

As Introduced

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H. B. No. 52

Representative Deeter

**Cosponsors: Representatives Baker, Thomas, D., Lorenz, Mathews, T., Fischer,
Gross, Williams, McClain, Manning, Robb Blasdel, Pizzulli, Holmes, Hiner, Hoops,
Peterson, Jones, Mathews, A., Santucci, Klopfenstein, Mullins, Barhorst**

A BILL

To amend sections 4723.01, 4723.43, 4723.432, 1
4729.01, 4731.27, 4731.35, and 4761.17; to enact 2
new section 4723.433 and section 4731.513; and 3
to repeal sections 4723.433, 4723.434, and 4
4723.435 of the Revised Code to revise the law 5
governing the practice of certified registered 6
nurse anesthetists. 7

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

Section 1. That sections 4723.01, 4723.43, 4723.432, 8
4729.01, 4731.27, 4731.35, and 4761.17 be amended and new 9
section 4723.433 and section 4731.513 of the Revised Code be 10
enacted to read as follows: 11

Sec. 4723.01. As used in this chapter: 12

(A) "Registered nurse" means an individual who holds a 13
current, valid license issued under this chapter that authorizes 14
the practice of nursing as a registered nurse. 15

(B) "Practice of nursing as a registered nurse" means 16

providing to individuals and groups nursing care requiring 17
specialized knowledge, judgment, and skill derived from the 18
principles of biological, physical, behavioral, social, and 19
nursing sciences. Such nursing care includes: 20

(1) Identifying patterns of human responses to actual or 21
potential health problems amenable to a nursing regimen; 22

(2) Executing a nursing regimen through the selection, 23
performance, management, and evaluation of nursing actions; 24

(3) Assessing health status for the purpose of providing 25
nursing care; 26

(4) Providing health counseling and health teaching; 27

(5) Administering medications, treatments, and executing 28
regimens authorized by an individual who is authorized to 29
practice in this state and is acting within the course of the 30
individual's professional practice; 31

(6) Teaching, administering, supervising, delegating, and 32
evaluating nursing practice. 33

(C) "Nursing regimen" may include preventative, 34
restorative, and health-promotion activities. 35

(D) "Assessing health status" means the collection of data 36
through nursing assessment techniques, which may include 37
interviews, observation, and physical evaluations for the 38
purpose of providing nursing care. 39

(E) "Licensed practical nurse" means an individual who 40
holds a current, valid license issued under this chapter that 41
authorizes the practice of nursing as a licensed practical 42
nurse. 43

(F) "The practice of nursing as a licensed practical nurse" means providing to individuals and groups nursing care requiring the application of basic knowledge of the biological, physical, behavioral, social, and nursing sciences at the direction of a registered nurse or any of the following who is authorized to practice in this state: a physician, physician assistant, dentist, podiatrist, optometrist, or chiropractor. Such nursing care includes:

(1) Observation, patient teaching, and care in a diversity of health care settings;

(2) Contributions to the planning, implementation, and evaluation of nursing;

(3) Administration of medications and treatments authorized by an individual who is authorized to practice in this state and is acting within the course of the individual's professional practice;

(4) Administration to an adult of intravenous therapy authorized by an individual who is authorized to practice in this state and is acting within the course of the individual's professional practice, on the condition that the licensed practical nurse is authorized under section 4723.18 or 4723.181 of the Revised Code to perform intravenous therapy and performs intravenous therapy only in accordance with those sections;

(5) Delegation of nursing tasks as directed by a registered nurse;

(6) Teaching nursing tasks to licensed practical nurses and individuals to whom the licensed practical nurse is authorized to delegate nursing tasks as directed by a registered nurse.

(G) "Certified registered nurse anesthetist" means an 73
advanced practice registered nurse who holds a current, valid 74
license issued under this chapter and is designated as a 75
certified registered nurse anesthetist in accordance with 76
section 4723.42 of the Revised Code and rules adopted by the 77
board of nursing. 78

(H) "Clinical nurse specialist" means an advanced practice 79
registered nurse who holds a current, valid license issued under 80
this chapter and is designated as a clinical nurse specialist in 81
accordance with section 4723.42 of the Revised Code and rules 82
adopted by the board of nursing. 83

(I) "Certified nurse-midwife" means an advanced practice 84
registered nurse who holds a current, valid license issued under 85
this chapter and is designated as a certified nurse-midwife in 86
accordance with section 4723.42 of the Revised Code and rules 87
adopted by the board of nursing. 88

(J) "Certified nurse practitioner" means an advanced 89
practice registered nurse who holds a current, valid license 90
issued under this chapter and is designated as a certified nurse 91
practitioner in accordance with section 4723.42 of the Revised 92
Code and rules adopted by the board of nursing. 93

