172
cat under this section. 2173

(2) A veterinarian who acts in good faith in accordance 2174
with this section is not liable for or subject to any of the 2175
following for any act or omission associated with a first 2176
responder's, EMT-basic's, EMT-I's, or paramedic's provision of 2177
emergency medical services to a dog or cat under this section: 2178
damages in any civil action; prosecution in any criminal 2179
proceeding; or professional disciplinary action. 2180

Section 2. That existing sections 2925.61, 3707.56, 2181

3707.561, 3707.562, 3712.01, 3712.031, 3712.061, 3719.05, 2182
3719.06, 4723.484, 4723.485, 4723.486, 4729.01, 4729.29, 2183
4729.44, 4729.51, 4729.511, 4729.514, 4729.515, 4729.541, 2184
4730.434, 4730.435, 4730.436, 4731.36, 4731.94, 4731.941, 2185
4731.942, 4731.943, 4765.44, 4765.45, and 4765.52 of the Revised 2186
Code are hereby repealed. 2187

Section 3. In addition to the exceptions set forth in 2188
division (C) of section 3719.06 of the Revised Code, for twelve 2189
months after the effective date of this section, a licensed 2190
health professional authorized to prescribe drugs may issue a 2191
written prescription for a schedule II controlled substance if 2192
the drug is to be dispensed by a pharmacist employed by or under 2193
contract with any state agency. 2194

Section 4. That Section 337.205 of H.B. 110 of the 134th 2195
General Assembly be amended to read as follows: 2196

Sec. 337.205. (A) As used in this section: 2197

(1) "Controlled substance" and "schedule II" have the same 2198
meanings as in section 3719.01 of the Revised Code. 2199

(2) "Lockable container" means a container that meets both 2200
of the following requirements: 2201

(a) Has special packaging; 2202

(b) Has a locking mechanism that can be unlocked in any of 2203
the following ways: 2204

(i) Physically by using a key or other object capable of 2205
unlocking a locked container; 2206

(ii) Physically by entering a numeric or alphanumeric 2207
combination code that is selected by the patient or an 2208
individual acting on behalf of the patient; 2209

(iii) Electronically by entering a password or code that 2210
is selected by the patient or an individual acting on behalf of 2211
the patient. 2212

(3) "Special packaging" has the same meaning as in the 2213
"Poison Prevention Packaging Act of 1970," 15 U.S.C. 1471. 2214

(4) "Tamper-evident container" means a container that 2215
meets both of the following requirements: 2216

(a) Has special packaging; 2217

(b) Displays a visual sign when there is unauthorized 2218
entry into the container or has a numerical display of the time 2219
that the container was last opened. 2220

(5) "Third-party payer" has the same meaning as in section 2221
3901.38 of the Revised Code. 2222

(B)(1) Subject to division (C) of this section, the 2223
Department of Mental Health and Addiction Services shall operate 2224
a two-year pilot program under which all schedule II controlled 2225
substances in solid oral dosage formulations are dispensed by 2226
participating pharmacies in lockable containers or tamper- 2227
evident containers. Under the pilot program, the Department 2228
shall reimburse participating pharmacies for the expenses they 2229
incur in participating in the program, including a fee 2230
determined by the Department for dispensing all schedule II 2231
controlled substances in solid oral dosage formulations in those 2232
containers. 2233

(2) ~~The Department shall select the pharmacies to be~~ 2234
~~included in the pilot program. Pharmacy participation in the~~ 2235
pilot program is voluntary. Any pharmacy may volunteer to 2236
participate ~~in the pilot program~~ by notifying the Department. Of 2237
the volunteering pharmacies, the Department shall select those 2238

to be included in the pilot program. 2239

(3) In each of the pilot program's participating 2240
pharmacies, all of the following apply: 2241

(a) A pharmacist shall dispense a schedule II controlled 2242
substance in a solid oral dosage formulation in a lockable 2243
container or tamper-evident container unless the patient or an 2244
individual acting on behalf of the patient requests that the 2245
drug not be dispensed in such a container. 2246

(b) The expenses that the pharmacy incurs for the 2247
containers shall not be included in any amount that is to be 2248
paid by a patient, an individual acting on behalf of the 2249
patient, or a third-party payer. 2250

(4) A pharmacist, pharmacist's delegate, or pharmacy is 2251
not liable for damages in any civil action, subject to 2252
prosecution in any criminal proceeding, or subject to 2253
professional disciplinary action for actions taken in good faith 2254
in accordance with this section, including either of the 2255
following: 2256

(a) Disclosing information to aid a patient or an 2257
individual acting on the patient's behalf in obtaining entry 2258
into a lockable container or tamper-evident container; 2259

(b) Dispensing a drug in a lockable container or tamper- 2260
evident container that fails to restrict unauthorized access 2261
into the container. 2262

(5) Not later than six months after the pilot program 2263
ends, the Department shall prepare a report describing its 2264
findings regarding the impact of the program. In evaluating the 2265
pilot program's impact, the Department shall contract with a 2266
third-party research organization to assess whether a measured 2267

decrease in diversion of schedule II controlled substances 2268
occurred regarding drugs dispensed through the program as 2269
compared with those dispensed outside of the program. On 2270
completion of the report, the Department shall submit the report 2271
to the General Assembly in accordance with section 101.68 of the 2272
Revised Code. 2273

(C) The pilot program shall be operated for two years or 2274
until funds appropriated for the program are expended, whichever 2275
occurs first. 2276

(D) The Department may adopt rules to administer the pilot 2277
program. Any rules shall be adopted in accordance with Chapter 2278
119. of the Revised Code. 2279

(E) Nothing in this section precludes a pharmacy that is 2280
not participating in the pilot program from stocking lockable 2281
containers or tamper-evident containers and offering to have 2282
drugs containing a schedule II controlled substance dispensed in 2283
those containers. 2284

Section 5. That existing Section 337.205 of H.B. 110 of 2285
the 134th General Assembly is hereby repealed. 2286

Section 6. The General Assembly, applying the principle 2287
stated in division (B) of section 1.52 of the Revised Code that 2288
amendments are to be harmonized if reasonably capable of 2289
simultaneous operation, finds that the following sections, 2290
presented in this act as composites of the sections as amended 2291
by the acts indicated, are the resulting versions of the 2292
sections in effect prior to the effective date of the sections 2293
as presented in this act: 2294

Section 4729.01 of the Revised Code as amended by H.B. 24, 2295
H.B. 197, H.B. 203, H.B. 231, H.B. 341, and S.B. 57, all of the 2296

133rd General Assembly.	2297
Section 4729.51 of the Revised Code as amended by both	2298
H.B. 231 and H.B. 341 of the 133rd General Assembly.	2299
Section 4729.541 of the Revised Code as amended by H.B.	2300
231, H.B. 341, and S.B. 276, all of the 133rd General Assembly.	2301