



Ohio Administrative Code

Rule 4729-5-21 Manner of processing a prescription.

Effective: January 20, 2015

(A) A prescription, to be valid, must be issued for a legitimate medical purpose by an individual prescriber acting in the usual course of his/her professional practice. The responsibility for the proper prescribing is upon the prescriber, but a corresponding responsibility rests with the pharmacist who dispenses the prescription. An order purporting to be a prescription issued not in the usual course of bona fide treatment of a patient is not a prescription and the person knowingly dispensing such a purported prescription, as well as the person issuing it, shall be subject to the penalties of law.

(B) A pharmacist when dispensing a prescription must:

(1) Ensure that patient information is profiled pursuant to rule 4729-5-18 of the Administrative Code;

(2) Perform prospective drug utilization review pursuant to rule 4729-5-20 of the Administrative Code;

(3) Ensure that the drug is labeled pursuant to rule 4729-5-16 of the Administrative Code;

(4) Ensure that a patient is given an offer to counsel pursuant to rule 4729-5-22 of the Administrative Code;

(5) Ensure that a prescription is filed pursuant to rule 4729-5-09 of the Administrative Code.

(C) Prescriptions:

(1) A pharmacist may receive a signed hard copy prescription, an oral prescription, a facsimile of a signed prescription, or a prescription sent using a board approved electronic prescription transmission system. The pharmacist shall follow the prescription record keeping processes noted in paragraphs (C), (D), (E), and (F) of this rule for each of these types of prescriptions received unless



utilizing an alternate record keeping system pursuant to rule 4729-5-27 of the Administrative Code that has been approved by the board.

(2) When a pharmacist dispenses a drug pursuant to an original prescription, he/she must record the date of such dispensing and either manually record his/her name or initials on the original prescription or, if approved by the state board of pharmacy, enter his/her positive identification into the computerized record keeping system pursuant to rule 4729-5-27 of the Administrative Code. If an alternate record keeping system is being used pursuant to rule 4729-5-27 of the Administrative Code, the record of dispensing must also be recorded in the alternate record keeping system.

(3) When a pharmacist dispenses a drug pursuant to an authorized refill of a prescription, he/she must record the date of such dispensing and either manually record his/her name or initials on the original prescription or enter such information in an alternate record keeping system or, if approved by the state board of pharmacy, enter his/her positive identification into a computerized record keeping system pursuant to rule 4729-5-27 of the Administrative Code.

(D) Oral prescriptions:

(1) The pharmacist shall make a record of the full name of the prescriber and, if transmitted by the prescriber's agent, the full name of the agent, on the original prescription and, if used, on the alternate system of record keeping. The pharmacist is responsible for assuring the validity of the source of the oral prescription.

(2) Upon receiving a prescription from a recording device, the pharmacist must remove the prescription from the recorder and reduce it to writing. The pharmacist must document on the original prescription the full name of the prescriber and, if transmitted by the prescriber's agent, the full name of the agent. The pharmacist is responsible for assuring the validity of the prescription removed from the recorder.

(3) A licensed pharmacy intern may receive telephone prescriptions and remove prescriptions from a recording device if the pharmacist on duty who is supervising the activity of the intern determines that the intern is competent to perform this function.



(a) The intern shall immediately reduce the prescription to writing, document the full name of the prescriber and, if transmitted by the prescriber's agent, the full name of the agent, and shall review the prescription with the supervising pharmacist. Prior to dispensing, positive identification of the intern and the supervising pharmacist shall be made on the prescription to identify the responsibility for the receipt of the oral order.

(b) The supervising pharmacist on duty is responsible for the accuracy of the prescription.

(c) The supervising pharmacist on duty must be immediately available to answer questions or discuss the prescription with the caller.

(E) Facsimile prescriptions:

(1) A facsimile shall only be valid as a prescription if a system is in place that will allow the pharmacist to maintain the facsimile as a part of the prescription record including the full name of the prescriber and, if transmitted by the prescriber's agent, the full name of the agent as well as identification of the origin of the facsimile.

(2) The pharmacist must record the prescription in writing pursuant to section 4729.37 of the Revised Code or store the facsimile copy in such a manner that will allow retention of the prescription record for three years from the date of the last transaction.

(F) Electronic prescriptions:

(1) Electronic prescriptions may be received by a pharmacy if the electronic prescription transmission system has been approved by the state board of pharmacy.

(2) A pharmacy desiring to receive electronic prescriptions directly into its computer system must obtain approval from the state board of pharmacy. The original prescription information received from the prescriber must be saved and a hardcopy prescription must be printed to document the dispensing. The hardcopy prescription must be filed in the prescription file pursuant to rule 4729-5-09 of the Administrative Code.



(3) A pharmacy computer system meeting the requirements of 21 C.F.R. 1311 (04/01/13) shall be considered approved by the state board of pharmacy.

(G) A pharmacist may not dispense a dangerous drug for the first time beyond six months from the date of issuance of a prescription.

(H) The quantity dispensed shall be considered the quantity prescribed unless the quantity dispensed on a:

(1) New prescription is less than the quantity prescribed, the pharmacist shall note the quantity dispensed on the original prescription. If the quantity dispensed on a new prescription is greater than the quantity prescribed, the pharmacist shall also record on the original prescription the name of the authorizing prescriber, the full name of the agent of the prescriber if applicable, the quantity authorized to be dispensed, and the date that the authorization was obtained.

(2) Refill prescription is less than the quantity prescribed, the pharmacist shall note the quantity dispensed on the original prescription or enter the quantity dispensed on an alternate record pursuant to paragraph (F) of rule 4729-5-27 of the Administrative Code. If the quantity dispensed on a refill prescription is greater than the quantity prescribed, the pharmacist shall also record the name of the authorizing prescriber, the full name of the agent of the prescriber if applicable, the quantity authorized to be dispensed, and the date that the authorization was obtained.

(I) Where a prescription is written using a generic name, or where the pharmacist dispenses an equivalent drug product pursuant to the provisions of sections 4729.38 and 4729.381 of the Revised Code, the brand name or drug name and name of the manufacturer or distributor of the drug or the national drug code (NDC) number of the drug dispensed must be recorded on the record of dispensing by the pharmacist.

(J) A pharmacist who modifies a patient's drug therapy pursuant to a consult agreement and is:

(1) Also responsible for the dispensing of the drug to the patient must include on the drug order the name of the physician who originally prescribed the drug, sign the pharmacist's full name, and be in compliance with this rule in the same manner as the prescriber.



(2) Not responsible for the dispensing of the drug to the patient may transmit the order to a pharmacy by acting as an agent of the physician. Such pharmacist must personally transmit the order verbally or by facsimile to another pharmacist and be in compliance with this rule.

(K) A pharmacist may document their own administration of an immunization, or an immunization administered by a pharmacy intern they are supervising, on a prescription form, which may be assigned a number for record keeping purposes. This documentation is in addition to the record keeping requirements noted in rule 4729-5-27 of the Administrative Code.