



OHIO LEGISLATIVE SERVICE COMMISSION

Sub. Bill Comparative Synopsis

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Sub. H.B. 231

132nd General Assembly
(H. Health)

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.

| Topic | Previous Version (As Introduced) | Sub. Version (L_132_1135-4) |
|--|---|---|
| Lockable or tamper-evident container and patient education requirements | Before certain controlled substances are dispensed, generally requires that the pharmacist (1) offer to dispense the drug in a lockable or tamper-evident container and (2) provide an educational statement regarding the potential for abuse and diversion of drugs containing controlled substances (<i>R.C. 3719.051(B)</i>). | Generally the same, except makes the requirements part of a program that is to be developed by the State Board of Pharmacy (<i>R.C. 3719.051(B) and (C)</i>). |
| Duration of the program | No provision (requirements are not part of a program and are indefinite). | Requires the Board to operate the program for one year. After one year, requires the program to be continued indefinitely if 50% or more of patients offered lockable or tamper-evident containers in the first six months of the program's initial year opted to have their drugs dispensed in such containers (<i>R.C. 3719.051(B) and (G)</i>). |

| Topic | Previous Version (As Introduced) | Sub. Version (L_132_1135-4) |
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| Drugs subject to lockable container and patient education requirements | Specifies that the bill's requirements apply when dispensing a drug containing a controlled substance in schedule II, III, IV, or V (<i>R.C. 3719.051(B)</i>). | Limits the requirements to the dispensing of (1) a drug containing a schedule II controlled substance, (2) an opioid analgesic in a nonliquid oral dosage formulation, or (3) a benzodiazepine in a nonliquid oral dosage formulation (<i>R.C. 3719.051(B) and (C)(1)</i>). |
| Delegation by pharmacists | No provision. | Authorizes a pharmacist's delegate to fulfill the duties of (1) providing information on the option of receiving a drug in a lockable or tamper-evident container and (2) delivering the educational statement (<i>R.C. 3719.051(C)(1)</i>). |
| When lockable container and patient education requirements must be met | Applies the requirements anytime a drug described above is dispensed (<i>R.C. 3719.051(B)</i>). | Applies the requirements as part of the initial transaction in which a drug described above is dispensed to or for any given patient. Specifies that if a patient opts to have a drug dispensed in a lockable or tamper-evident container, the drug must continue to be dispensed in such a container until the pharmacist or pharmacist's delegate is notified the patient no longer wishes to have the drug dispensed in such a container (<i>R.C. 3719.051(C)(2)</i>). |
| Limits on pharmacies at which lockable container and patient education requirements apply | No provision. | Requires the Board to adopt rules specifying outpatient pharmacies at which the bill's requirements apply (<i>R.C. 3719.051(H)(1)</i>). |

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| Content of educational statement | Specifies that the educational statement must educate patients on the potential for abuse and diversion of drugs containing controlled substances, including the potential for diversion from a patient's home (R.C. 3719.051(C)). | Specifies that the educational statement must be brief and efficient and (1) educate patients and individuals acting on their behalf about the serious potential for abuse and diversion of drugs containing controlled substances, including the possibility of pilfering by adolescents and unauthorized users and (2) provide a plain and accurate warning of the risks of abuse, diversion, addiction, overdose, and death associated with controlled substances (R.C. 3719.051(D)). |
| How educational statement may be delivered | No provision. | Permits the statement to be delivered in any manner a pharmacist chooses, including orally, electronically, or in written format (R.C. 3719.051(D)). |
| Qualified immunity | No provision. | Provides civil, criminal, and professional immunity, as applicable, to pharmacists, pharmacists' delegates, and pharmacies for actions taken in good faith in accordance with the bill's requirements (R.C. 3719.051(E)). |
| Data collection and reporting | No provision. | Requires the Board to (1) compile data regarding the number of patients and Medicaid recipients that opt to have drugs dispensed in lockable or tamper-evident containers and (2) submit a report containing the data to the Governor and General Assembly (R.C. 3719.051(F)). |
| Rulemaking | Permits the Board to adopt rules as it determines necessary (R.C. 3719.051(D)). | Requires the Board to adopt rules, within 120 days of the bill's effective date, to (1) specify the outpatient pharmacies that must |

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| | | participate in the program and (2) address any other matter the Board considers appropriate to implement the program <i>(R.C. 3719.051(H))</i> . |
| Lockable container | Provides that the container can be unlocked either (1) physically by entering a numeric or alphanumeric combination code or (2) electronically by entering a password or code <i>(R.C. 3719.051(A)(1)(b))</i> . | Same, but also provides that the container can be unlocked physically by using a key <i>(R.C. 3719.051(A)(1)(b))</i> . |

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