Ohio Administrative Code

Rule 4729:5-19-02 Personally furnishing dangerous drugs.

Effective: April 1, 2026

(A) A prescriber who personally furnishes a dangerous drug, other than a sample drug pursuant to section 3719.81 of the Revised Code, shall affix to the container a label showing:

(1) The name and address of the prescriber;

(2) The name of the patient for whom the drug is intended;

(3) Name and strength of the drug;

(4) Directions for use;

(5) Date furnished; and

(6) If a compounded drug, the statement "Compounded Drug" or other similar statement shall also be displayed prominently on the label.

(B) A prescriber who personally furnishes a dangerous drug labeled as a sample and where the directions for use are different from the directions on or in the sample container shall affix a label to the sample container or provide written documentation accompanying the sample that includes the following:

(1) The name of the prescriber;

(2) The name of the patient for whom the drug is intended; and

(3) Directions for use.

(C) For controlled substances, quantities personally furnished to a patient are limited to a seventy-two-hour supply and quantities personally furnished to all patients shall not exceed two thousand five hundred dosage units in any thirty day period pursuant to section 4729.291 of the Revised Code.

(D) None of the following shall be counted in determining whether the amounts specified in paragraph (C) of this rule have been exceeded:

(1) Methadone personally furnished to patients for the purpose of treating drug dependence or addiction, if the prescriber meets the conditions specified in 21 C.F.R. 1306.07 (8/8/2023).

(2) Buprenorphine personally furnished to patients for the purpose of treating drug dependence or addiction as part of an opioid treatment program licensed under section 5119.37 of the Revised Code.

(3) Controlled substances personally furnished to research subjects by a facility conducting clinical research in studies approved by a hospital-based institutional review board or an institutional review board accredited by the association for the accreditation of human research protection programs.

(E)

(1) Except as provided in paragraph (E)(2) of this rule, only a prescriber shall personally furnish a drug. The act of personally furnishing shall be documented using positive identification.

(2) A prescriber may delegate the act of personally furnishing to a licensed Ohio pharmacist practicing at a free clinic, as defined in section 3701.071 of the Revised Code. The act of personally furnishing shall be documented using positive identification.

(F)

(1) A prescriber may designate a licensed health care professional acting within the scope of the professional's practice and, under the personal supervision of a prescriber or pharmacist, to prepare and package a dangerous drug that will be personally furnished by the prescriber or a pharmacist in accordance with paragraph (E)(2) of this rule.

(2) A prescriber may designate an unlicensed person, under the personal supervision of a prescriber or pharmacist, to prepare and package a dangerous drug that will be personally furnished by the prescriber or a pharmacist in accordance with paragraph (E)(2) of this rule. An unlicensed person shall not prepare and package controlled substances.

(3) Pursuant to rule 4729:7-3-04 of the Administrative Code, a prescriber shall not personally furnish immediate-use compounded drug preparations.

(G) Counseling.

(1) A prescriber, pharmacist, or a delegate in accordance with paragraph (H)(1) of this rule shall personally offer to provide, or may provide in writing, the service of counseling pursuant to paragraph (G)(2) of this rule to a patient or caregiver whenever any dangerous drug is personally furnished. A prescriber or pharmacist shall not be required to counsel a patient or caregiver when the patient or caregiver refuses, either verbally or in writing, the offer of counseling or does not respond to the written offer to counsel.

(2) Prescriber or pharmacist counseling may include, but is not limited to, the following:

(a) The name and description of the drug;

(b) The dosage form, dose, route of administration, and duration of drug therapy;

(c) The intended use of the drug and the expected action;

(d) Special directions and precautions for preparation, administration, and use by the patient;

(e) Common adverse effects or interactions and therapeutic contraindications that may occur, including possible methods to avoid them, and the action required if they occur;

(f) Techniques for self-monitoring drug therapy;

(g) Proper storage and disposal;

(h) Action to be taken in the event of a missed dose; and

(i) The prescriber or pharmacist's comments relevant to the patient's drug therapy, including other necessary information unique to the specific patient or drug.

(H) Provision of dangerous drugs.

(1) A prescriber may delegate an individual or individuals to distribute dangerous drugs personally furnished by a prescriber or pharmacist if all the following apply:

(a) A prescriber or pharmacist provides personal supervision;

(b) Counseling is offered in accordance with paragraph (G) of this rule; and

(c) This task may be delegated in accordance with applicable state laws and rules.

(2) Paragraph (H)(1)(a) of this rule does not apply if a non-controlled substance dangerous drug is provided to the patient by a licensed health care professional, acting within the scope of the professional's practice, and a prescriber or pharmacist is available for counseling by means of electronic communication during normal hours of operation.

(I) No prescriber or pharmacist acting in accordance with paragraph (E)(2) of this rule may personally furnish to a patient to whom there is no valid prescriber patient relationship, pursuant to applicable state and federal laws, regulations, and rules.

(J) Naloxone and other overdose reversal drugs may be personally furnished or otherwise distributed in accordance with Chapter 3715. of the Revised Code. A terminal distributor of dangerous drugs shall not be required to maintain any patient-specific records for the distribution of naloxone or other overdose reversal drug.

(K) Any patient specific dangerous drug dispensed by a pharmacy that is provided to a patient by a prescriber pursuant to rule 4729:5-3-24 of the Administrative Code is the property of that patient and is not considered personally furnishing. No prescriber that provides a patient with a drug pursuant to rule 4729:5-3-24 of the Administrative Code shall charge any additional fees or require any additional monetary compensation for the dangerous drug.

(L) Paragraph (K) of this rule does not prohibit a prescriber from charging a patient for any of the following:

(1) The cost of an office visit or any expense related to the administration of a dangerous drug; or

(2) The cost of a dangerous drug dispensed by a pharmacy to a patient if paid for by the prescriber.

(M) A prescriber personally furnishing dangerous drugs shall comply with all drug database reporting requirements pursuant to Chapter 4729. of the Revised Code and division 4729:8 of the Administrative Code.

(N) Except as provided in paragraph (O) of this rule, a prescriber may only mail or provide delivery of a dangerous drug that has been personally furnished if all the following apply:

(1) The prescriber does not routinely mail or deliver the drug to the patient;

(2) The drug is unavailable at a local pharmacy or the patient cannot afford the drug;

(3) Failure to mail or deliver the drug would result in harm to the patient; and

(4) The prescriber includes in the records required for personally furnishing the name of the common carrier (including the United State postal service), contract carrier, or employee of the terminal distributor who performed, or attempted to perform, the delivery.

(O) The restrictions listed of paragraph (N) of this rule do not apply if the drug that has been personally furnished is either:

(1) Part of a clinical trial approved by the United States food and drug administration. A prescriber that mails or delivers a drug that is part of a clinical trial shall comply with the requirements of paragraph (N)(4) of this rule; or

(2) Delivered or otherwise provided by a mobile clinic or medication unit in accordance with rule 4729:5-3-23 of the Administrative Code.

(P) Any drug that has left the possession of the terminal distributor of dangerous drugs shall comply with the requirements of rule 4729:5-3-16 of the Administrative Code.