

As Introduced

132nd General Assembly

Regular Session

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H. B. No. 101

Representative Merrin

**Cosponsors: Representatives Becker, Thompson, Seitz, Stein, West, Roegner,
Sheehy, Sprague, Hood, Smith, R.**

A BILL

To amend sections 4729.16, 4729.99, and 4731.96 and 1
to enact sections 3707.60, 4729.382, 4729.46, 2
and 4731.961 of the Revised Code to authorize an 3
epinephrine autoinjector substitution when a 4
prescription is filled or refilled, to authorize 5
epinephrine to be dispensed without a 6
prescription under a physician-established 7
protocol, and to declare the act the 8
"Epinephrine Accessibility Act." 9

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

Section 1. That sections 4729.16, 4729.99, and 4731.96 be 10
amended and sections 3707.60, 4729.382, 4729.46, and 4731.961 of 11
the Revised Code be enacted to read as follows: 12

Sec. 3707.60. (A) As used in this section, "board of 13
health" means a board of health of a city or general health 14
district or the authority having the duties of a board of health 15
under section 3709.05 of the Revised Code. 16

(B) A board of health that has, through a physician 17

serving as the board's health commissioner or medical director, 18
established a protocol that meets the requirements specified by 19
the state board of pharmacy in rules adopted under section 20
4729.46 of the Revised Code may authorize pharmacists and 21
pharmacy interns practicing pharmacy in a county that includes 22
all or part of the health district represented by the board to 23
use the protocol for the purpose of dispensing epinephrine under 24
section 4729.46 of the Revised Code. 25

Sec. 4729.16. (A) (1) The state board of pharmacy, after 26
notice and hearing in accordance with Chapter 119. of the 27
Revised Code, may impose any one or more of the following 28
sanctions on a pharmacist or pharmacy intern if the board finds 29
the individual engaged in any of the conduct set forth in 30
division (A) (2) of this section: 31

(a) Revoke, suspend, restrict, limit, or refuse to grant 32
or renew a license; 33

(b) Reprimand or place the license holder on probation; 34

(c) Impose a monetary penalty or forfeiture not to exceed 35
in severity any fine designated under the Revised Code for a 36
similar offense, or in the case of a violation of a section of 37
the Revised Code that does not bear a penalty, a monetary 38
penalty or forfeiture of not more than five hundred dollars. 39

(2) The board may impose the sanctions listed in division 40
(A) (1) of this section if the board finds a pharmacist or 41
pharmacy intern: 42

(a) Has been convicted of a felony, or a crime of moral 43
turpitude, as defined in section 4776.10 of the Revised Code; 44

(b) Engaged in dishonesty or unprofessional conduct in the 45
practice of pharmacy; 46

(c) Is addicted to or abusing alcohol or drugs or is 47
impaired physically or mentally to such a degree as to render 48
the pharmacist or pharmacy intern unfit to practice pharmacy; 49

(d) Has been convicted of a misdemeanor related to, or 50
committed in, the practice of pharmacy; 51

(e) Violated, conspired to violate, attempted to violate, 52
or aided and abetted the violation of any of the provisions of 53
this chapter, sections 3715.52 to 3715.72 of the Revised Code, 54
Chapter 2925. or 3719. of the Revised Code, or any rule adopted 55
by the board under those provisions; 56

(f) Permitted someone other than a pharmacist or pharmacy 57
intern to practice pharmacy; 58

(g) Knowingly lent the pharmacist's or pharmacy intern's 59
name to an illegal practitioner of pharmacy or had a 60
professional connection with an illegal practitioner of 61
pharmacy; 62

(h) Divided or agreed to divide remuneration made in the 63
practice of pharmacy with any other individual, including, but 64
not limited to, any licensed health professional authorized to 65
prescribe drugs or any owner, manager, or employee of a health 66
care facility, residential care facility, or nursing home; 67

(i) Violated the terms of a consult agreement entered into 68
pursuant to section 4729.39 of the Revised Code; 69

(j) Committed fraud, misrepresentation, or deception in 70
applying for or securing a license or identification card issued 71
by the board under this chapter or under Chapter 3715. or 3719. 72
of the Revised Code; 73

