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Bill Analysis
Legislative Service Commission

S.B. 203
127th General Assembly
(As Introduced)

Sen. Grendell

BILL SUMMARY

- Requires the State Board of Pharmacy to certify individuals who desire to work as pharmacy technicians in Ohio and establishes certification and renewal certification processes.
- Prohibits an individual from engaging in certain activities without being a licensed pharmacist or pharmacy intern or a pharmacy technician certified by the Board.
- Requires a certified pharmacy technician, while working, to carry the technician's identification or renewal identification card and to wear a badge or nameplate that clearly identifies the technician's name and status as a certified pharmacy technician.
- Prohibits a pharmacist from supervising more than three pharmacy technicians during a work shift except as specified by the Pharmacy Board in rules.
- Requires a person who owns, manages, or conducts a pharmacy to (1) create and maintain a record on each non-licensed or non-certified person who aids in the operation of pharmacy and (2) develop a written policy regarding the activities that can be performed by aides and educate aides regarding the policy.
- Exempts pharmacy interns and pharmacy technicians working under the direct supervision of a pharmacist from the prohibition against administering, manufacturing, possessing, selling, or using drugs that are not approved by the U.S. Food and Drug Administration or the U.S. Department of Agriculture if the intern or technician compounds and dispenses two or more drugs as a single product for medical purposes pursuant to a prescription.

- Amends Ohio's Pure Food and Drug Law to indicate that pharmacy interns and pharmacy technicians are authorized to prepare, compound, package, and label drugs if working under the direct supervision of a pharmacist.
- Requires a prosecutor to report promptly to the Pharmacy Board a pharmacy technician's conviction for violation of a drug offense or Ohio's Controlled Substances Law unless the prosecutor has already made a report of this information.
- Requires the Pharmacy Board to suspend a pharmacy technician's certificate if the technician is or becomes addicted to the use of controlled substances until the technician offers satisfactory proof that the technician no longer is addicted to such substances.
- Permits a pharmacy technician working under the direct supervision of a pharmacist to sell alcohol under "G and I permits" issued by the Division of Liquor Control.
- Specifies that a pharmacy technician is a "health care worker" for purposes of Ohio's Good Samaritan Law and a "professionally licensed person" for purposes of Ohio law governing criminal drug offenses.
- Adds a reference to pharmacy technicians or pharmacy technician certificates to other sections of law governing Pharmacy Board operations to indicate that the Board regulates pharmacy technicians.

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CONTENT AND OPERATION

BACKGROUND

Current status: no state licensure or certification of pharmacy technicians

Currently, an individual desiring to work as a pharmacy technician¹ in Ohio does not need to hold a license or other form of certification issued by any government agency. Although state licensure or certification is not required to work as a pharmacy technician in Ohio, some individuals, primarily to increase marketability or to meet particular employer requirements, choose to attain certification through a private organization, the most recognized being the Pharmacy Technician Certification Board (PTCB) located in Washington, D.C.² To gain PTCB certification, an individual must have a high school diploma or pass the General Educational Development (GED) test, never have been convicted of a felony, and pass the PTCB examination.³ Individuals who pass the PTCB examination use the designation "CPhT."⁴ To gain recertification, the individual must obtain 20 hours of continuing education within two years of original certification or previous recertification.⁵

According to the PTCB's web site, 30 states or territories "recognize" PTCB certification in their administrative regulations or rules (Ohio is *not* one of these states). The PTCB also reports that seven states (Alaska, Arizona, California, Oregon, Rhode Island, Utah, and Wyoming) license pharmacy technicians, six states or territories (Indiana, Louisiana, Montana, Puerto Rico,

¹ Neither Ohio law nor administrative rules define the term "pharmacy technician." The Pharmacy Technician Certification Board, a private, national certification program, defines a pharmacy technician as an individual working in a pharmacy who, under the supervision of a licensed pharmacist, assists in activities not requiring the professional judgment of a pharmacist. Pharmacy Technician Certification Board, *Frequently Asked Questions* (last visited Nov. 21, 2007), accessible at <https://www.ptcb.org/AM/Template.cfm?Section=Help&Template=/CM/HTMLDisplay.cfm&ContentID=2635#Pharmacy_Exam>.

