

**As Passed by the House**

**130th General Assembly  
Regular Session  
2013-2014**

**Am. S. B. No. 230**

**Senators Manning, Oelslager**

**Cosponsors: Senators Jones, Lehner, Patton, Cafaro, Brown, Tavares,  
Eklund, LaRose, Schiavoni, Seitz, Skindell, Turner**

**Representatives Antonio, Barnes, Bishoff, Brown, Schuring, Sprague,  
Burkley, Grossman, Hackett, Lundy, Maag, Sears, Smith, Young**

**Speaker Batchelder**

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**A B I L L**

To amend section 4729.03 and to enact section 4729.43 1  
of the Revised Code to change the requirements to 2  
serve as the Executive Director of the State Board 3  
of Pharmacy and to establish standards for the 4  
delivery of non-self-injectable cancer drugs. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4729.03 be amended and section 6  
4729.43 of the Revised Code be enacted to read as follows: 7

**Sec. 4729.03.** The state board of pharmacy shall organize by 8  
electing a president and a vice-president who are members of the 9  
board. The president shall preside over the meetings of the board, 10  
but shall not vote upon matters determined by the board, except in 11  
the event of a tie vote, in which case the president shall vote. 12  
The board shall also employ an executive director ~~who is a~~ 13  
~~licensed pharmacist in good standing in the practice of pharmacy~~ 14  
~~in this state.~~ The person employed shall not be a member of the 15

board. Each of the officers elected shall serve for a term of one 16  
year. The members of the board shall receive an amount fixed 17  
pursuant to division (J) of section 124.15 of the Revised Code for 18  
each day employed in the discharge of their official duties and 19  
their necessary expenses while engaged therein. 20

Sec. 4729.43. (A) As used in this section: 21

(1) "Home health agency" has the same meaning as in section 22  
3701.881 of the Revised Code. 23

(2) "Hospice care program" and "hospice patient" have the 24  
same meanings as in section 3712.01 of the Revised Code. 25

(B) With regard to a dangerous drug that is indicated for the 26  
treatment of cancer or a cancer-related illness, must be 27  
administered intravenously or by subcutaneous injection, and 28  
cannot reasonably be self-administered by the patient to whom the 29  
drug is prescribed or by an individual assisting the patient with 30  
the self-administration, a pharmacist or pharmacy intern shall not 31  
dispense the drug by delivering the drug directly to any of the 32  
following or causing the drug to be delivered directly to any of 33  
the following: 34

(1) The patient; 35

(2) The patient's representative, which may include the 36  
patient's guardian or a family member or friend of the patient; 37

(3) The patient's private residence unless any of the 38  
following is the case: 39

(a) The patient's private residence is a nursing home, 40  
residential care facility, rehabilitation facility, or similar 41  
institutional facility or health care facility. 42

(b) If the patient is an adult and a hospice patient or 43  
client of a home health agency, the patient, the licensed health 44  
professional authorized to prescribe drugs who prescribed the drug 45

to the patient, or an employee or agent of the prescriber has 46  
notified the pharmacist or pharmacy intern that the patient is a 47  
hospice patient or client of a home health agency and an employee 48  
or agent of the hospice care program or home health agency will be 49  
administering the drug to the patient. 50

(c) If the patient is a minor and a hospice patient or client 51  
of a home health agency, either of the following has notified the 52  
pharmacist or pharmacy intern that the patient is a client of a 53  
home health agency and an employee or agent of the hospice care 54  
program or home health agency will be administering the drug to 55  
the patient: 56

(i) The licensed health professional authorized to prescribe 57  
drugs who prescribed the drug to the patient or an employee or 58  
agent of the prescriber; 59

(ii) The parent, guardian, or other person who has care or 60  
charge of the patient and is authorized to consent to medical 61  
treatment on behalf of the patient. 62

**Section 2.** That existing section 4729.03 of the Revised Code 63  
is hereby repealed. 64