(k) Failed to comply with an order of the board or a 74

settlement agreement;	75
(1) Engaged in any other conduct for which the board may impose discipline as set forth in rules adopted under section 4729.26 of the Revised Code.	76 77 78
(B) Any individual whose identification card or license is revoked, suspended, or refused, shall return the identification card and license to the offices of the state board of pharmacy within ten days after receipt of notice of such action.	79 80 81 82
(C) As used in this section:	83
"Unprofessional conduct in the practice of pharmacy" includes any of the following:	84 85
(1) Advertising or displaying signs that promote dangerous drugs to the public in a manner that is false or misleading;	86 87
(2) Except as provided in section 4729.281 or, <u>4729.44, </u> or <u>4729.46</u> of the Revised Code, the dispensing or sale of any drug for which a prescription is required, without having received a prescription for the drug;	88 89 90 91
(3) Knowingly dispensing medication pursuant to false or forged prescriptions;	92 93
(4) Knowingly failing to maintain complete and accurate records of all dangerous drugs received or dispensed in compliance with federal laws and regulations and state laws and rules;	94 95 96 97
(5) Obtaining any remuneration by fraud, misrepresentation, or deception;	98 99
(6) Failing to conform to prevailing standards of care of similar pharmacists or pharmacy interns under the same or	100 101

similar circumstances, whether or not actual injury to a patient 102
is established; 103

(7) Engaging in any other conduct that the board specifies 104
as unprofessional conduct in the practice of pharmacy in rules 105
adopted under section 4729.26 of the Revised Code. 106

(D) The board may suspend a license or identification card 107
under division (B) of section 3719.121 of the Revised Code by 108
utilizing a telephone conference call to review the allegations 109
and take a vote. 110

(E) For purposes of this division, an individual 111
authorized to practice as a pharmacist or pharmacy intern 112
accepts the privilege of practicing in this state subject to 113
supervision by the board. By filing an application for or 114
holding a license to practice as a pharmacist or pharmacy 115
intern, an individual gives consent to submit to a mental or 116
physical examination when ordered to do so by the board in 117
writing and waives all objections to the admissibility of 118
testimony or examination reports that constitute privileged 119
communications. 120

If the board has reasonable cause to believe that an 121
individual who is a pharmacist or pharmacy intern is physically 122
or mentally impaired, the board may require the individual to 123
submit to a physical or mental examination, or both. The expense 124
of the examination is the responsibility of the individual 125
required to be examined. 126

Failure of an individual who is a pharmacist or pharmacy 127
intern to submit to a physical or mental examination ordered by 128
the board, unless the failure is due to circumstances beyond the 129
individual's control, constitutes an admission of the 130

allegations and a suspension order shall be entered without the 131
taking of testimony or presentation of evidence. Any subsequent 132
adjudication hearing under Chapter 119. of the Revised Code 133
concerning failure to submit to an examination is limited to 134
consideration of whether the failure was beyond the individual's 135
control. 136

If, based on the results of an examination ordered under 137
this division, the board determines that the individual's 138
ability to practice is impaired, the board shall suspend the 139
individual's license or deny the individual's application and 140
shall require the individual, as a condition for an initial, 141
continued, reinstated, or renewed license to practice, to submit 142
to a physical or mental examination and treatment. 143

An order of suspension issued under this division shall 144
not be subject to suspension by a court during pendency of any 145
appeal filed under section 119.12 of the Revised Code. 146

(F) If the board is required under Chapter 119. of the 147
Revised Code to give notice of an opportunity for a hearing and 148
the applicant or licensee does not make a timely request for a 149
hearing in accordance with section 119.07 of the Revised Code, 150
the board is not required to hold a hearing, but may adopt a 151
final order that contains the board's findings. In the final 152
order, the board may impose any of the sanctions listed in 153
division (A) of this section. 154

(G) Notwithstanding the provision of division (C) (2) of 155
section 2953.32 of the Revised Code specifying that if records 156
pertaining to a criminal case are sealed under that section the 157
proceedings in the case must be deemed not to have occurred, 158
sealing of the following records on which the board has based an 159
action under this section shall have no effect on the board's 160

action or any sanction imposed by the board under this section: 161
records of any conviction, guilty plea, judicial finding of 162
guilt resulting from a plea of no contest, or a judicial finding 163
of eligibility for a pretrial diversion program or intervention 164
in lieu of conviction. The board shall not be required to seal, 165
destroy, redact, or otherwise modify its records to reflect the 166
court's sealing of conviction records. 167

(H) No pharmacist or pharmacy intern shall knowingly 168
engage in any conduct described in divisions (A) (2) (b) or (A) (2) 169
(e) to (l) of this section. 170