² Telephone interview with Larita (last name not disclosed per organization's policy), Customer Service Representative, Pharmacy Technician Certification Board (Nov. 21, 2007); telephone interview with Mark Keeley, R.Ph., Legislative Affairs Administrator, Ohio State Board of Pharmacy (Nov. 21, 2007).

³ Pharmacy Technician Certification Board, *supra* note 1.

⁴ *Id.*

⁵ *Id.*

South Carolina, and Washington) certify pharmacy technicians, and 32 states register pharmacy technicians.⁶

According to a representative of the State Board of Pharmacy, some employers have their own pharmacy technician training programs that lead to "certification" by that particular employer. But this certification is not recognized by the Pharmacy Board or any other state licensing board.⁷

The bill--in general

The bill establishes a certification process for pharmacy technicians. The State Board of Pharmacy is to administer the process.

CERTIFICATION OF PHARMACY TECHNICIANS

Definition of "pharmacy technician"

(R.C. 4729.01(X))

The bill defines a pharmacy technician as an individual who has been issued a certificate and identification card by the Pharmacy Board to work as a pharmacy technician in Ohio.

Pharmacy technician certification process

(R.C. 4729.42 and 4729.15(C))

To attain a certificate to work as a pharmacy technician, the bill requires an individual to file with the Pharmacy Board's executive director a written application for certification, under oath, on a form prescribed by the Board. The application must be accompanied by a fee that is in an amount adequate to cover the expense of issuing a certificate. The bill also requires that the applicant meet all of the following requirements at the time of application:

- (1) Be at least 18 years of age.

⁶ Pharmacy Technician Certification Board, citing to the National Association of State Boards of Pharmacy's 2007 NABP Survey of Pharmacy Law: Status of Pharmacy Technicians (last visited Nov. 21, 2007), accessible at <https://www.ptcb.org/AM/Template.cfm?Section=State_Regulations&Template=/CM/ContentDisplay.cfm&ContentID=2375>. The web site did not define, or otherwise distinguish the differences between, licensure, certification, or registration.

⁷ Telephone interview with Mark Keeley, R.Ph., *supra* note 2.

(2) Possess a high school diploma or the equivalent of a high school diploma, as determined by the Board.

(3) Have results of a criminal records check completed and sent to the Board by the Bureau of Criminal Identification and Investigation (BCII) indicating that the individual has not been convicted of, pleaded guilty to, or had a judicial finding of guilt for several types of felonies in Ohio or another state or other country. The records check must include a check of Federal Bureau of Investigation (FBI) records.

(4) Have submitted written evidence satisfactory to the Board of either (a) having passed the examination for pharmacy technician certification administered by the Pharmacy Technician Certification Board (PTCB) or a person with which the PTCB contracts with to administer the examination on the PTCB's behalf or (b) having successfully completed both of the following: (i) a pharmacy technician educational program that is a prerequisite to sitting for the PTCB examination or is a program that meets standards adopted by the Pharmacy Board in rules and (ii) the minimum number of hours of pharmacy technician training established by the Board in rules.

If an applicant chooses to complete a pharmacy technician educational program in lieu of passing the PTCB examination, the applicant may complete an employer-sponsored educational program.

Issuance of certificate and identification card

(R.C. 4729.43 and 4729.15(J))

The bill requires the Pharmacy Board to issue a certificate to work as a pharmacy technician, along with an identification card, if the applicant meets all of the requirements for the certificate, pays a fee determined by the Board (in an amount not to exceed \$50), and *has not* been found by the Board to have committed an act that is grounds for disciplinary action or, if the applicant has committed such an act, is found by the Board to have made restitution, been rehabilitated, or both.

