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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

S.B. 249
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 249's Bill Analysis](#)

Version: As Introduced

Primary Sponsors: Sens. Lang and Johnson

Local Impact Statement Procedure Required: No

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Highlights

- The State Board of Pharmacy will see a minimal increase in administrative costs to establish rules in consultation with the State Medical Board and the State Board of Nursing and to oversee the dispensing of ivermectin without a prescription on an ongoing basis.
- The bill has no direct fiscal effect on local subdivisions.

Detailed Analysis

The bill permits a pharmacist, or a pharmacy intern supervised by a pharmacist, to dispense ivermectin without a prescription to a person who is at least 18 years old through a protocol established by a prescriber. The State Board of Pharmacy must establish rules for the implementation of such a procedure in consultation with the State Medical Board and the State Board of Nursing.

A pharmacy or licensee that fails to follow rules as set by the State Board of Pharmacy would be subject to the Board's disciplinary procedures. However, a prescriber, pharmacist, or pharmacy intern acting in good faith is not subject to criminal prosecution or professional disciplinary action for any action or omission during the drug's dispensing, and is not liable for damages in a civil action, except in cases of gross negligence or willful misconduct.

The disciplinary actions the Board may take include revoking, suspending, limiting, or refusing to renew the pharmacy's license; placing the license holder on probation; or imposing a monetary penalty or forfeiture not to exceed \$1,000. Any money collected is credited to Fund 4K90, the Occupational Licensing and Regulatory Fund. It is expected that any such disciplinary actions by the Board will likely be infrequent.

The State Board of Pharmacy, the State Medical Board, and the State Board of Nursing will see a minimal increase in administrative costs to establish rules as required under the bill. The State Board of Pharmacy will also incur minimal annual costs to oversee the dispensing of ivermectin without a prescription on an ongoing basis.