Sec. 4729.382. (A) As used in this section, "epinephrine 171
autoinjector" means a device used to administer epinephrine only 172
in a manufactured dosage form. 173

(B) Subject to division (C) of this section, a pharmacist 174
dispensing an epinephrine autoinjector pursuant to a 175
prescription that identifies a specific type of epinephrine 176
autoinjector may substitute the prescribed autoinjector with 177
another epinephrine autoinjector, but only if the form of 178
epinephrine contained in the autoinjector to be dispensed by 179
substitution meets either of the following conditions: 180

(1) It is identical to the form of epinephrine in the type 181
of autoinjector that was prescribed. 182

(2) It is a pharmaceutical equivalent of the form of 183
epinephrine in the type of autoinjector that was prescribed in 184
that it contains identical amounts of the identical active 185
ingredients, but not necessarily the same inactive ingredients; 186
it has been approved by the United States food and drug 187
administration; and it has not been excluded from recognition as 188
a pharmaceutical equivalent form of epinephrine by rules adopted 189

under division (H) of this section. 190

(C) All of the following conditions apply with respect to 191
a pharmacist's authority to dispense an epinephrine autoinjector 192
by substitution: 193

(1) The pharmacist shall not make the substitution if the 194
person receiving the autoinjector pursuant to the prescription 195
instructs otherwise. 196

(2) The pharmacist shall not make the substitution if 197
either of the following applies to the prescription: 198

(a) In the case of a written or electronic prescription, 199
including a computer-generated prescription, the prescriber 200
handwrites or actively causes to display on the prescription 201
"dispense as written," "D.A.W.," "do not substitute," "medically 202
necessary as prescribed," or any other statement or numerical 203
code that indicates the prescriber's intent to prevent 204
substitution. Such a designation shall not be preprinted or 205
stamped on the prescription, but a reminder to the prescriber of 206
the designation procedure may be preprinted or displayed on the 207
prescription form or electronic system the prescriber uses to 208
issue the prescription. 209

(b) In the case of an oral prescription, the prescriber 210
specifies that the epinephrine autoinjector as prescribed is 211
medically necessary or otherwise indicates the prescriber's 212
intent to prevent substitution. 213

(3) The pharmacist shall not make the substitution unless 214
its price to the patient is less than or equal to the price of 215
the prescribed epinephrine autoinjector. 216

(4) The pharmacist, or a pharmacy intern or agent of the 217
pharmacist, shall inform the patient or the patient's 218

representative if a type of epinephrine autoinjector is 219
available at a lower or equal cost, and of the person's right to 220
refuse substitution of the prescribed epinephrine autoinjector. 221

(D) (1) Unless the prescriber instructs otherwise, the 222
label for every epinephrine autoinjector dispensed shall include 223
the epinephrine autoinjector's name, if any, and the distributor 224
of the autoinjector. Abbreviations may be used as necessary. 225

(2) When dispensing at retail an epinephrine autoinjector 226
by substitution, the pharmacist shall indicate on the 227
autoinjector's label or container that a substitution was made. 228

(3) The labeling requirements established by divisions (D) 229
(1) and (2) of this section are in addition to all other 230
labeling requirements as required in rules adopted by the state 231
board of pharmacy. 232

(E) When a pharmacist dispenses an epinephrine 233
autoinjector by substitution, the pharmacist or a pharmacy 234
intern shall provide to the person receiving the device 235
instruction on the proper method of administering epinephrine 236
with the device, except that the instruction does not have to be 237
provided if the person is receiving the same device that was 238
dispensed when the person last received the device by having a 239
prescription filled or refilled. 240

(F) A pharmacist who dispenses an epinephrine autoinjector 241
pursuant to this section assumes no greater liability for 242
dispensing the autoinjector by substitution than would be 243
incurred for dispensing the autoinjector identified on the 244
prescription. 245

(G) The failure of a prescriber to restrict a prescription 246
by indicating an intent to prevent substitution pursuant to this 247

section shall not constitute evidence of the prescriber's 248
negligence unless the prescriber had reasonable cause to believe 249
that the health condition of the patient for whom the 250
epinephrine autoinjector was intended warranted the prescription 251
of a specific type of epinephrine autoinjector and no other. No 252
prescriber shall be liable for civil damages or in any criminal 253
prosecution arising from a pharmacist dispensing an epinephrine 254
autoinjector by substitution, unless the type of autoinjector 255
prescribed would have reasonably caused the same loss, damage, 256
injury, or death. 257