Renewal process

Typical renewal process

(R.C. 4729.44(A), (B), and (D) and 4729.15(D))

The bill provides that, in general, a certificate to work as a pharmacy technician and the accompanying identification card entitles the individual to whom these items are issued to work as a pharmacy technician until the

individual's next biennial renewal date. If the individual desires to continue working as a pharmacy technician, the bill requires the individual to renew his or her identification card every two years on a date determined by the Board. To renew a card, the individual must file with the Board a renewal application form containing all data the Board requests and pay the renewal fee of \$97.50 or other amount determined by the Board. Once an application is filed, it cannot be withdrawn without prior approval of the Board. The Board must issue a renewal identification card to the individual unless the Board finds that the individual's identification card has been revoked or placed under suspension.

Renewal after identification card lapses for more than 60 days

(R.C. 4729.44(E) and (F) and 4729.15(E) and (F))

If an individual's identification card has lapsed for more than 60 days but application for renewal is made not later than three years after the card's expiration, the Board must issue a renewal identification card if the applicant complies with the renewal requirements and pays a late renewal fee of \$135 or other amount determined by the Board. The Board must issue a renewal identification card in cases where an individual's card has lapsed for more than three years only if the applicant complies with the renewal requirements, pays a late renewal fee of \$337.50 or other amount determined by the Board, and meets additional requirements specified by the Board in rules. However, an individual does not have to meet the additional requirements if the individual has continually worked as a pharmacy technician in another state under a license, certificate, or registration issued by that state.

Identification card and badge required when working

(R.C. 4729.44(C))

The bill requires a pharmacy technician, while working, to carry his or her identification card or renewal identification card and wear a badge or nameplate that clearly identifies the technician's name and status as a certified pharmacy technician.

Replacement certificates or identification cards

(R.C. 4729.45)

The bill permits the Pharmacy Board to issue a replacement certificate or identification card to a person registered with the Board to work as a pharmacy technician whose certificate or card has been lost or destroyed on the condition that the applicant, by affidavit, sets forth the facts concerning the loss or destruction of the previously issued certificate or card.

AUTHORIZED ACTIVITIES AND PROHIBITIONS

Work activities of a pharmacy technician

In general

(R.C. 4729.46(A))

The bill permits a certified pharmacy technician to assist a pharmacist or pharmacy intern in the following activities only if the activity is done under the direct supervision of a pharmacist:⁸

(1) Dispensing drugs in accordance with Ohio law (R.C. 4729.01) and procedures established by the Pharmacy Board in rules.

(2) Compounding drugs in accordance with Ohio law (R.C. 4729.01) and procedures established by the Board in rules.

(3) Stocking and inventorying prescription drugs.

(4) Any other activity that is for the purpose of assisting a pharmacist or pharmacy intern as specified by the Board in rules.

In nursing homes, residential care facilities, or hospitals

(R.C. 4729.46(B))

In addition to the activities specified above, the bill permits a certified pharmacy technician working in a nursing home, residential care facility, or hospital to do all of the following if done under the direct supervision of a pharmacist:

(1) Review patient charts.

(2) Package in individual doses, label, and deliver to patients medications. A pharmacist must review the medication that has been packaged or labeled or is intended to be delivered to a patient *before* delivery to the patient. A certified pharmacy technician may not administer medications.

(3) Perform any other duties specified by the Pharmacy Board in rules.

⁸ The bill defines "direct supervision" to mean that a pharmacist is on site, able to provide supervision, and properly reviews the activities of the pharmacy technician (R.C. 4729.46(C)).

Maximum number of pharmacy technicians to be supervised

(R.C. 4729.47)

Except when permitted under rules the Pharmacy Board must adopt, the bill prohibits a pharmacist from supervising more than three pharmacy technicians during a work shift.

