



Ohio Administrative Code Rule 4729:4-1-02 Applicability.

Effective: February 4, 2021

(A) No person, except an approved treatment provider, shall purport to be or operate as a treatment facility for the purpose of administering care in the detoxification and rehabilitation of an impaired licensee or registrant.

(B) The rules in this division of the Administrative Code are applicable to all licensed pharmacists, pharmacy interns, and any other board licensees or registrants, including pharmacy technician trainees, registered pharmacy technicians, and certified pharmacy technicians.

(C) Should the board have reason to believe that a pharmacist, pharmacy intern or other licensee or registrant suffers from impairment because of conduct or behavior committed or displayed by the individual, the board may compel the individual to be examined by an approved treatment provider. If the licensee or registrant fails to submit to an assessment as ordered by the board, or if the assessment discloses impairment, or if there is an admission of impairment, or if the board has other reliable, substantial, and probative evidence demonstrating impairment, the board may:

(1) Refer the licensee or registrant for treatment;

(2) Initiate action against the licensee or registrant pursuant to Chapters 119., 3719. and 4729. of the Revised Code; or

(3) Summarily suspend the license or registration of an individual pursuant to rule 4729:4-1-07 of the Administrative Code if the licensee or registrant's continued practice poses a danger of immediate and serious harm to others.

(D) Before being eligible to apply for reinstatement of a license or registration suspended because of impairment, the licensee or registrant must demonstrate to the board that the licensee or registrant possesses the requisite judgment, skill, and competence to ensure public safety. Such demonstration shall include, but not be limited, to the following:



(1) Certification from an approved treatment provider and/or approved monitoring program that the licensee or registrant:

(a) Has signed an approved treatment and/or approved monitoring contract and is participating in and complying with an individualized treatment plan or contract;

(b) Has successfully completed any required inpatient treatment;

(c) Is actively participating in or has successfully completed an outpatient treatment program;

(d) Has demonstrated the licensee or registrant has continued to be alcohol, drug, and psychoactive drug free, as well as free from mind-altering, mood-changing substances, by random, chain of evidence drug screens for a period of time as determined by the board at the time of the suspension;

(e) Has been evaluated by an approved treatment provider who has made a clear determination, documented in a written statement, that the licensee or registrant is eligible to return to practice.

(2) Certification that the licensee or registrant has met all requirements of the board order and satisfactory evidence has been submitted to the board, including, but not limited, to the following:

(a) A copy of the signed and agreed to treatment and/or monitoring contract;

(b) Written reports and documentation from the approved treatment program and monitoring program;

(c) Written reports, on a form designated by the board, from the licensee or registrant describing recovery progress.