(K) "Physician" means an individual authorized under 94
Chapter 4731. of the Revised Code to practice medicine and 95
surgery or osteopathic medicine and surgery. 96

(L) "Collaboration" or "collaborating" means the 97
following: 98

(1) In the case of a clinical nurse specialist or a 99
certified nurse practitioner, that one or more podiatrists 100
acting within the scope of practice of podiatry in accordance 101

with section 4731.51 of the Revised Code and with whom the nurse
has entered into a standard care arrangement or one or more
physicians with whom the nurse has entered into a standard care
arrangement are continuously available to communicate with the
clinical nurse specialist or certified nurse practitioner either
in person or by electronic communication;

(2) In the case of a certified nurse-midwife, that one or
more physicians with whom the certified nurse-midwife has
entered into a standard care arrangement are continuously
available to communicate with the certified nurse-midwife either
in person or by electronic communication.

(M) ~~"Supervision,"~~ "Consultation" or "consulting," as it
pertains to a certified registered nurse anesthetist, means that
~~the certified registered nurse anesthetist is under the~~
~~direction of a podiatrist acting within the podiatrist's scope~~
~~of practice in accordance with section 4731.51 of the Revised~~
~~Code, a dentist acting within the dentist's scope of practice in~~
~~accordance with Chapter 4715. of the Revised Code, or a~~
~~physician, and, when administering anesthesia, the certified~~
~~registered nurse anesthetist is in the immediate presence of the~~
~~podiatrist,~~ a dentist who holds a conscious sedation or general
anesthesia permit as described in section 4715.03 of the Revised
Code, or physician, or podiatrist, in accordance with policies
established by the setting where the nurse and dentist,
physician, or podiatrist practice, has requested, either
verbally or in writing, the nurse to perform for a patient any
of the nursing care activities authorized by division (D) of
section 4723.43 of the Revised Code.

(N) "Standard care arrangement" means a written, formal
guide for planning and evaluating a patient's health care that

is developed by one or more collaborating physicians or 132
podiatrists and a clinical nurse specialist, certified nurse- 133
midwife, or certified nurse practitioner and meets the 134
requirements of section 4723.431 of the Revised Code. 135

(O) "Advanced practice registered nurse" means an 136
individual who holds a current, valid license issued under this 137
chapter that authorizes the practice of nursing as an advanced 138
practice registered nurse and is designated as any of the 139
following: 140

(1) A certified registered nurse anesthetist; 141

(2) A clinical nurse specialist; 142

(3) A certified nurse-midwife; 143

(4) A certified nurse practitioner. 144

(P) "Practice of nursing as an advanced practice 145
registered nurse" means providing to individuals and groups 146
nursing care that requires knowledge and skill obtained from 147
advanced formal education, training, and clinical experience. 148
Such nursing care includes the care described in section 4723.43 149
of the Revised Code. 150

(Q) "Dialysis care" means the care and procedures that a 151
dialysis technician or dialysis technician intern is authorized 152
to provide and perform, as specified in section 4723.72 of the 153
Revised Code. 154

(R) "Dialysis technician" means an individual who holds a 155
current, valid certificate to practice as a dialysis technician 156
issued under section 4723.75 of the Revised Code. 157

(S) "Dialysis technician intern" means an individual who 158
has not passed the dialysis technician certification examination 159

required by section 4723.751 of the Revised Code, but who has 160
successfully completed a dialysis training program approved by 161
the board of nursing under section 4723.74 of the Revised Code 162
within the previous eighteen months. 163

(T) "Certified community health worker" means an 164
individual who holds a current, valid certificate as a community 165
health worker issued under section 4723.85 of the Revised Code. 166

(U) "Medication aide" means an individual who holds a 167
current, valid certificate issued under this chapter that 168
authorizes the individual to administer medication in accordance 169
with section 4723.67 of the Revised Code~~+~~. 170

(V) "Nursing specialty" means a specialty in practice as a 171
certified registered nurse anesthetist, clinical nurse 172
specialist, certified nurse-midwife, or certified nurse 173
practitioner. 174

(W) "Physician assistant" means an individual who is 175
licensed to practice as a physician assistant under Chapter 176
4730. of the Revised Code. 177

(X) "Podiatrist" means an individual authorized under 178
Chapter 4731. of the Revised Code to practice podiatric medicine 179
and surgery. 180

(Y) "Dentist" means an individual who is licensed to 181
practice dentistry under Chapter 4715. of the Revised Code. 182

