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Substitute Bill Comparative Synopsis

Sub. H.B. 193

134th General Assembly

House Health

Elizabeth Molnar, Attorney

CORRECTED VERSION*

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (As Introduced)	Latest Version (I_134_0816-1)
Pharmacist dispensing of schedule II controlled substances	
Generally limits pharmacist dispensing of schedule II controlled substances to those prescribed electronically, rather than in writing or electronically as under current law (<i>R.C. 3719.05</i>).	Same.
Exceptions to dispensing schedule II controlled substances only on electronic prescriptions	
Maintains a current law provision allowing a pharmacist to dispense a schedule II controlled substance upon an oral prescription in an emergency situation, but only if the following conditions established in federal law are satisfied: <ol style="list-style-type: none">1. The pharmacist dispenses an amount adequate to treat the patient for the duration of the emergency period only;2. The prescriber delivers a prescription to	Same.

* This version corrects a technical error in the section of the synopsis titled “**Prescriber issuance of schedule II controlled substance prescriptions.**”

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<p>the pharmacist within seven days after authorizing the emergency prescription (<i>R.C. 3719.05</i>).</p> <p>No provision.</p>	<p>Authorizes a pharmacist to dispense a schedule II controlled substance upon a written prescription if either of the following is the case:</p> <ol style="list-style-type: none"> 1. A temporary technical, electrical, or broadband failure prevents dispensing upon an electronic prescription; 2. The prescriber issued the written prescription under specified circumstances (see “Prescriber issuance of schedule II controlled substance prescriptions,” below) (<i>R.C. 3719.05</i>).
Prescriber issuance of schedule II controlled substance prescriptions	
<p>No provision.</p>	<p>Generally requires a prescriber to issue an electronic prescription when prescribing a schedule II controlled substance (<i>R.C. 3719.06</i>).</p>
<p>No provision.</p>	<p>Authorizes a prescriber to issue a written prescription for a schedule II controlled substance only in the following circumstances:</p> <ol style="list-style-type: none"> 1. In the event of a temporary technical, electrical, or broadband failure; 2. When the prescription is issued for a nursing home resident or hospice care patient; 3. When the prescriber is employed by or under contract with the same entity that operates the pharmacy; 4. When the prescriber determines that an electronic prescription cannot be issued in a timely manner and the patient’s medical condition is at risk; 5. When the prescription is issued from a health care facility, which may include an emergency department, and the prescriber reasonably determines that an electronic prescription would be

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	<p>impractical for the patient or would cause delay that may adversely impact the patient's medical condition;</p> <p>6. When the prescriber issues per year not more than 50 prescriptions for schedule II controlled substances (<i>R.C. 3719.06</i>).</p>
Pharmacist safe harbor	
No provision.	Specifies that a pharmacist who receives a faxed, oral, or written prescription for a schedule II controlled substance is not required to verify that the prescription was issued under an exception to the requirement that a prescriber issue the prescription electronically (<i>R.C. 3719.05</i>).
Pharmacist dispensing of other drugs	
No provision.	Specifies that a pharmacist may continue to dispense any other drug upon an otherwise valid faxed, oral, or written prescription that is consistent with state and federal statutes, rules, and regulations (<i>R.C. 3719.05</i>).