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## STATE BOARD OF PHARMACY

### Ohio Automated Rx Reporting System (OARRS)

- Generally requires information that must be submitted to the Ohio Automated Rx Reporting System (OARRS) under current law be submitted to the system not less than once each day that a pharmacy, prescriber, or wholesale distributor of dangerous drugs conducts business.
- Requires, rather than permits, the State Board of Pharmacy to provide information in the OARRS to the medical director of a Medicaid managed care organization and the Medicaid Director.
- Requires the Board to notify the Medicaid Director if it determines from a review of OARRS information that a provider of services under a program administered by the Department of Medicaid (ODM) may have violated the law.

### Remote drug dispensing systems in institutional facilities

- Authorizes a pharmacy licensed as a terminal distributor of dangerous drugs to use a remote dispensing system in certain circumstances to assist in the distribution of dangerous drugs at an institutional facility, which includes a hospital, ambulatory surgical facility, nursing home, residential care facility or facility operated or maintained by the Department of Developmental Disabilities or Rehabilitation and Correction where medical care is provided.
- Requires that a pharmacist maintain supervision and control of a remote dispensing system, but specifies that a pharmacist does not have to be physically present where the system is used to dispense drugs.
- Requires the facility where a remote dispensing system is located to complete periodic audits of controlled substances dispensed through the system.
- Requires that any place at which an applicant for licensure or licensed terminal distributor intends to operate a remote dispensing system be included on the application or license.



## Ohio Automated Rx Reporting System

### Frequency of information submission

(R.C. 4729.77(B)(3), 4729.78(B)(3), and 4729.79(B)(3))

The bill generally requires information that a pharmacy, prescriber, or wholesale distributor of dangerous drugs must submit to the Ohio Automated Rx Reporting System (OARRS) under current law be submitted to the system not less than once each day that the pharmacy, prescriber, or wholesale distributor conducts business. Under current law unchanged by the bill, the State Board of Pharmacy may grant an extension to a pharmacy, prescriber, or wholesale distributor for submission if any of the following is true:

--In the case of a pharmacy or wholesale distributor, the pharmacy or distributor (1) suffers a mechanical or electronic failure, or cannot meet the deadline for other reasons beyond the pharmacy's or distributor's control, or (2) the Board is unable to receive electronic submissions.

--In the case of a prescriber, (1) the prescriber's transmission system suffers a mechanical or electronic failure, or (2) the prescriber cannot meet the deadline for other reasons beyond the prescriber's control.

In contrast to the bill existing law requires that information be submitted to OARRS in accordance with time limits, if any, specified by the Board. The Board has adopted rules specifying the following time limits for information submission:<sup>199</sup>

- Pharmacies and prescribers: At least weekly.
- Wholesale distributors: Monthly. Information must be (1) submitted during the first through fifteenth day of the month, (2) consecutive and inclusive from the last date and time information was submitted, and (3) reported not later than 45 days after the date of the wholesale sale.

### Access to information

(R.C. 4729.80 and 4729.81)

Information contained in OARRS, information obtained from it, and information contained in the records of requests for information from OARRS are not public records. The bill modifies the circumstances when information from OARRS may or

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<sup>199</sup> O.A.C. 4729-37-07(A) and (D).



must be released by the State Board of Pharmacy. Current law permits the Board to provide information to the medical director of a Medicaid managed care organization, if the information relates to a Medicaid recipient enrolled in the managed care organization. The bill instead *requires* the Board to provide this information, including information related to prescriptions for the recipient that were not covered or reimbursed under an ODM-administered program.

Existing law also permits the Board to provide information to the Department of Job and Family Services (ODJFS) Director, if the information relates to a recipient of a program administered by the ODJFS (e.g., Medicaid, Children's Health Insurance Program (CHIP), Ohio Works First, unemployment compensation). The bill modifies this provision by *requiring* the Board to provide information to the Medicaid Director if the information relates to a recipient of a program administered by ODM (e.g., Medicaid and CHIP), including information related to prescriptions for the recipient that were not covered or reimbursed under an ODM-administered program. The bill eliminates the Board's authority to provide OARRS information to the ODJFS Director.

### **Notification to ODM Director**

Current law requires the Board to review information in OARRS and, if it determines that a violation of law may have occurred, the Board must notify the appropriate law enforcement agency or government entity responsible for the licensure, regulation, or discipline of licensed health professionals authorized to prescribe drugs. The bill requires, in addition, that the Board notify the Medicaid Director if it determines from its review of OARRS information that a violation of law may have been committed by a provider of services under an ODM-administered program.

### **Remote drug dispensing systems in institutional facilities**

(R.C. 4729.542 (primary), 4729.01, 4729.51, 4729.54, and 4729.99)

The bill authorizes a pharmacy that is licensed as a terminal distributor of dangerous drugs to use a remote dispensing system to assist in the distribution of dangerous drugs at certain institutional facilities. "Remote dispensing system" is defined as a mechanical system for dispensing drugs that is installed in a facility and communicates electronically with a pharmacy. "Institutional facility" is defined as any of the following at which medical care is provided and a medical record documenting episodes of care (including dangerous drugs prescribed, dispensed, or administered) is maintained:

- A hospital classified as such by the Department of Health or licensed by the Department of Mental Health;



- A facility licensed by the Department of Health, including a nursing home, residential care facility, ambulatory surgical facility, freestanding inpatient rehabilitation facility, freestanding cardiac catheterization facility, freestanding birthing center, freestanding dialysis center, freestanding or mobile diagnostic imaging center, freestanding radiation therapy center, or any other facility licensed by the Department at which medical care is provided;
- A facility maintained or operated by the Department of Rehabilitation and Correction or the Department of Developmental Disabilities at which medical care is provided.

Under the bill, a remote dispensing system must meet all of the following requirements:

(1) The system must have a documented and ongoing quality assurance program that monitors total system performance and requires 100% accuracy in drugs dispensed and their strength. As part of this program, the institutional facility where the system is located must complete periodic audits of controlled substances dispensed through the system.

(2) The system must have security adequate to prevent unauthorized access to dangerous drugs.

(3) Records kept by the system must comply with State Board of Pharmacy requirements.

The bill requires that a pharmacist maintain supervision and control of a remote dispensing system; however, it specifies that a pharmacist is not required to be physically present at the facility where the system is used to dispense drugs. In a corresponding provision, the bill specifies that the practice of pharmacy includes electronic supervision and control of and communication with a remote dispensing system.

### **Terminal distributor licenses and applications**

Continuing law requires each application for a terminal distributor license to contain specified information, including a description of the establishment or place at which the person intends to possess, have custody or control of, or distribute dangerous drugs at retail. Each license issued must also contain this information. The bill adds to the information that must be included on an application for licensure and a license as a terminal distributor by requiring that the information include any place at which an applicant or licensee intends to operate a remote dispensing system.