(H) The state board of pharmacy may adopt rules in 258
accordance with Chapter 119. of the Revised Code to implement 259
this section. The rules may specify forms of epinephrine that 260
are not to be recognized as pharmaceutical equivalents of other 261
forms of epinephrine for purposes of this section. 262

(I) No pharmacist shall knowingly engage in conduct that 263
is prohibited by division (C) or (D) of this section. 264

Sec. 4729.46. (A) As used in this section: 265

(1) "Board of health" means a board of health of a city or 266
general health district or an authority having the duties of a 267
board of health under section 3709.05 of the Revised Code. 268

(2) "Physician" means an individual authorized under 269
Chapter 4731. of the Revised Code to practice medicine and 270
surgery, osteopathic medicine and surgery, or podiatric medicine 271
and surgery. 272

(B) If use of a protocol that has been developed pursuant 273
to rules adopted under division (G) of this section has been 274
authorized under section 3707.60 or 4731.961 of the Revised 275
Code, a pharmacist or pharmacy intern may dispense epinephrine 276

without a prescription in accordance with that protocol to 277
either of the following individuals so long as the individual is 278
at least eighteen years of age: 279

(1) An individual who there is reason to believe is 280
experiencing or at risk of experiencing anaphylaxis; 281

(2) An individual acting on behalf of a qualified entity, 282
as defined in section 3728.01 of the Revised Code. 283

(C) A pharmacist or pharmacy intern who dispenses 284
epinephrine under this section shall instruct the individual to 285
whom epinephrine is dispensed to summon emergency services as 286
soon as practicable either before or after administering 287
epinephrine. 288

(D) A pharmacist may document the dispensing of 289
epinephrine by the pharmacist or a pharmacy intern supervised by 290
the pharmacist on a prescription form. The form may be assigned 291
a number for record-keeping purposes. 292

(E) This section does not affect the authority of a 293
pharmacist or pharmacy intern to fill or refill a prescription 294
for epinephrine. 295

(F) A board of health that in good faith authorizes a 296
pharmacist or pharmacy intern to dispense epinephrine without a 297
prescription in accordance with a protocol developed pursuant to 298
rules adopted under division (G) of this section is not liable 299
for or subject to any of the following for any action or 300
omission of the individual to whom the epinephrine is dispensed: 301
damages in any civil action, prosecution in any criminal 302
proceeding, or professional disciplinary action. 303

A physician who in good faith authorizes a pharmacist or 304
pharmacy intern to dispense epinephrine without a prescription 305

in accordance with a protocol developed pursuant to rules 306
adopted under division (G) of this section is not liable for or 307
subject to any of the following for any action or omission of 308
the individual to whom the epinephrine is dispensed: damages in 309
any civil action, prosecution in any criminal proceeding, or 310
professional disciplinary action. 311

A pharmacist or pharmacy intern authorized under this 312
section to dispense epinephrine without a prescription who does 313
so in good faith is not liable for or subject to any of the 314
following for any action or omission of the individual to whom 315
the epinephrine is dispensed: damages in any civil action, 316
prosecution in any criminal proceeding, or professional 317
disciplinary action. 318

(G) Not later than ninety days after the effective date of 319
this section, the state board of pharmacy shall, after 320
consulting with the state medical board, adopt rules to 321
implement this section. The rules shall specify minimum 322
requirements for protocols established by physicians under which 323
pharmacists or pharmacy interns may dispense epinephrine without 324
a prescription. 325

All rules adopted under this section shall be adopted in 326
accordance with Chapter 119. of the Revised Code. 327

Sec. 4729.99. (A) Whoever violates division (H) of section 328
4729.16, division (G) of section 4729.38, division (I) of 329
section 4729.382, section 4729.57, or division (F) of section 330
4729.96 of the Revised Code is guilty of a minor misdemeanor, 331
unless a different penalty is otherwise specified in the Revised 332
Code. Each day's violation constitutes a separate offense. 333

(B) Whoever violates section 4729.27, 4729.28, or 4729.36 334

of the Revised Code is guilty of a misdemeanor of the third 335
degree. Each day's violation constitutes a separate offense. If 336
the offender previously has been convicted of or pleaded guilty 337
to a violation of this chapter, that person is guilty of a 338
misdemeanor of the second degree. 339

