

So You Thought You Knew Ohio Pharmacy Law: A Case-Based Discussion

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Disclosure Statement

- Donnie Sullivan has no relevant financial relationship(s) with ineligible companies to disclose.
- None of the planners for this activity have relevant financial relationship(s) with ineligible companies to disclose.

Learning Objectives

At the completion of this activity, the participant will be able to:

1. Interpret cases related to pharmacy practice laws and rules
2. Interpret cases related to dispensing and recordkeeping of controlled substances
3. Interpret cases related to new pharmacy practice laws
4. Describe practice situations and cases that tend to confuse pharmacists

Cases

- A dentist is doing a rotation at the Wexner Medical Center with the OSU Internal Medicine as part of a structured academic fellowship. During rounds with the internal medicine team, a patient needs an order written for amlodipine 5mg. The attending physician is on these rounds. The dentist writes this order. Can the hospital pharmacist dispense it?

Cases

- How long can you partial dispense a schedule II drug for a patient living in their own home who is not terminally ill?
- Can a nurse practitioner working in a Kroger minute clinic write a prescription for hydrocodone 10mg/acetaminophen 325mg?

Cases

- A physician wants to call in an oral prescription for a oxycodone 5mg/acetaminophen 325mg. What is the maximum days supply she can call in?
- How many refills can a patient receive if the physician's assistant writes "refill prn"?

Cases

- A patient brings you a prescription from a dentist for a cough. He says the dentist cannot work on his teeth because of the coughing. Can you fill it?
- Can a dentist write a prescription for oxycodone 5mg/acetaminophen 325mg for her husband for dental pain?

Cases

- The patient is out of refills on their atorvastatin 10mg. You dispense an emergency refill of a 30 day supply. How much more can you dispense without a new prescription?
- Which schedule(s) of controlled substances have to be locked in a safe?

Cases

- A prescription is written by a physician in Indiana for tramadol 50mg, BID, 120 days of medication. The patient brings it to Cincinnati to be filled. You call the physician and it is a legitimate prescription. How many days supply can you dispense?

Cases

- You receive an eRx for hydrocodone 5mg/acetaminophen 325mg on 3/1/23. You fill the prescription and place it in the “waiting to be picked up” area. The patient does not pick it up so you cancel it and return it to stock. The patient comes in on 3/20/23 and wants it filled. Can you fill it?

Cases

- My district manager wants me to supervise 6 technicians in the pharmacy by myself. What is maximum number of technicians one pharmacist can supervise?
- A patient has been taking lorazepam 0.5mg for one year. They bring you a new prescription for the same drug. Do you have to request and review an OARRS report?

Cases

- If outpatient non-controlled substance prescriptions are scanned electronically, when can the hardcopies be destroyed?
- If outpatient controlled substance prescriptions are scanned electronically, when can the hardcopies be destroyed?

Cases

- A prescription for lisinopril 10mg, #30 with 12 refills is brought to my pharmacy. The patient has been taking the medication for a year. What is the maximum amount I can dispense?
- A prescription for metformin 500mg is brought to my pharmacy written by a physician in Puerto Rico. The patient is visiting family in Columbus. Can I fill it?

Cases

- A patient's physician dies and the patient still has 3 refills of furosemide 40mg, one daily on a prescription. How much can the pharmacist dispense?
- A patient's physician dies and the patient still has 3 refills of tramadol 50mg, 1 Q6h, #30 on a prescription. How much can the pharmacist dispense?

Cases

- Physicians who write prescriptions for buprenorphine are required to have a DEA number that begins with what letter?
- Can an ophthalmologist write a prescription for glipizide 5mg?

Cases

- Can a physician post-date a prescription in the future?
- Does the pharmacist have to dispense a 30-day supply if a patient is out of refills?

Cases

- Does a new prescription document need to be created for each emergency dispensing when a patient is out of refills?
- For the second emergency dispensing, the patient's inhaler will last more than 7 days, can I still dispense it?

Cases

- Pharmacy XYZ has a real-time database accessible by all 30 pharmacies in a chain. Can a pharmacist at Store #1 dispense an emergency refill from an original prescription filled at Store #2?

Cases

- A patient brings me a prescription bottle that is out of refills to my pharmacy, ABC Apothecary. The prescription was filled at XYZ Pharmacy. The pharmacies do not share a real-time database. Can ABC Pharmacy dispense an emergency refill?

