



Ohio Legislative Service Commission

Synopsis of House Committee Amendments*

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Sub. S.B. 83

129th General Assembly
(H. Health and Aging)

Locations for schedule II controlled substance prescriptions by APNs

With respect to the bill's list of locations where an advanced practice nurse (APN) may prescribe schedule II controlled substances without being subject to limits established under existing law, adds the following:

- Hospital-related entities:** an entity owned or controlled, in whole or in part, by a hospital or by an entity that owns or controls, in whole or in part, one or more hospitals;
- FQHC look-alikes:** a federally qualified health center look-alike, which is a not-for-profit health center that meets the eligibility requirements for, but does not receive, a federal public health services grant;
- Physician practices:** a site where a medical practice is operated, but only if (1) the practice is comprised of one or more physicians who are also owners, (2) the practice is organized to provide direct patient care, and (3) the APN has a standard care arrangement and collaborates with at least one of the physician owners practicing primarily at the site.

Immunity from liability for pharmacists

Adds a provision granting a pharmacist immunity from civil liability, criminal prosecution, and professional disciplinary action when the pharmacist relies in good faith on an APN's prescription issued from one of the bill's specified locations.

Transition for existing APNs

Removes the provision of the Senate version under which an APN with existing prescriptive authority would not be authorized to prescribe schedule II controlled substances under the bill until the APN's certificate to prescribe is renewed (2013 at the

* This synopsis does not address amendments that may have been adopted on the House Floor.

earliest) or until a new certificate is issued in the case of an APN participating in an externship.

Provides, instead, that an existing APN is authorized to prescribe schedule II controlled substances under the bill beginning on the bill's effective date, but retains the Senate version's requirement that an existing APN complete six hours of instruction regarding schedule II controlled substances.

Professional discipline for abusing schedule I controlled substances

Adds a provision allowing the Board of Nursing to take professional disciplinary action against a nurse or dialysis technician who self-administers a schedule I controlled substance, such as marihuana or heroin.