



## Ohio Administrative Code

### Rule 4729:5-23-02 Security, control and storage of dangerous drugs.

Effective: February 4, 2021

---

(A) The security and control of controlled substances and dangerous drugs is the responsibility of the responsible person on the terminal distributor of dangerous drugs license and the terminal distributor of dangerous drugs.

(B) Except as provided in paragraphs (G) and (H) of this rule, controlled substances shall be stored in a securely locked, substantially constructed cabinet or safe to deter and detect unauthorized access.

(1) The cabinet or safe shall be placed in an area that is not readily accessible to the public.

(2) The cabinet or safe shall remain locked and secured when not in use.

(3) In the case of a combination lock or access code, the combination or access code shall be changed upon termination of employment of an employee having knowledge of the combination or access code.

(4) In the case of a key lock, all keys shall be maintained in a secure place that is inaccessible to anyone other than the responsible person, a prescriber, or a pharmacist if not being used by a prescriber, pharmacist, responsible person, or a licensed health care professional or employee of a dog training facility in accordance with paragraph (B)(6)(a), (B)(6)(b), or (B)(6)(c) of this rule. All locks shall be kept in good working order with keys removed therefrom.

(5) During non-business hours, the cabinet or safe shall be maintained in an area secured by a physical barrier with suitable locks, which may include a locked room or secure facility.

(6) Except as provided in paragraph (B)(6)(a), (B)(6)(b), or (B)(6)(c) of this rule, only a prescriber, pharmacist or responsible person shall have possession of the keys or access codes to the cabinet or safe.



(a) A prescriber, pharmacist, or responsible person may provide a licensed health care professional or an employee of a dog training facility with a temporary key for the purposes of accessing the cabinet or safe. A licensed health care professional or employee shall return the key provided in accordance with this rule to the responsible person, a prescriber, or a pharmacist or to a secured location with restricted access (such as a lockbox) no later than the end of the person's shift or if there is no longer a prescriber, pharmacist or the responsible person available to provide personal supervision.

(b) A prescriber, pharmacist or the responsible person may provide a licensed health care professional or an employee of a dog training facility with a key, combination or access code for the purposes of accessing the cabinet or safe, if all the following conditions apply:

(i) The cabinet or safe is maintained in a room secured by a physical barrier with suitable locks that can only be unlocked by a prescriber, pharmacist, or responsible person;

(ii) The room is locked during non-business hours or when there is no longer a prescriber, pharmacist, or the responsible person available to provide personal supervision.

(c) Any other method approved by the boards executive director or the directors designee that provides effective controls and procedures to guard against theft and diversion of controlled substances.

(C) Except as provided in paragraphs (D) and (G) of this rule, a licensed health care professional, acting within the scope of the professional's practice may have access to controlled substances only under the personal supervision of a prescriber or pharmacist.

(D) A limited facility that is a dog trainer affiliated with an Ohio law enforcement agency may permit access to controlled substances to those engaged in the training of canines only under the personal supervision of the responsible person.

(E) Only a prescriber shall have access to uncompleted prescription blank(s) used for writing a prescription. Uncompleted prescription blank(s) shall be secured when not in use.



(F) Personnel authorized by the responsible person may have access to D.E.A. controlled substance order forms only under the personal supervision of the responsible person, prescriber, or a person delegated power of attorney in accordance with 21 CFR 1305.05 (9/30/2019). D.E.A. controlled substance order forms shall be secured when not in use.

(G) A registered nurse licensed under Chapter 4723. of the Revised Code may have unsupervised access to controlled substances only under the following conditions:

(1) The drugs have been personally furnished by a prescriber or dispensed by a pharmacy for direct administration to a patient.

(2) The drugs must be stored in a securely locked, substantially constructed cabinet or safe with access that is limited to prescribers, pharmacists, and registered nurses. The cabinet or safe must be separate from those required in paragraphs (B) and (H) of this rule.

(a) The cabinet or safe shall be placed in an area that is not readily accessible to the public.

