



Ohio Administrative Code

Rule 3796:7-2-12 Suspension of Access to Patient Information.

Effective: September 5, 2022

(A)

(1) Except as provided in division (A)(2) of this rule, after providing notice and affording an opportunity for a hearing in accordance with Chapter 119. of the Revised Code, the state board of pharmacy may restrict a person from obtaining information from the registry established in accordance with section 3796.08 of the Revised Code if any of the following is the case:

(a) The person receives or releases registered patient information in violation of rules 3796:6-3-18 or 3796:7-2-11 of the Administrative Code or section 3796.08 of the Revised Code;

(b) The person's actions in another state would have constituted a violation of rules 3796:6-3-18 or 3796:7-2-11 of the Administrative Code or section 3796.08 of the Revised Code;

(c) The person fails to comply with rules 3796:6-3-18 or 3796:7-2-11 of the Administrative Code or section 3796.08 of the Revised Code, regardless of the jurisdiction in which the failure to comply occurred;

(d) The person creates, by clear and convincing evidence, a threat to the security of information contained in the registry.

(2) If the state board of pharmacy determines that allegations regarding a person's actions warrant restricting the person from obtaining further information from the registry established by the state board of pharmacy in accordance with section 3796.08 of the Revised Code without a prior hearing, the state board of pharmacy may summarily impose the restriction. A telephone conference call may be used for reviewing the allegations and taking a vote on the summary restriction. The summary restriction shall remain in effect, unless removed by the state board of pharmacy, until the state board of pharmacy's final adjudication order becomes effective.



(3) The state board of pharmacy shall determine the extent to which the person is restricted from obtaining further information from the registry established by the state board of pharmacy in accordance with section 3796.08 of the Revised Code.