



Lynda Meinke

Final Analysis
Legislative Service Commission

Am. Sub. S.B. 117
124th General Assembly
(As Passed by the General Assembly)

Sens. Austria, Randy Gardner, Mumper, Wachtmann, Jordan, Johnson, Robert Gardner, Coughlin, Spada, Jacobson, Mead, White, Prentiss, Hagan, Armbruster, Oelslager, Herington, McLin, Brady, DiDonato, Hottinger, Harris, Nein, Carnes, Ryan, Mallory

Reps. Jolivette, Kearns, Aslanides, Barnes, Beatty, Cirelli, Gilb, Kilbane, D. Miller, R. Miller, Patton, Raga, Schneider, Seitz, S. Smith, Sullivan, Williams, Roman, Rhine, Strahorn, White, Latta, Callender, Hoops, Buehrer, Cates, Schmidt, Allen, Otterman, Coates, Hagan, Latell, Flowers, Britton, Flannery, Jerse, Carmichael, Krupinski, Barrett, Fedor, Reidelbach, Redfern, Key, G. Smith, Sferra, Clancy, Niehaus, Metzger, Collier, Womer Benjamin, Lendrum, Widowfield, Jones, Salerno

Effective date: *

ACT SUMMARY

- Requires the State Board of Pharmacy to operate a medical gases safety program.
- Requires specified cryogenic vessels that contain medical gases to be properly labeled and color coded.
- Requires training for all employees who handle medical gases and cryogenic vessels.

* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.*

CONTENT AND OPERATION

Medical gases safety program

(sec. 4729.70)

Under the act, the State Board of Pharmacy is required to establish and implement a medical gases safety program. The act specifies that the program is to ensure that cryogenic vessels containing medical gases meet the act's requirements and are properly handled. A cryogenic vessel is an insulated metal container in the form of a cylinder or other design used to hold gases that have been liquefied by extreme reductions in temperature.

The act specifies that the medical gases safety program applies only to cryogenic vessels that are portable and contain medical gases in a volume intended for use in administering direct treatment to one or more individuals. The program does not apply to cylinders or containers of other designs that contain medical gases that are only compressed.

The Board must adopt rules to implement the program. All rules adopted under the act must be adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119.).

Labeling and color coding

The act requires each cryogenic vessel to be properly labeled according to the medical gas contained in the vessel. Further, the act requires each vessel to be color coded. The act provides that the colors it specifies for each medical gas cannot be used for any other medical gas.

<i>Color coding</i>	
Air	Yellow
Carbon dioxide	Gray
Cyclopropane	Orange
Helium	Brown
Nitrogen	Black
Nitrous oxide	Blue
Oxygen	Green

The color coding required by the act must be applied to the vessel by doing one of the following:

(1) Applying the appropriate color to the top six inches of the body of the vessel;

(2) Affixing a wrap to the vessel that encircles the vessel completely, has the identity of the contained gas printed completely or continuously around the wrap, and uses the appropriate color as the print or background for the identity of the gas.

Reuse of vessels

Under the act, a cryogenic vessel must not have previously held a nonmedical gas. When a vessel is reused for a medical gas other than the one previously contained, new labeling and color coding must be applied and all old labeling and color coding must be completely removed.

Connectors

The act requires the connector between a cryogenic vessel and the valve through which the medical gas is delivered to be either of the following:

(1) A threaded or socket connection that is silver brazed or welded to the valve;

(2) A permanent and integral part of the valve.

Unless a person meets the standards established by the Board in rules adopted under the act, the person is prohibited from doing any of the following: (1) removing a connector, (2) replacing the connector with another connector, or (3) attaching an adapter to the vessel or connector. A person who takes any of these actions without meeting the Board's standards is guilty of the existing crime of tampering with drugs. Tampering with drugs is a felony of the third degree, unless the violation results in physical harm to a person, in which case tampering with drugs is a felony of the second degree.

Employee training

The act requires all employees responsible for installing or changing cryogenic vessels to be trained in the proper handling of medical gases and cryogenic vessels. The training must include training in understanding the labeling and color coding required by the act.

Modification of existing containers

The rules adopted by the Board under the act must include standards and procedures to be followed in ensuring that the individuals who modify existing

cryogenic vessels for purposes of bringing the vessels into compliance with the act are qualified individuals. The Board's standards for being considered qualified must include requirements for knowledge in proper safety precautions concerning medical gases, cryogenic vessels containing medical gases, and devices through which medical gases are delivered from cryogenic vessels.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-22-01	pp. 396-397
Reported, S. Health, Human Services and Aging	06-14-01	pp. 662-663
Passed Senate (33-0)	06-14-01	p. 665
Reported, H. Health & Family Services	10-11-01	p. 906
Passed House (96-1)	10-16-01	pp. 923-924
Senate concurred in House amendments (32-0)	10-17-01	p. 990

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