Sec. 4723.43. A ~~certified registered nurse anesthetist,~~ 183
~~clinical nurse specialist,~~ certified nurse-midwife, ~~or~~ certified 184
nurse practitioner, clinical nurse specialist, or certified 185
registered nurse anesthetist may provide to individuals and 186
groups nursing care that requires knowledge and skill obtained 187
from advanced formal education and clinical experience. In this 188

capacity as an advanced practice registered nurse, a certified 189
nurse-midwife is subject to division (A) of this section, ~~a~~ 190
~~certified registered nurse anesthetist is subject to division~~ 191
~~(B) of this section,~~ a certified nurse practitioner is subject 192
to division ~~(C)~~ (B) of this section, ~~and~~ a clinical nurse 193
specialist is subject to division ~~(D)~~ (C) of this section, and a 194
certified registered nurse anesthetist is subject to division 195
(D) of this section and section 4723.433 of the Revised Code. 196

(A) A nurse authorized to practice as a certified nurse- 197
midwife, in collaboration with one or more physicians, may 198
provide the management of preventive services and those primary 199
care services necessary to provide health care to women 200
antepartally, intrapartally, postpartally, and gynecologically, 201
consistent with the nurse's education and certification, and in 202
accordance with rules adopted by the board of nursing. 203

No certified nurse-midwife may perform version, deliver 204
breech or face presentation, use forceps, do any obstetric 205
operation, or treat any other abnormal condition, except in 206
emergencies. Division (A) of this section does not prohibit a 207
certified nurse-midwife from performing episiotomies or normal 208
vaginal deliveries, or repairing vaginal tears. A certified 209
nurse-midwife may, in collaboration with one or more physicians, 210
prescribe drugs and therapeutic devices in accordance with 211
section 4723.481 of the Revised Code. 212

~~(B) A nurse authorized to practice as a certified~~ 213
~~registered nurse anesthetist, consistent with the nurse's~~ 214
~~education and certification and in accordance with rules adopted~~ 215
~~by the board, may do the following:~~ 216

~~(1) With supervision and in the immediate presence of a~~ 217
~~physician, podiatrist, or dentist, administer anesthesia and~~ 218

~~perform anesthesia induction, maintenance, and emergence;~~ 219

~~(2) With supervision, obtain informed consent for~~ 220
~~anesthesia care and perform preanesthetic preparation and~~ 221
~~evaluation, postanesthetic preparation and evaluation,~~ 222
~~postanesthesia care, and, subject to section 4723.433 of the~~ 223
~~Revised Code, clinical support functions;~~ 224

~~(3) With supervision and in accordance with section~~ 225
~~4723.434 of the Revised Code, engage in the activities described~~ 226
~~in division (A) of that section.~~ 227

~~The physician, podiatrist, or dentist supervising a~~ 228
~~certified registered nurse anesthetist must be actively engaged~~ 229
~~in practice in this state. When a certified registered nurse~~ 230
~~anesthetist is supervised by a podiatrist, the nurse's scope of~~ 231
~~practice is limited to the anesthesia procedures that the~~ 232
~~podiatrist has the authority under section 4731.51 of the~~ 233
~~Revised Code to perform. A certified registered nurse~~ 234
~~anesthetist may not administer general anesthesia under the~~ 235
~~supervision of a podiatrist in a podiatrist's office. When a~~ 236
~~certified registered nurse anesthetist is supervised by a~~ 237
~~dentist, the nurse's scope of practice is limited to the~~ 238
~~anesthesia procedures that the dentist has the authority under~~ 239
~~Chapter 4715. of the Revised Code to perform.~~ 240

~~(C) A nurse authorized to practice as a certified nurse~~ 241
~~practitioner, in collaboration with one or more physicians or~~ 242
~~podiatrists, may provide preventive and primary care services,~~ 243
~~provide services for acute illnesses, and evaluate and promote~~ 244
~~patient wellness within the nurse's nursing specialty,~~ 245
~~consistent with the nurse's education and certification, and in~~ 246
~~accordance with rules adopted by the board. A certified nurse~~ 247
~~practitioner may, in collaboration with one or more physicians~~ 248

or podiatrists, prescribe drugs and therapeutic devices in 249
accordance with section 4723.481 of the Revised Code. 250

When a certified nurse practitioner is collaborating with 251
a podiatrist, the nurse's scope of practice is limited to the 252
procedures that the podiatrist has the authority under section 253
4731.51 of the Revised Code to perform. 254

~~(D)~~ (C) A nurse authorized to practice as a clinical nurse 255
specialist, in collaboration with one or more physicians or 256
podiatrists, may provide and manage the care of individuals and 257
groups with complex health problems and provide health care 258
services that promote, improve, and manage health care within 259
the nurse's nursing specialty, consistent with the nurse's 260
education and in accordance with rules adopted by the board. A 261
clinical nurse specialist may, in collaboration with one or more 262
physicians or podiatrists, prescribe drugs and therapeutic 263
devices in accordance with section 4723.481 of the Revised Code. 264