Prohibition on performing pharmacy technician activities without a certificate; exception

(R.C. 4729.48, 4729.49, and 4729.99)

The bill, subject to one exception described below, prohibits an individual who is not a licensed pharmacist or pharmacy intern or a certified pharmacy technician from performing the activities the bill authorizes a certified pharmacy technician to perform. The bill specifies that this prohibition does not, however, prohibit either of the following: (1) an individual from performing any services a pharmacist, pharmacy intern, or pharmacy technician may be authorized to perform if the individual's professional scope of practice established under any other Ohio law authorizes the individual to perform the services or (2) an individual from performing retail sales clerk functions (including registering sales transactions at point of sale terminals or electronic cash registers) or preparing insurance forms and documentation.

The one exception to the prohibition applies to an individual who has filed an application for certification and whose application is pending. An individual under these circumstances may perform the activities of a certified pharmacy technician under the direct supervision of a pharmacist for not more than 120 days. However, the individual must wear a badge or nameplate that clearly identifies the individual's name when the individual engages in such activities. The bill specifies that the 120-day grace period does not apply to an individual for whom the Board has reviewed the individual's application and decided to refuse to issue an identification card.

An individual who violates the prohibition on performing pharmacy technician activities without being a licensed pharmacist or pharmacy intern or a certified pharmacy technician is guilty of a misdemeanor of the third degree for an initial offense and a misdemeanor of the second degree for subsequent offenses.

Prohibition on non-licensed or non-certified personnel compounding, dispensing, or selling dangerous drugs

(R.C. 4729.28)

The bill prohibits a person who is not a licensed pharmacist or pharmacy intern or a certified pharmacy technician working under the personal supervision of a pharmacist to compound, dispense, or sell dangerous drugs or otherwise engage in the practice of pharmacy or work as a pharmacy technician. This prohibition does not, however, prohibit a non-licensed or non-certified individual from performing retail sales clerk functions, including registering sales transactions at point of sale terminals or electronic cash registers.

NON-LICENSED OR NON-CERTIFIED PERSONNEL

Record of non-licensed or non-certified personnel

(R.C. 4729.271)

The bill requires a person who owns, manages, or conducts a pharmacy to do both of the following with respect to individuals who are not licensed pharmacists or pharmacy interns or certified pharmacy technicians but who aid such individuals in the operation of a pharmacy:

(1) Create and maintain a record on each aide.

(2) Develop a written policy regarding the activities the aides are authorized to perform and educate the aides regarding the policy.

OHIO'S PURE FOOD AND DRUG LAW

Definition of "manufacture"

(R.C. 3715.01(A)(14)(b))

Ohio's Pure Food and Drug Law (R.C. Chapter 3715.) specifies that the term "manufacture" excludes the preparation, compounding, packaging, or labeling of a drug by a pharmacist as an incident to (1) dispensing a drug in the usual course of professional practice or (2) providing a licensed health professional authorized to prescribe drugs with a drug for the purpose of administering to patients or for using the drug in treating patients in the professional's office.

The bill amends the definition of "manufacture" to specify that the term excludes the preparation, compounding, packaging, or labeling of a drug by not only a pharmacist, but also by a pharmacy intern or pharmacy technician working

under the direct supervision of a pharmacist as an incident to (1) dispensing a drug in the usual course of professional practice *or* work or (2) providing a licensed health professional authorized to prescribe drugs with a drug for the purpose of administering to patients or for using the drug in treating patients in the professional's office.

Misbranded drugs

(R.C. 3715.64(A)(4))

Under current law, a dangerous drug⁹ in finished solid oral dosage form is typically a misbranded drug if it does not have clearly and prominently marked or imprinted on it an individual symbol, company name, national drug code number, or other number, words, letters, or any combination of these items identifying the drug and its manufacturer or distributor. A drug that has these characteristics is not a misbranded drug, however, if it is compounded by a licensed pharmacist.

The bill adds that a drug that has these characteristics is not a misbranded drug if it is compounded by a licensed pharmacy intern or certified pharmacy technician working under the direct supervision of a pharmacist.

