

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 193

Representatives Cutrona, Pavliga

Cosponsors: Representatives Gross, Miller, J., LaRe, Click, Schmidt

A BILL

To amend section 3719.05 of the Revised Code 1
regarding electronic prescriptions and schedule 2
II controlled substances. 3

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

Section 1. That section 3719.05 of the Revised Code be 4
amended to read as follows: 5

Sec. 3719.05. (A) A pharmacist may dispense controlled 6
substances to any person upon a prescription issued in 7
accordance with section 3719.06 of the Revised Code. When 8
dispensing controlled substances, a pharmacist shall act in 9
accordance with rules adopted by the state board of pharmacy and 10
in accordance with the following: 11

(1) The prescription shall be retained on file by the 12
owner of the pharmacy in which it is filled for a period of 13
three years, so as to be readily accessible for inspection by 14
any public officer or employee engaged in the enforcement of 15
Chapter 2925., 3719., or 4729. of the Revised Code. 16

(2) Each oral prescription shall be recorded by the 17
pharmacist and the record shall show the name and address of the 18

patient for whom, or of the owner of the animal for which the 19
controlled substance is dispensed, the full name, address, and 20
registry number under the federal drug abuse control laws of the 21
prescriber, the name of the controlled substance dispensed, the 22
amount dispensed, and the date when dispensed. The record shall 23
be retained on file by the owner of the pharmacy in which it is 24
filled for a period of three years. 25

(3) A schedule II controlled substance shall be dispensed 26
only upon ~~a written or an~~ electronic prescription, except that 27
it may be dispensed upon an oral prescription in emergency 28
situations as provided in the federal drug abuse control laws. 29

(4) A prescription for a schedule II controlled substance 30
shall not be refilled. 31

(5) Prescriptions for schedule III and IV controlled 32
substances may be refilled not more than five times in a six- 33
month period from the date the prescription is given by a 34
prescriber. 35

(B) The legal owner of any stock of schedule II controlled 36
substances in a pharmacy, upon discontinuance of dealing in 37
those drugs, may sell the stock to a manufacturer, wholesaler, 38
or owner of a pharmacy registered under the federal drug abuse 39
control laws pursuant to an official written order. 40

Section 2. That existing section 3719.05 of the Revised 41
Code is hereby repealed. 42