When a clinical nurse specialist is collaborating with a 265
podiatrist, the nurse's scope of practice is limited to the 266
procedures that the podiatrist has the authority under section 267
4731.51 of the Revised Code to perform. 268

(D) A nurse authorized to practice as a certified 269
registered nurse anesthetist, in consultation with a physician, 270
podiatrist, or dentist actively engaged in practice in this 271
state, may perform for a patient any of the following nursing 272
care activities, consistent with the nurse's education and 273
certification, and in accordance with rules adopted by the board 274
and policies established by the setting where the nurse and 275
consulting physician, podiatrist, or dentist practice: 276

(1) Obtaining informed consent for anesthesia care and 277

<u>performing preanesthetic preparation and evaluation;</u>	278
<u>(2) Administering anesthesia, by performing anesthesia</u>	279
<u>induction, maintenance, and emergence;</u>	280
<u>(3) Performing epidural or spinal anesthetic procedures;</u>	281
<u>(4) Performing postanesthetic preparation and evaluation</u>	282
<u>and providing postanesthesia care;</u>	283
<u>(5) Performing clinical support functions;</u>	284
<u>(6) As necessary for patient management and care,</u>	285
<u>selecting, ordering, and administering treatments, drugs, and</u>	286
<u>intravenous fluids for conditions related to either the</u>	287
<u>administration of anesthesia or the performance of clinical</u>	288
<u>support functions;</u>	289
<u>(7) Performing and documenting evaluations and</u>	290
<u>assessments, which may include ordering and evaluating one or</u>	291
<u>more diagnostic tests for conditions related to the</u>	292
<u>administration of anesthesia or the performance of clinical</u>	293
<u>support functions;</u>	294
<u>(8) Directing a registered nurse, licensed practical</u>	295
<u>nurse, or respiratory therapist to do the following, but only if</u>	296
<u>the nurse or therapist is authorized by law to do so:</u>	297
<u>(a) Provide supportive care, with such care to include</u>	298
<u>monitoring vital signs, conducting electrocardiograms, and</u>	299
<u>administering intravenous fluids;</u>	300
<u>(b) Administer treatments, drugs, and intravenous fluids</u>	301
<u>for conditions related to either the administration of</u>	302
<u>anesthesia or the performance of clinical support functions.</u>	303
<u>When a certified registered nurse anesthetist consults</u>	304

with a dentist, the nurse's scope of practice is limited to the 305
anesthesia procedures that the dentist has the authority to 306
perform under the dentist's conscious sedation or general 307
anesthesia permit issued under Chapter 4715. of the Revised 308
Code. 309

Division (D) of this section does not authorize a 310
certified registered nurse anesthetist to prescribe a drug for 311
use outside of the setting where the nurse practices. 312

Sec. 4723.432. (A) An advanced practice registered nurse 313
who is designated as a clinical nurse specialist, certified 314
nurse-midwife, or certified nurse practitioner shall cooperate 315
with the state medical board in any investigation the board 316
conducts with respect to a physician or podiatrist who 317
collaborates with the nurse. The nurse shall cooperate with the 318
board in any investigation the board conducts with respect to 319
the unauthorized practice of medicine by the nurse. 320

(B) An advanced practice registered nurse who is 321
designated as a certified registered nurse anesthetist shall 322
cooperate with the board of nursing, state medical board, or 323
state dental board in any investigation ~~either board conducts~~ 324
conducted by such board with respect to a consulting physician, 325
podiatrist, or dentist who permits requests that the nurse to 326
~~practice with the supervision of that physician, podiatrist, or~~ 327
~~dentist~~ perform nursing care activities as described in division 328
(D) of section 4723.43 of the Revised Code. ~~The~~ 329

The nurse also shall cooperate with either the state 330
medical board or state dental board in any investigation it 331
conducts with respect to the unauthorized practice of medicine 332
or dentistry by the nurse. 333

Sec. 4723.433. (A) A certified registered nurse 334
anesthetist shall not engage in one or more of the nursing care 335
activities described in division (D) of section 4723.43 of the 336
Revised Code if either of the following determines that it is 337
not in the patient's best interest for the nurse to perform such 338
an activity or activities: 339

(1) The nurse's consulting physician, podiatrist, or 340
dentist; 341

(2) The setting where the nurse and physician, podiatrist, 342
or dentist practice. 343

If a consulting physician, podiatrist, or dentist or 344
setting makes such a determination, the patient's medical or 345
electronic health record shall indicate that the nurse is 346
prohibited from performing the activity or activities. 347

(B) If a certified registered nurse anesthetist performs 348
one or more of the activities described in division (D) of 349
section 4723.43 of the Revised Code, the nurse shall so indicate 350
in the patient's medical or electronic health record. 351

