



H.B. 662

123rd General Assembly
(As Introduced)

Reps. Schuring, Van Vyven, Netzley, Terwilleger, Taylor, Allen, O'Brien, Winkler, Pringle, Hartnett, Mead, Hartley, Calvert, Willamowski, Cates, Bender, Hollister, Redfern, Mottley, Buehrer, Grendell, Aslanides, Schuler

BILL SUMMARY

- Requires the Director of Health to establish a drug repository program for the collection and redistribution of unadulterated prescription drugs that are in their original unopened packaging.
- Requires the Director to adopt rules governing the drug repository program.
- Permits the program to receive from any donor drugs that are donated at a local health department.
- Requires that donated drugs be dispensed only pursuant to a prescription issued by a health care practitioner authorized to prescribe drugs.
- Requires local health departments to distribute donated drugs to individuals who meet eligibility standards adopted by the Director, or to other government entities and nonprofit private entities for distribution to eligible individuals.
- Requires each local health department or other entity that distributes donated drugs to retain the services of a volunteer licensed pharmacist.
- Provides that the Director and persons and governmental entities that donate drugs to or receive drugs from the repository program, in the absence of bad faith, are not subject to criminal prosecution, liability in tort or other civil action related to the donation or receipt of donated drugs, or professional disciplinary action for matters related to donation or distribution.

CONTENT AND OPERATION

Creation of the drug repository program

(sec. 3701.79)

The bill requires the Director of Health to establish a drug repository program for the collection and redistribution of unadulterated prescription drugs that are in their original unopened packaging.

Under the bill, the Director is required to adopt rules governing the program that establish all of the following:

- (1) Standards and procedures for collecting, storing, and distributing drugs;
- (2) Procedures for inspecting drugs to ensure that the drugs are unadulterated and that their packaging has not been opened;
- (3) Eligibility standards based on economic need for individuals to receive donated drugs from the repository;
- (4) Standards for identifying entities to which local departments of health¹ may distribute drugs, such as nonprofit organizations and programs operated by or in conjunction with other governmental entities;
- (5) Any other standards and procedures the Director considers appropriate.

The rules must be adopted in accordance with Revised Code Chapter 119. (the Administrative Procedure Act), which requires public notice and hearings.

Donation and distribution of drugs

(sec. 3701.791)

The bill permits the drug repository program to accept drugs from any donor provided that the donation occurs at a local health department.

The bill requires that local health departments distribute donated drugs to individuals who meet eligibility standards established by the Director or to other government entities and nonprofit entities for distribution to eligible individuals.

¹ For the purposes of the bill, "local health department" means the board of health or health department of a city or general health district or an authority having the duties of a board of health that is established by a city.

Each local health department or other entity that distributes drugs is required to retain the services of a licensed pharmacist who provides the services as a volunteer.

Under the bill, donated drugs may be dispensed only pursuant to a prescription issued by a health care practitioner who is authorized to prescribe drugs. The bill also requires that dispensing of donated drugs comply with all applicable state laws dealing with storage and distribution of dangerous drugs.

Liability

(sec. 3701.792)

The bill provides that the Director of Health and persons and government entities that donate to or receive drugs from the repository program, in the absence of bad faith, are not subject to any of the following:

- (1) Criminal prosecution;
- (2) Liability in tort or other civil action for injury, death, or loss to person or property related to the donation or receipt of donated drugs;
- (3) Professional disciplinary action for matters related to the donation or distribution of donated drugs.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-12-00	p. 1825

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