(C) Whoever violates section 4729.32, 4729.33, or 4729.34 340
of the Revised Code is guilty of a misdemeanor. 341

(D) Whoever violates division (A), (B), (C), (D), (F), or 342
(G) of section 4729.51 of the Revised Code is guilty of a 343
misdemeanor of the first degree. 344

(E) (1) Whoever violates section 4729.37, division (E) (1) 345
(b) of section 4729.51, division (J) of section 4729.54, 346
division (B) or (D) of section 4729.553, or section 4729.61 of 347
the Revised Code is guilty of a felony of the fifth degree. If 348
the offender previously has been convicted of or pleaded guilty 349
to a violation of this chapter or a violation of Chapter 2925. 350
or 3719. of the Revised Code, that person is guilty of a felony 351
of the fourth degree. 352

(2) If an offender is convicted of or pleads guilty to a 353
violation of section 4729.37, division (E) of section 4729.51, 354
division (J) of section 4729.54, or section 4729.61 of the 355
Revised Code, if the violation involves the sale, offer to sell, 356
or possession of a schedule I or II controlled substance, with 357
the exception of marihuana, and if the court imposing sentence 358
upon the offender finds that the offender as a result of the 359
violation is a major drug offender, as defined in section 360
2929.01 of the Revised Code, and is guilty of a specification of 361
the type described in section 2941.1410 of the Revised Code, the 362
court, in lieu of the prison term authorized or required by 363
division (E) (1) of this section and sections 2929.13 and 2929.14 364

of the Revised Code and in addition to any other sanction 365
imposed for the offense under sections 2929.11 to 2929.18 of the 366
Revised Code, shall impose upon the offender, in accordance with 367
division (B) (3) of section 2929.14 of the Revised Code, the 368
mandatory prison term specified in that division. 369

(3) Notwithstanding any contrary provision of section 370
3719.21 of the Revised Code, the clerk of court shall pay any 371
fine imposed for a violation of section 4729.37, division (E) of 372
section 4729.51, division (J) of section 4729.54, or section 373
4729.61 of the Revised Code pursuant to division (A) of section 374
2929.18 of the Revised Code in accordance with and subject to 375
the requirements of division (F) of section 2925.03 of the 376
Revised Code. The agency that receives the fine shall use the 377
fine as specified in division (F) of section 2925.03 of the 378
Revised Code. 379

(F) Whoever violates section 4729.531 of the Revised Code 380
or any rule adopted thereunder or section 4729.532 of the 381
Revised Code is guilty of a misdemeanor of the first degree. 382

(G) Whoever violates division (E) (1) (a) of section 4729.51 383
of the Revised Code is guilty of a felony of the fourth degree. 384
If the offender has previously been convicted of or pleaded 385
guilty to a violation of this chapter, or of a violation of 386
Chapter 2925. or 3719. of the Revised Code, that person is 387
guilty of a felony of the third degree. 388

(H) Whoever violates division (E) (1) (c) of section 4729.51 389
of the Revised Code is guilty of a misdemeanor of the first 390
degree. If the offender has previously been convicted of or 391
pleaded guilty to a violation of this chapter, or of a violation 392
of Chapter 2925. or 3719. of the Revised Code, that person is 393
guilty of a felony of the fifth degree. 394

(I) (1) Whoever violates division (A) of section 4729.95 of the Revised Code is guilty of unauthorized pharmacy-related drug conduct. Except as otherwise provided in this section, unauthorized pharmacy-related drug conduct is a misdemeanor of the second degree. If the offender previously has been convicted of or pleaded guilty to a violation of division (A), (B), or (C) of that section, unauthorized pharmacy-related drug conduct is a misdemeanor of the first degree on a second offense and a felony of the fifth degree on a third or subsequent offense.

(2) Whoever violates division (B) or (C) of section 4729.95 of the Revised Code is guilty of permitting unauthorized pharmacy-related drug conduct. Except as otherwise provided in this section, permitting unauthorized pharmacy-related drug conduct is a misdemeanor of the second degree. If the offender previously has been convicted of or pleaded guilty to a violation of division (A), (B), or (C) of that section, permitting unauthorized pharmacy-related drug conduct is a misdemeanor of the first degree on a second offense and a felony of the fifth degree on a third or subsequent offense.