(C) This section does not prohibit a certified registered 352
nurse anesthetist from implementing a verbal order issued by a 353
consulting physician, podiatrist, or dentist. 354

Sec. 4729.01. As used in this chapter: 355

(A) "Pharmacy," except when used in a context that refers 356
to the practice of pharmacy, means any area, room, rooms, place 357
of business, department, or portion of any of the foregoing 358
where the practice of pharmacy is conducted. 359

(B) "Practice of pharmacy" means providing pharmacist care 360
requiring specialized knowledge, judgment, and skill derived 361

from the principles of biological, chemical, behavioral, social, 362
pharmaceutical, and clinical sciences. As used in this division, 363
"pharmacist care" includes the following: 364

(1) Interpreting prescriptions; 365

(2) Dispensing drugs and drug therapy related devices; 366

(3) Compounding drugs; 367

(4) Counseling individuals with regard to their drug 368
therapy, recommending drug therapy related devices, and 369
assisting in the selection of drugs and appliances for treatment 370
of common diseases and injuries and providing instruction in the 371
proper use of the drugs and appliances; 372

(5) Performing drug regimen reviews with individuals by 373
discussing all of the drugs that the individual is taking and 374
explaining the interactions of the drugs; 375

(6) Performing drug utilization reviews with licensed 376
health professionals authorized to prescribe drugs when the 377
pharmacist determines that an individual with a prescription has 378
a drug regimen that warrants additional discussion with the 379
prescriber; 380

(7) Advising an individual and the health care 381
professionals treating an individual with regard to the 382
individual's drug therapy; 383

(8) Acting pursuant to a consult agreement, if an 384
agreement has been established; 385

(9) Engaging in the administration of immunizations to the 386
extent authorized by section 4729.41 of the Revised Code; 387

(10) Engaging in the administration of drugs to the extent 388

authorized by section 4729.45 of the Revised Code. 389

(C) "Compounding" means the preparation, mixing, 390
assembling, packaging, and labeling of one or more drugs in any 391
of the following circumstances: 392

(1) Pursuant to a prescription issued by a licensed health 393
professional authorized to prescribe drugs; 394

(2) Pursuant to the modification of a prescription made in 395
accordance with a consult agreement; 396

(3) As an incident to research, teaching activities, or 397
chemical analysis; 398

(4) In anticipation of orders for drugs pursuant to 399
prescriptions, based on routine, regularly observed dispensing 400
patterns; 401

(5) Pursuant to a request made by a licensed health 402
professional authorized to prescribe drugs for a drug that is to 403
be used by the professional for the purpose of direct 404
administration to patients in the course of the professional's 405
practice, if all of the following apply: 406

(a) At the time the request is made, the drug is not 407
commercially available regardless of the reason that the drug is 408
not available, including the absence of a manufacturer for the 409
drug or the lack of a readily available supply of the drug from 410
a manufacturer. 411

(b) A limited quantity of the drug is compounded and 412
provided to the professional. 413

(c) The drug is compounded and provided to the 414
professional as an occasional exception to the normal practice 415
of dispensing drugs pursuant to patient-specific prescriptions. 416

(D) "Consult agreement" means an agreement that has been 417
entered into under section 4729.39 of the Revised Code. 418

(E) "Drug" means: 419

(1) Any article recognized in the United States 420
pharmacopoeia and national formulary, or any supplement to them, 421
intended for use in the diagnosis, cure, mitigation, treatment, 422
or prevention of disease in humans or animals; 423

(2) Any other article intended for use in the diagnosis, 424
cure, mitigation, treatment, or prevention of disease in humans 425
or animals; 426

(3) Any article, other than food, intended to affect the 427
structure or any function of the body of humans or animals; 428

(4) Any article intended for use as a component of any 429
article specified in division (E) (1), (2), or (3) of this 430
section; but does not include devices or their components, 431
parts, or accessories. 432

"Drug" does not include "hemp" or a "hemp product" as 433
those terms are defined in section 928.01 of the Revised Code. 434

(F) "Dangerous drug" means any of the following: 435

(1) Any drug to which either of the following applies: 436

(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 437
Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is 438
required to bear a label containing the legend "Caution: Federal 439
law prohibits dispensing without prescription" or "Caution: 440
Federal law restricts this drug to use by or on the order of a 441
licensed veterinarian" or any similar restrictive statement, or 442
the drug may be dispensed only upon a prescription; 443

(b) Under Chapter 3715. or 3719. of the Revised Code, the 444
drug may be dispensed only upon a prescription. 445

(2) Any drug that contains a schedule V controlled 446
substance and that is exempt from Chapter 3719. of the Revised 447
Code or to which that chapter does not apply; 448