OHIO'S CONTROLLED SUBSTANCES LAW

Prosecutor's report to Pharmacy Board

(R.C. 3719.01(HH) and (II) and 3719.12)

Under existing law, a prosecutor is required to report promptly to the Pharmacy Board a pharmacist's or pharmacy intern's conviction for violating the controlled substances law or engaging in a drug offense prohibited by R.C.

⁹ A dangerous drug is any of the following (R.C. 3715.01): (1) any drug to which either of the following applies: (a) under the federal Food, Drug, and Cosmetic Act, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or the drug may be dispensed only upon a prescription, or (b) under the state's pure food and drug law or controlled substances law (R.C. Chapters 3715. and 3719., respectively) the drug may be dispensed only upon a prescription.

(2) Any drug that contains a schedule V controlled substance and that is exempt from the Controlled Substances Law or to which that law does not apply.

(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body.

Chapter 2925. unless a prosecutor has already made a report required under current law (R.C. 2925.42).

The bill requires a prosecutor to make this same type of report to the Board if a pharmacy technician is so convicted.

Suspension of certificate for substance abuse

(R.C. 3719.121(A))

The Pharmacy Board is required under current law to suspend a pharmacist's or pharmacy intern's license if the pharmacist or intern is or becomes addicted to the use of controlled substances until the person offers satisfactory proof to the Board that the person no longer is addicted to the use of controlled substances.

The bill specifies that except as otherwise provided in the disciplinary law governing pharmacists, pharmacy interns, and pharmacy technicians, the Board must similarly suspend a technician's certificate if the technician is or becomes addicted to the use of controlled substances until the person offers satisfactory proof to the Board that the person no longer is addicted to the use of controlled substances.

CRIMINAL DRUG OFFENSES LAW

Two or more drugs compounded as a single product

(R.C. 2925.01 and 2925.09(A)(4))

Under current law, a person is prohibited from administering, dispensing, distributing, manufacturing, possessing, selling, or using any drug, other than a controlled substance, that is not approved by the U.S. Food and Drug Administration or the U.S. Department of Agriculture unless one of four exceptions applies. The fourth exception applies to a pharmacist who compounds and dispenses two or more drugs as a single product for medical purposes pursuant to a prescription.

The bill expands this exception to make it also applicable to a licensed pharmacy intern or certified pharmacy technician working under the direct supervision of a pharmacist.

"G" AND "I" LIQUOR PERMITS

Sale of alcohol under certain permits

(R.C. 4303.34(A) and (D))

Under current law governing the Ohio Department of Commerce's Division of Liquor Control, all sales of alcohol under "G permits"¹⁰ and "I permits"¹¹ must be made by a licensed pharmacist in charge of the store or by a licensed pharmacy intern lawfully employed by the store. In addition, all sales of alcohol for mechanical, chemical, or scientific purposes must be made only on the written application of the purchaser known by the pharmacist, or a pharmacy intern, to be a person engaged in mechanical, chemical, or scientific pursuits. A licensed pharmacist or pharmacy intern is permitted to administer the oath that persons who buy alcohol under such permits must make.

The bill provides that a pharmacy technician working under the direct supervision of a pharmacist is also authorized to engage in these activities.

¹⁰ A "G permit" is a permit issued by the Division of Liquor Control to the owner of a pharmacy in charge of a licensed pharmacist (named in the permit) for the sale at retail of alcohol for medicinal purposes in quantities at each sale of not more than one gallon upon the written prescription of a physician or dentist who is lawfully and regularly engaged in the practice of the physician's or dentist's profession in Ohio, and for the sale of industrial alcohol for mechanical, chemical, or scientific purposes to a person known by the seller to be engaged in mechanical, chemical, or scientific pursuits (R.C. 4303.21).