Cases

- What schedule(s) of controlled substances must be prescribed electronically?
- A pharmacy receives a prescription written for oxycodone 5mg/acetaminophen 325mg. The prescription does not meet one of the exceptions regarding the electronic prescribing of schedule IIs. Can you fill it?

Cases

- Does the electronic prescribing requirement for schedule IIs only apply to opioids?
- Is a pharmacy technician living in Ohio and doing remote entry for a pharmacy licensed outside of Ohio required to be registered as a technician in Ohio?

Cases

- Can interns and technicians conduct remote prescription entry from their homes?
- Does an outpatient pharmacy have to post its hours?

Cases

- Can a pharmacist affix a prescription label to the box of an inhaler rather than the inhaler itself?
- Can a registered technician accept an new oral prescription for amoxicillin 875mg from a physician?

Cases

- If a prescription for an animal is dispensed, what “name” should be on the label?
- How often does a pharmacy’s recordkeeping system have to be “backed-up”?

Cases

- If my computer keeps a perpetual inventory of all controlled substances, do I have to do a physical count? How often???
- Can a pharmacy stock “Starter Packs” supplied by a manufacturer?

Cases

- If a prescription for hydromorphone 2mg was partially dispensed, does the patient have to get the remaining quantity within 14 days of the day written?
- What expiration date should be placed on a multi-dose vial once it is punctured?

Cases

- A pharmacist has completed 45 hours of CE by August 31, 2023. Can the pharmacist “carry-over” the extra 5 hours to the next reporting cycle?
- Can a pharmacist use CE with only CME accreditation?

Cases

- What three things can never be changed, added, or clarified on a schedule II prescription?
- A pharmacist receives a prescription for oxycodone 5mg and the physician forgot the directions. Does the pharmacist have to talk directly to the prescriber?

Cases

- Can a physician's assistant write a prescription for phentermine?
- Can a physician's assistant write a prescription for Qsymia?

Cases

- Can a registered pharmacy technician obtain the patient's medical history to include in the patient's profile?
- A patient has been taking lorazepam 0.5mg for one year. They bring you a new prescription for the same drug. Do you have to request and review an OARRS report?

Cases

- A patient brings you a new prescription for gabapentin 600mg. Do you have to request and review an OARRS report?
- Is it legal for a physician to write the directions on a prescription only as “Take as Directed”?

Cases

- If a pharmacist quits his/her job, does the access codes to the pharmacy have to be changed?

Cases

- Your pharmacy faxes a refill authorization form to a physician's office. The nurse asks the physician how many additional refills the doctor wants to authorize. The doctor says "3". The nurse writes on the refill authorization "refills 3 times as per Dr. Sue Smith, Nurse Nancy Smith". The nurse faxes this back to the pharmacy. Is this legal?

Cases

- Can a nurse write the prescription and a physician just sign it?
- Can a nurse at an assisted living facility call in oral Rxs or fax them for their residents?

Cases

- Can a physician write a prescription for their uncle for tramadol 50mg?
- Can a chiropractor write a prescription for an OTC multivitamin?

Cases

- You receive a prescription from a psychologist written in Michigan for Celexa 10mg. The patient wants it filled in Ohio. Psychologists can legally write prescriptions in Michigan. Can you fill it?
- Is an “oral” DAW considered legal?

Cases

- Can a pharmacist enter into a collaborative practice agreement with a PA or nurse practitioner?
- Can a pharmacist in Cincinnati, OH enter into a collaborative practice agreement with a physician in Kentucky?

Cases

- Can a physician send a prescription from their computer to the pharmacy's fax machine?
- If I sell a bottle of tramadol 50mg to another pharmacy, do I have to report it to OARRS?

Cases

- An intern in a pharmacy has a name tag with their first and last name. Is this legal?
- Can Wal-Mart pharmacy transfer an unfilled e-script for hydrocodone 5mg/acetaminophen 325mg to Kroger Pharmacy?

References

- Pharmacy Practice Act: 4729.01 to 4729.99
- Controlled Substance Act 3719.01 to 3719.99
- Pure Food and Drug Law 3715.01 to 3715.99
- State Board of Pharmacy Rules OAC 4729:1 to 4729:10
- Medical Board Rules 4731-11

Need More Information?

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