

**As Reported by the Senate Medicaid, Health and Human Services  
Committee**

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

**S. B. No. 230**

**Senators Manning, Oelslager**

**Cosponsors: Senators Jones, Lehner, Patton, Cafaro, Brown, Tavares**

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**A B I L L**

To enact section 4729.43 of the Revised Code to 1  
establish standards for the delivery of 2  
non-self-injectable cancer drugs. 3

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

**Section 1.** That section 4729.43 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 4729.43. (A) As used in this section:** 6

(1) "Home health agency" has the same meaning as in section 7  
3701.881 of the Revised Code. 8

(2) "Hospice care program" and "hospice patient" have the 9  
same meanings as in section 3712.01 of the Revised Code. 10

(B) With regard to a dangerous drug that is indicated for the 11  
treatment of cancer or a cancer-related illness, must be 12  
administered intravenously or by subcutaneous injection, and 13  
cannot reasonably be self-administered by the patient to whom the 14  
drug is prescribed or by an individual assisting the patient with 15  
the self-administration, a pharmacist or pharmacy intern shall not 16  
dispense the drug by delivering the drug directly to any of the 17  
following or causing the drug to be delivered directly to any of 18

<u>the following:</u>	19
<u>(1) The patient;</u>	20
<u>(2) The patient's representative, which may include the patient's guardian or a family member or friend of the patient;</u>	21 22
<u>(3) The patient's private residence unless any of the following is the case:</u>	23 24
<u>(a) The patient's private residence is a nursing home, residential care facility, rehabilitation facility, or similar institutional facility or health care facility.</u>	25 26 27
<u>(b) If the patient is an adult and a hospice patient or client of a home health agency, the patient, the licensed health professional authorized to prescribe drugs who prescribed the drug to the patient, or an employee or agent of the prescriber has notified the pharmacist or pharmacy intern that the patient is a hospice patient or client of a home health agency and an employee or agent of the hospice care program or home health agency will be administering the drug to the patient.</u>	28 29 30 31 32 33 34 35
<u>(c) If the patient is a minor and a hospice patient or client of a home health agency, either of the following has notified the pharmacist or pharmacy intern that the patient is a client of a home health agency and an employee or agent of the hospice care program or home health agency will be administering the drug to the patient:</u>	36 37 38 39 40 41
<u>(i) The licensed health professional authorized to prescribe drugs who prescribed the drug to the patient or an employee or agent of the prescriber;</u>	42 43 44
<u>(ii) The parent, guardian, or other person who has care or charge of the patient and is authorized to consent to medical treatment on behalf of the patient.</u>	45 46 47