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 (L_132_1135-4)	Sub. Version (L_132_1135-7)
Program to dispense certain drugs in lockable or tamper-evident containers	Requires the State Board of Pharmacy to develop an "opt-in" program whereby certain drugs are offered to be dispensed in lockable or tamper-evident containers *(R.C. 3719.051(B)).*	Instead, makes the program an "opt-out" program (i.e., requires certain drugs to be dispensed in a lockable or tamper-evident container unless the patient opts out) *(Section 2(A) and (C)(1)).*
Program funding	No provision.	Makes operation of the program dependent on whether the General Assembly appropriates funds for the program *(Section 3).*
Program implementation	Requires the program to be implemented within six months of the bill's effective date *(R.C. 3719.051(B)).*	Requires implementation within six months of an appropriation becoming available to the Board *(Section 3(A)).*
Program duration	Requires the program to be operated for one year, except that the program must be continued indefinitely if during the initial six months of the program, 50% or more of patients opted to have drugs dispensed in lockable or tamper-evident containers *(R.C. 3719.051(G)).*	Requires the program to be operated for two years *(Section 2(A)).*

Topic	Previous Version (L_132_1135-4)	Sub. Version (L_132_1135-7)
Drugs subject to lockable or tamper-evident container requirements	Specifies the bill's requirements apply to the dispensing of the following: (1) A drug containing a schedule II controlled substance; (2) An opioid analgesic in a nonliquid oral dosage formulation; (3) A benzodiazepine in a nonliquid oral dosage formulation *(R.C. 3719.051(B) and (C)).*	Limits the requirements to the dispensing of drugs containing a schedule II controlled substance *(Section 2(A) and (C)(1)).*
Pharmacy participation	Requires the Board to specify through rule the types of outpatient pharmacies that are included in the program, including retail pharmacies, mail-order pharmacies, and hospital pharmacies that provide drugs to patients on discharge *(R.C. 3719.051(H)(1))*. No provision.	Permits any pharmacy to volunteer to participate and requires the Board to select participants from the volunteers; in selecting pharmacies, requires the Board to consider areas with high levels of dispensing schedule II controlled substances *(Section 2(B))*. Specifies that the bill does not preclude a pharmacy that is not participating in the program from stocking lockable or tamper-evident containers and offering to dispense schedule II controlled substances in those containers *(Section 4)*.
Program costs	No provision. No provision.	Requires the Board to reimburse participating pharmacies for expenses incurred in participating in the program *(Section 2(A))*. Specifies that pharmacy-incurred expenses for the containers cannot be included in an amount to be paid by the patient, the patient's

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		representative, or a third-party payer *(Section 2(C)(3))*.
Data compilation	Requires the Board to compile data within six months of the program being implemented, including the number of patients and Medicaid recipients that opt to have drugs dispensed in lockable or tamper-evident containers *(R.C. 3719.051(F)(1))*.	No provision.
Third-party research	No provision.	Requires the Board to contract with a third-party research organization to evaluate the program's success, including by assessing whether a measured decrease in diversion occurred because of the program *(Section 2(F))*.
Report	Requires the Board to complete a report within nine months of the program being implemented. Requires the report to contain the data described above and recommendations about making the program permanent. Requires the report to be submitted to the Governor and General Assembly. *(R.C. 3719.051(F)(2).)*	Requires the report to be completed within six months of the program ending. Requires the report to describe the Board's findings regarding the success of the program. Requires the report to be submitted to the General Assembly only. *(Section 2(F).)*
Rulemaking	Requires rules to be adopted within 120 days of the bill's effective date *(R.C. 3719.051(H))*.	Requires rules to be adopted if an appropriation is made for the program *(Section 3(B))*.

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