¹¹ An "I permit" is a permit issued by the Division of Liquor Control to wholesale druggists to do any of the following: (1) purchase alcohol from the holders of A-3 permits and to import alcohol into Ohio subject to terms imposed by the Division, (2) to sell at wholesale to physicians, dentists, druggists, veterinary surgeons, manufacturers, hospitals, infirmaries, and medical or educational institutions using such alcohol for medicinal, mechanical, chemical, or scientific purposes, and to holders of G permits for nonbeverage purposes only, and (3) to sell alcohol at retail in total quantities at each sale of not more than one quart, upon the written prescription of a physician or dentist *who is* lawfully and regularly engaged in the practice of the physician's or dentist's profession in Ohio (R.C. 4303.23).

IMMUNITY OF VOLUNTEER HEALTH CARE WORKERS

Pharmacy technician as a "health care worker"

(R.C. 2305.234)

Under current law, a health care professional or health care worker acting as a volunteer¹² who complies with certain requirements is not liable in damages to any person or government entity in tort or other civil action, including an action on a medical, dental, chiropractic, optometric, or other health-related claim, for injury, death, or loss to person or property that allegedly arises from an action or omission of the volunteer in the provision to an indigent and uninsured person of medical, dental, other health-related diagnosis, care, or treatment, unless the action or omission constitutes willful or wanton misconduct.

Current law specifies that a "health care worker" is a person other than a health care professional who provides medical, dental, or other health-related care or treatment under the direction of a health care professional with the authority to direct that individual's activities, including medical technicians, medical assistants, dental assistants, orderlies, aides, and individuals acting in similar capacities.

The bill provides that a pharmacy technician is also a "health care worker" for purposes of this law.

RULEMAKING

General rulemaking authority

(R.C. 4729.26)

Under current law, the Pharmacy Board may adopt rules in accordance with the Administrative Procedure Act (R.C. Chapter 119.), not inconsistent with the law, as the Board considers necessary to carry out the purposes of and to enforce the laws governing pharmacists and pharmacy interns. The Board must publish these rules and make them available to each licensed pharmacist.

The bill requires the Board to make the rules available to licensed pharmacy interns and certified technicians as well.

¹² A "volunteer" is an individual who provides any medical, dental, or other healthcare-related diagnosis, care, or treatment without the expectation of receiving and without receipt of any compensation or other form of remuneration from an indigent and uninsured person, another person on behalf of an indigent and uninsured person, any health care facility or location, any nonprofit health care referral organization, or any other person or government entity (R.C. 2305.234(A)(11)).

New rulemaking required by the bill

(R.C. 4729.50)

The bill requires the Pharmacy Board to adopt new rules in accordance with the Administrative Procedure Act to do all of the following:

(1) Determine the minimum number of hours of pharmacy technician training an applicant for certification to work as a pharmacy technician must successfully complete.

(2) Specify the additional requirements other than those specified in the bill (see "**Renewal process**" and "**Renewal after identification card lapses for more than 60 days**" above) an applicant must meet to renew an identification card and certification to work as a pharmacy technician that has lapsed for more than three years after expiration.

(3) Establish procedures pharmacy technicians must follow when dispensing prescriptions and compounding drugs under a pharmacist's supervision.

(4) Establish any activities other than those specified in the bill (see "**Work activities of a pharmacy technician, In general**" above) that a pharmacy technician may perform that are for the purpose of assisting a pharmacist or pharmacy intern.

(5) Establish any activities other than those specified in the bill (see "**Work activities of a pharmacy technician**" above) that a pharmacy technician may perform while working in a nursing home, residential care facility, or hospital.

(6) Specify the number of pharmacy technicians beyond three who may be supervised by a pharmacist during a work shift in various work settings, including retail pharmacies, hospitals, clinics, nursing homes, and residential care facilities. In adopting these rules, the Board is not limited to specifying a uniform number for all settings but may specify different numbers for each setting as determined appropriate by the Board.