(3) Notwithstanding any contrary provision of section 3719.21 of the Revised Code or any other provision of law that governs the distribution of fines, the clerk of the court shall pay any fine imposed pursuant to division (I) (1) or (2) of this section to the state board of pharmacy if the board has adopted a written internal control policy under division (F) (2) of section 2925.03 of the Revised Code that addresses fine moneys that it receives under Chapter 2925. of the Revised Code and if the policy also addresses fine moneys paid under this division. The state board of pharmacy shall use the fines so paid in accordance with the written internal control policy to subsidize the board's law enforcement efforts that pertain to drug

offenses. 426

(J) (1) Whoever violates division (A) (1) of section 4729.86 427
of the Revised Code is guilty of a misdemeanor of the third 428
degree. If the offender has previously been convicted of or 429
pleaded guilty to a violation of division (A) (1), (2), or (3) of 430
section 4729.86 of the Revised Code, that person is guilty of a 431
misdemeanor of the first degree. 432

(2) Whoever violates division (A) (2) of section 4729.86 of 433
the Revised Code is guilty of a misdemeanor of the first degree. 434
If the offender has previously been convicted of or pleaded 435
guilty to a violation of division (A) (1), (2), or (3) of section 436
4729.86 of the Revised Code, that person is guilty of a felony 437
of the fifth degree. 438

(3) Whoever violates division (A) (3) of section 4729.86 of 439
the Revised Code is guilty of a felony of the fifth degree. If 440
the offender has previously been convicted of or pleaded guilty 441
to a violation of division (A) (1), (2), or (3) of section 442
4729.86 of the Revised Code, that person is guilty of a felony 443
of the fourth degree. 444

(K) A person who violates division (C) of section 4729.552 445
of the Revised Code is guilty of a misdemeanor of the first 446
degree. If the person previously has been convicted of or 447
pleaded guilty to a violation of division (C) of section 448
4729.552 of the Revised Code, that person is guilty of a felony 449
of the fifth degree. 450

Sec. 4731.96. (A) As used in this section and section 451
4731.961 of the Revised Code, "physician" means an individual 452
authorized under this chapter to practice medicine and surgery, 453
osteopathic medicine and surgery, or podiatric medicine and 454

surgery. 455

(B) (1) Subject to division (B) (2) of this section, and 456
notwithstanding any provision of this chapter or rule adopted by 457
the state medical board, a physician may do either of the 458
following without having examined an individual to whom 459
epinephrine may be administered: 460

(a) Personally furnish a supply of epinephrine 461
autoinjectors for use in accordance with sections 3313.7110, 462
3313.7111, 3314.143, 3326.28, 3328.29, 3728.03 to 3728.05, and 463
5101.76 of the Revised Code; 464

(b) Issue a prescription for epinephrine autoinjectors for 465
use in accordance with sections 3313.7110, 3313.7111, 3314.143, 466
3326.28, 3328.29, 3728.03 to 3728.05, and 5101.76 of the Revised 467
Code. 468

(2) An epinephrine autoinjector personally furnished or 469
prescribed under division (B) (1) of this section must be 470
furnished or prescribed in such a manner that it may be 471
administered only in a manufactured dosage form. 472

(C) A physician who acts in good faith in accordance with 473
this section is not liable for or subject to any of the 474
following for any action or omission of an entity to which an 475
epinephrine autoinjector is furnished or a prescription is 476
issued: damages in any civil action, prosecution in any criminal 477
proceeding, or professional disciplinary action. 478

Sec. 4731.961. A physician who has established a protocol 479
that meets the requirements specified by the state board of 480
pharmacy in rules adopted under section 4729.46 of the Revised 481
Code may authorize one or more pharmacists and any of the 482
pharmacy interns supervised by the pharmacist or pharmacists to 483

use the protocol for the purpose of dispensing epinephrine under 484
section 4729.46 of the Revised Code. 485

Section 2. That existing sections 4729.16, 4729.99, and 486
4731.96 of the Revised Code are hereby repealed. 487

Section 3. This act shall be known as the "Epinephrine 488
Accessibility Act." 489

Section 4. Section 4729.99 of the Revised Code is 490
presented in this act as a composite of the section as amended 491
by both Sub. H.B. 505 and Sub. S.B. 319 of the 131st General 492
Assembly. The General Assembly, applying the principle stated in 493
division (B) of section 1.52 of the Revised Code that amendments 494
are to be harmonized if reasonably capable of simultaneous 495
operation, finds that the composite is the resulting version of 496
the section in effect prior to the effective date of the section 497
as presented in this act. 498