(3) Any drug intended for administration by injection into 449
the human body other than through a natural orifice of the human 450
body; 451

(4) Any drug that is a biological product, as defined in 452
section 3715.01 of the Revised Code. 453

(G) "Federal drug abuse control laws" has the same meaning 454
as in section 3719.01 of the Revised Code. 455

(H) "Prescription" means all of the following: 456

(1) A written, electronic, or oral order for drugs or 457
combinations or mixtures of drugs to be used by a particular 458
individual or for treating a particular animal, issued by a 459
licensed health professional authorized to prescribe drugs; 460

(2) For purposes of sections 4723.4810, 4729.282, 461
4730.432, and 4731.93 of the Revised Code, a written, 462
electronic, or oral order for a drug to treat chlamydia, 463
gonorrhea, or trichomoniasis issued to and in the name of a 464
patient who is not the intended user of the drug but is the 465
sexual partner of the intended user; 466

(3) For purposes of sections 3313.7110, 3313.7111, 467
3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433, 468
4731.96, and 5101.76 of the Revised Code, a written, electronic, 469
or oral order for an epinephrine autoinjector issued to and in 470
the name of a school, school district, or camp; 471

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

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

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

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

(2) A clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner who holds a current, valid license issued under Chapter 4723. of the Revised Code to practice nursing as an advanced practice registered nurse;

(3) A certified registered nurse anesthetist who holds a current, valid license issued under Chapter 4723. of the Revised Code to practice nursing as an advanced practice registered nurse, but only to the extent of the nurse's authority under ~~sections~~ section 4723.43 and ~~4723.434~~ of the Revised Code;

(4) An optometrist licensed under Chapter 4725. of the Revised Code to practice optometry;

(5) A physician authorized under Chapter 4731. of the

Revised Code to practice medicine and surgery, osteopathic 501
medicine and surgery, or podiatric medicine and surgery; 502

(6) A physician assistant who holds a license to practice 503
as a physician assistant issued under Chapter 4730. of the 504
Revised Code, holds a valid prescriber number issued by the 505
state medical board, and has been granted physician-delegated 506
prescriptive authority; 507

(7) A veterinarian licensed under Chapter 4741. of the 508
Revised Code; 509

(8) A certified mental health assistant licensed under 510
Chapter 4772. of the Revised Code who has been granted 511
physician-delegated prescriptive authority by the physician 512
supervising the certified mental health assistant. 513

(J) "Sale" or "sell" includes any transaction made by any 514
person, whether as principal proprietor, agent, or employee, to 515
do or offer to do any of the following: deliver, distribute, 516
broker, exchange, gift or otherwise give away, or transfer, 517
whether the transfer is by passage of title, physical movement, 518
or both. 519

(K) "Wholesale sale" and "sale at wholesale" mean any sale 520
in which the purpose of the purchaser is to resell the article 521
purchased or received by the purchaser. 522

(L) "Retail sale" and "sale at retail" mean any sale other 523
than a wholesale sale or sale at wholesale. 524

(M) "Retail seller" means any person that sells any 525
dangerous drug to consumers without assuming control over and 526
responsibility for its administration. Mere advice or 527
instructions regarding administration do not constitute control 528
or establish responsibility. 529

(N) "Price information" means the price charged for a 530
prescription for a particular drug product and, in an easily 531
understandable manner, all of the following: 532

(1) The proprietary name of the drug product; 533

(2) The established (generic) name of the drug product; 534

(3) The strength of the drug product if the product 535
contains a single active ingredient or if the drug product 536
contains more than one active ingredient and a relevant strength 537
can be associated with the product without indicating each 538
active ingredient. The established name and quantity of each 539
active ingredient are required if such a relevant strength 540
cannot be so associated with a drug product containing more than 541
one ingredient. 542

(4) The dosage form; 543

(5) The price charged for a specific quantity of the drug 544
product. The stated price shall include all charges to the 545
consumer, including, but not limited to, the cost of the drug 546
product, professional fees, handling fees, if any, and a 547
statement identifying professional services routinely furnished 548
by the pharmacy. Any mailing fees and delivery fees may be 549
stated separately without repetition. The information shall not 550
be false or misleading. 551

(O) "Wholesale distributor of dangerous drugs" or 552
"wholesale distributor" means a person engaged in the sale of 553
dangerous drugs at wholesale and includes any agent or employee 554
of such a person authorized by the person to engage in the sale 555
of dangerous drugs at wholesale. 556

(P) "Manufacturer of dangerous drugs" or "manufacturer" 557
means a person, other than a pharmacist or prescriber, who 558

manufactures dangerous drugs and who is engaged in the sale of 559
those dangerous drugs. 560