MISCELLANEOUS

Notification regarding generically equivalent drugs

(R.C. 4729.38)

Current law generally requires a pharmacist or the pharmacist's agent, assistant, or employee to notify a patient or the patient's agent if a generically equivalent drug is available at a lower or equal cost and of the person's right to refuse the drug selected.

The bill provides that a pharmacy intern, pharmacy technician, or aide of the pharmacist is also authorized to make this notification.

Disciplinary actions

(R.C. 4729.16)

Under current law, the Pharmacy Board is authorized to take certain disciplinary actions in accordance with the Administrative Procedure Act. The Board may revoke, suspend, limit, place on probation, or refuse to grant or renew an identification card, or impose a monetary penalty or forfeiture on a pharmacist or pharmacy intern, if a pharmacist or intern is guilty of one of a number of crimes or violates any of a number of prohibitions.

The bill authorizes the Board to pursue such disciplinary action against any individual licensed as, or who has applied for licensure as, a pharmacist or pharmacy intern, or any individual certified as, or who has applied for certification as, a pharmacy technician.

Approval and designation of substance abuse treatment providers

(R.C. 4729.18)

Existing law requires the Pharmacy Board to adopt rules in accordance with the Administrative Procedure Act to establish standards for approving and designating physicians and facilities as substance abuse treatment providers for pharmacists. Current law also requires the approved provider to report certain information on each pharmacist the provider treats. In the absence of fraud or bad faith, neither a professional association of pharmacists that sponsors a committee or program to provide peer assistance to pharmacists with substance abuse problems nor any member of the Pharmacy Board or individual who reports to the Board a pharmacist with a suspected substance abuse problem is liable for damages in a civil action by reason of actions taken to refer a pharmacist to a treatment provider or to make a report of suspected substance abuse to the Board.

The bill requires that the Board's rulemaking authority regarding substance abuse treatment be extended to cover approving and designating physicians and facilities as substance abuse treatment providers for pharmacy interns and pharmacy technicians in addition to pharmacists. The bill also requires the approved provider to report the same information about pharmacy interns and pharmacy technicians that it must currently report on each pharmacist treated. Further, the bill extends the provisions in current law governing pharmacist professional associations and individuals who refer pharmacists to treatment providers or report them to the Board to cover pharmacy intern and pharmacy technician professional associations and individuals who refer interns and

technicians to treatment providers or report suspected substance abuse by these individuals to the Board.

Licensure for terminal distributors of dangerous drugs

(R.C. 4729.55)

Current law prohibits the Pharmacy Board from issuing to an applicant a license to be a terminal distributor of dangerous drugs unless the applicant has furnished satisfactory proof to the Board of meeting certain requirements. One requirement an applicant must fulfill is that it must assure adequate safeguards are in place so that the applicant can carry on the business of a terminal distributor of dangerous drugs in a manner that allows pharmacists and pharmacy interns employed by the terminal distributor to practice pharmacy in a safe and effective manner.

The bill requires an applicant to assure adequate safeguards are in place so that the applicant can carry on the business of a terminal distributor of dangerous drugs in a manner that allows pharmacists, pharmacy interns, *and pharmacy technicians* employed by the terminal distributor to practice pharmacy *or work as a pharmacy technician* in a safe and effective manner.

Child support defaults

(R.C. 4729.67)

Under existing law governing what happens when an individual defaults on a child support obligation, a court or agency may send a notice containing the obligor's name and social security number or other identification number to every board that has authority to issue or has issued the obligor a license. If a board receives this notice and determines that the obligor is a licensee of the board, the board (1) is prohibited from issuing to, or renewing a license of, the individual, (2) must suspend any license of the individual, and (3) is prohibited from reinstating a suspended license until the board receives a notice that the individual is no longer in default.

Current law requires the Pharmacy Board to comply with the child support default law described above with respect to any license, identification card, or certificate of registration it issues.

The bill also requires the Board to comply with this law with respect to a certificate the Board issues.

HISTORY

ACTION

DATE

Introduced

07-19-07

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