

S. B. No. 152

As Passed by the Senate

_____ moved to amend as follows:

In line 1 of the title, after "4729.01" insert ", 4729.36" 1

In line 5 of the title, after "drugs" insert "and to modify the law 2
regarding the use of terms that are limited to pharmacies and pharmacists" 3

In line 6, after "4729.01" insert ", 4729.36" 4

After line 295, insert: 5

"Sec. 4729.36. (A) No place except a pharmacy licensed as 6
a terminal distributor of dangerous drugs and no person except a 7
licensed pharmacist shall knowingly display any sign or 8
advertise in any fashion, using the words "pharmacy," "drugs," 9
"drug store," "drug store supplies," "pharmacist," "druggist," 10
"pharmaceutical chemist," ~~"apothecary,"~~ "drug sundries," or 11
"medicine," or knowingly use any of these words or their 12
equivalent, of those words in any manner that would lead or tend 13
to lead the public to believe that the place is a pharmacy or 14
the person is a pharmacist. 15

(B) A pharmacy making retail sales may advertise by name 16
or therapeutic class the availability for sale or dispensing of 17

any dangerous drug provided that the advertising includes the	18
price information specified in the definition of that term in	19
section 4729.01 of the Revised Code."	20
In line 706, after "4729.01" insert ", 4729.36"	21

The motion was _____ agreed to.

<u>SYNOPSIS</u>	22
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Use of "apothecary" and other pharmacy-related terms	23
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R.C. 4729.36	24
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Eliminates the existing prohibition against the term	25
"apothecary" being used in a sign or advertisement by entities	26
other than pharmacies and pharmacists.	27

Specifies that any term equivalent to a term currently	28
reserved for use by only a pharmacy or pharmacist cannot be used	29
by any other entity if the term would lead or tend to lead the	30
public to believe that a place or person is a pharmacy or	31
pharmacist, respectively.	32

Adds the culpable mental state of "knowingly" to the	33
existing offense of a non-pharmacist displaying a sign or	34
advertisement that uses a term reserved for use by only a	35
pharmacy or pharmacist, and extends the same "knowingly"	36
standard to the new offense of unauthorized use of other terms	37
related to pharmacies and pharmacists.	38