(Q) "Terminal distributor of dangerous drugs" or "terminal 561
distributor" means a person who is engaged in the sale of 562
dangerous drugs at retail, or any person, other than a 563
manufacturer, repackager, outsourcing facility, third-party 564
logistics provider, wholesale distributor, or pharmacist, who 565
has possession, custody, or control of dangerous drugs for any 566
purpose other than for that person's own use and consumption. 567
"Terminal distributor" includes pharmacies, hospitals, nursing 568
homes, and laboratories and all other persons who procure 569
dangerous drugs for sale or other distribution by or under the 570
supervision of a pharmacist, licensed health professional 571
authorized to prescribe drugs, or other person authorized by the 572
state board of pharmacy. 573

(R) "Promote to the public" means disseminating a 574
representation to the public in any manner or by any means, 575
other than by labeling, for the purpose of inducing, or that is 576
likely to induce, directly or indirectly, the purchase of a 577
dangerous drug at retail. 578

(S) "Person" includes any individual, partnership, 579
association, limited liability company, or corporation, the 580
state, any political subdivision of the state, and any district, 581
department, or agency of the state or its political 582
subdivisions. 583

(T) (1) "Animal shelter" means a facility operated by a 584
humane society or any society organized under Chapter 1717. of 585
the Revised Code or a dog pound operated pursuant to Chapter 586
955. of the Revised Code. 587

(2) "County dog warden" means a dog warden or deputy dog warden appointed or employed under section 955.12 of the Revised Code. 588
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(U) "Food" has the same meaning as in section 3715.01 of the Revised Code. 591
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(V) "Pain management clinic" has the same meaning as in section 4731.054 of the Revised Code. 593
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(W) "Investigational drug or product" means a drug or product that has successfully completed phase one of the United States food and drug administration clinical trials and remains under clinical trial, but has not been approved for general use by the United States food and drug administration. 595
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"Investigational drug or product" does not include controlled substances in schedule I, as defined in section 3719.01 of the Revised Code. 600
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(X) "Product," when used in reference to an investigational drug or product, means a biological product, other than a drug, that is made from a natural human, animal, or microorganism source and is intended to treat a disease or medical condition. 603
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(Y) "Third-party logistics provider" means a person that provides or coordinates warehousing or other logistics services pertaining to dangerous drugs including distribution, on behalf of a manufacturer, wholesale distributor, or terminal distributor of dangerous drugs, but does not take ownership of the drugs or have responsibility to direct the sale or disposition of the drugs. 608
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(Z) "Repackager of dangerous drugs" or "repackager" means a person that repacks and relabels dangerous drugs for sale or 615
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distribution. 617

(AA) "Outsourcing facility" means a facility that is 618
engaged in the compounding and sale of sterile drugs and is 619
registered as an outsourcing facility with the United States 620
food and drug administration. 621

(BB) "Laboratory" means a laboratory licensed under this 622
chapter as a terminal distributor of dangerous drugs and 623
entrusted to have custody of any of the following drugs and to 624
use the drugs for scientific and clinical purposes and for 625
purposes of instruction: dangerous drugs that are not controlled 626
substances, as defined in section 3719.01 of the Revised Code; 627
dangerous drugs that are controlled substances, as defined in 628
that section; and controlled substances in schedule I, as 629
defined in that section. 630

(CC) "Overdose reversal drug" means both of the following: 631

(1) Naloxone; 632

(2) Any other drug that the state board of pharmacy, 633
through rules adopted in accordance with Chapter 119. of the 634
Revised Code, designates as a drug that is approved by the 635
federal food and drug administration for the reversal of a known 636
or suspected opioid-related overdose. 637

Sec. 4731.27. (A) As used in this section, 638
"collaboration," "consultation," "physician," and "standard care 639
arrangement," and "~~supervision~~" have the same meanings as in 640
section 4723.01 of the Revised Code. 641

(B) A physician or podiatrist shall enter into a standard 642
care arrangement with each clinical nurse specialist, certified 643
nurse-midwife, or certified nurse practitioner with whom the 644
physician or podiatrist is in collaboration. 645

The collaborating physician or podiatrist shall fulfill 646
the responsibilities of collaboration, as specified in the 647
arrangement and in accordance with division (A) of section 648
4723.431 of the Revised Code. A copy of the standard care 649
arrangement shall be retained on file by the nurse's employer. 650
Prior approval of the standard care arrangement by the state 651
medical board is not required, but the board may periodically 652
review it. 653

A physician or podiatrist who terminates collaboration 654
with a certified nurse-midwife, certified nurse practitioner, or 655
clinical nurse specialist before their standard care arrangement 656
expires shall give the nurse the written or electronic notice of 657
termination required by division (D)(1) of section 4723.431 of 658
the Revised Code. 659

Nothing in this division prohibits a hospital from hiring 660
a clinical nurse specialist, certified nurse-midwife, or 661
certified nurse practitioner as an employee and negotiating 662
standard care arrangements on behalf of the employee as 663
necessary to meet the requirements of this section. A standard 664
care arrangement between the hospital's employee and the 665
employee's collaborating physician is subject to approval by the 666
medical staff and governing body of the hospital prior to 667
implementation of the arrangement at the hospital. 668

(C) A physician or podiatrist shall cooperate with the 669
board of nursing in any investigation the board conducts with 670
respect to a clinical nurse specialist, certified nurse-midwife, 671
or certified nurse practitioner who collaborates with the 672
physician or podiatrist or with respect to a certified 673
registered nurse anesthetist who practices in consultation with 674
the ~~supervision of the~~ physician or podiatrist. 675

Sec. 4731.35. (A) This chapter does not apply to or 676
prohibit in any way ~~the administration of anesthesia by a~~ 677
~~certified registered nurse anesthetist under the direction of~~ 678
~~and in the immediate presence of an individual authorized by~~ 679
~~this chapter to practice medicine and surgery, osteopathic~~ 680
~~medicine and surgery, or podiatric medicine and surgery~~an 681
individual from practicing as a certified registered nurse 682
anesthetist in accordance with Chapter 4723. of the Revised 683
Code. 684

(B) This chapter does not prohibit an individual from 685
practicing as an anesthesiologist assistant in accordance with 686
Chapter 4760. of the Revised Code. 687

Sec. 4731.513. In administering and enforcing sections 688
4731.51 to 4731.61 of the Revised Code and in adopting rules 689
under section 4731.05 of the Revised Code, the state medical 690
board shall not prohibit a podiatrist who practices in a setting 691
other than as described in section 4731.51 of the Revised Code 692
from consulting with a certified registered nurse anesthetist. 693

For purposes of this section, "certified registered nurse 694
anesthetist" and "consulting" have the same meanings as in 695
section 4723.01 of the Revised Code. 696

Sec. 4761.17. All of the following apply to the practice 697
of respiratory care by a person who holds a license or limited 698
permit issued under this chapter: 699

(A) The person shall practice only pursuant to a 700
prescription or other order for respiratory care issued by any 701
of the following: 702

(1) A physician; 703

(2) A clinical nurse specialist, certified nurse-midwife, 704

or certified nurse practitioner who holds a current, valid 705
license issued under Chapter 4723. of the Revised Code to 706
practice nursing as an advanced practice registered nurse and 707
has entered into a standard care arrangement with a physician; 708

(3) A certified registered nurse anesthetist who holds a 709
current, valid license issued under Chapter 4723. of the Revised 710
Code to practice nursing as an advanced practice registered 711
nurse and acts in compliance with ~~sections~~ section 4723.43, ~~—~~ 712
~~4723.433, and 4723.434~~ of the Revised Code; 713

(4) A physician assistant who holds a valid prescriber 714
number issued by the state medical board, has been granted 715
physician-delegated prescriptive authority, and has entered into 716
a supervision agreement that allows the physician assistant to 717
prescribe or order respiratory care services. 718

(B) The person shall practice only under the supervision 719
of any of the following: 720

(1) A physician; 721

(2) A certified nurse practitioner, certified nurse- 722
midwife, or clinical nurse specialist; 723

(3) A physician assistant who is authorized to prescribe 724
or order respiratory care services as provided in division (A) 725

(4) of this section. 726

(C) (1) When practicing under the prescription or order of 727
a certified nurse practitioner, certified nurse midwife, or 728
clinical nurse specialist or under the supervision of such a 729
nurse, the person's administration of medication that requires a 730
prescription is limited to the drugs that the nurse is 731
authorized to prescribe pursuant to section 4723.481 of the 732
Revised Code. 733

(2) When practicing under the order of a certified 734
registered nurse anesthetist, the person's administration of 735
medication is limited to the drugs that the nurse is authorized 736
to order or direct the person to administer, as provided in 737
~~sections~~ section 4723.43, ~~4723.433, and 4723.434~~ of the Revised 738
Code. 739

(3) When practicing under the prescription or order of a 740
physician assistant or under the supervision of a physician 741
assistant, the person's administration of medication that 742
requires a prescription is limited to the drugs that the 743
physician assistant is authorized to prescribe pursuant to the 744
physician assistant's physician-delegated prescriptive 745
authority. 746

Section 2. That existing sections 4723.01, 4723.43, 747
4723.432, 4729.01, 4731.27, 4731.35, and 4761.17 of the Revised 748
Code are hereby repealed. 749

Section 3. That sections 4723.433, 4723.434, and 4723.435 750
of the Revised Code are hereby repealed. 751