(b) The cabinet or safe shall remain locked and secured when not in use.

(c) In the case of a combination lock or access code, the combination or access code shall be changed upon termination of employment of an employee having knowledge of the combination or access code.

(d) In the case of a key lock, all keys shall be maintained in a secure place that is inaccessible to anyone other than a prescriber, pharmacist or registered nurse.

(e) During non-business hours, the cabinet or safe shall be maintained in an area secured by a physical barrier with suitable locks, which may include a locked room or secure facility.

(3) A record of drug administration shall be maintained in accordance with paragraph (E) of rule 4729:5-23-03 of the Administrative Code and shall also include the date and time the drugs are accessed from the cabinet or safe.



(4) The responsible person shall report the theft or significant loss of drugs maintained pursuant to this paragraph in accordance with rule 4729:5-3-02 of the Administrative Code.

(H) Thiafentanil, carfentanil, etorphine hydrochloride and diprenorphine shall be stored in a separate safe or steel cabinet equivalent to a U.S. government class V security container from all other controlled substances.

(1) There is no minimum size or weight requirement but if the cabinet or safe weighs less than seven hundred fifty pounds, it must be secured to the floor or wall in such a way that it cannot be readily removed.

(2) The cabinet or safe shall be placed in an area that is not readily accessible to the public.

(3) The cabinet or safe shall remain locked and secured when not in use.

(4) In the case of a combination lock or access code, the combination or access code shall be changed upon termination of employment of an employee having knowledge of the combination or access codes.

(5) In the case of a key lock, all keys shall be maintained in a secure place that is inaccessible to anyone other than a prescriber, pharmacist or responsible person if not being used by a prescriber, pharmacist or the responsible person. All locks shall be kept in good working order with keys removed therefrom.

(6) During non-business hours, the cabinet or safe shall be maintained in an area secured by a physical barrier with suitable locks, which may include a locked room or secure facility.

(7) Only a prescriber, pharmacist, or the responsible person shall have possession of the key, combination or access code to the safe or cabinet specified in this paragraph.

(I) During non-business hours, hypodermics shall be stored in an area secured by a physical barrier with suitable locks, which may include a substantially constructed cabinet, locked room, or secured facility. During normal business hours, hypodermics shall not be stored in areas where members of



the public are not supervised by individuals authorized to administer injections or possess hypodermics.

(J) During non-business hours, non-controlled dangerous drugs shall be stored in an area secured by a physical barrier with suitable locks, which may include a substantially constructed cabinet, locked room, or secured facility. During normal business hours, non-controlled dangerous drugs shall not be stored in areas where members of the public are not supervised by individuals authorized to administer such drugs or employees of a dog training facility.

(K) All records relating to the receipt, administration, distribution, personal furnishing, and sale of dangerous drugs shall be maintained under appropriate supervision and control to restrict unauthorized access.

(L) All areas where dangerous drugs and devices are stored shall be dry, well-lit, well-ventilated, and maintained in a clean and orderly condition. Storage areas shall be maintained at temperatures and conditions which will ensure the integrity of the drugs prior to use as stipulated by the USP/NF and/or the manufacturer's or distributor's labeling. Refrigerators and freezers used for the storage of drugs and devices shall comply with the following:

(1) Maintain either of the following to ensure proper refrigeration and/or freezer temperatures are maintained:

(a) Temperature logs with, at a minimum, daily observations; or

(b) A temperature monitoring system capable of detecting and alerting staff of a temperature excursion.

(2) The terminal distributor shall develop and implement policies and procedures to respond to any out of range individual temperature readings or excursions to ensure the integrity of stored drugs.

(3) The terminal distributor shall develop and implement a policy that no food or beverage products are permitted to be stored in refrigerators or freezers used to store dangerous drugs.



(M) Upon the initial puncture of a multiple-dose vial containing a drug, the vial shall be labeled with a beyond-use date or date opened. The beyond-use date for an opened or entered (e.g., needle punctured) multiple-dose container with antimicrobial preservatives is twenty-eight days, unless otherwise specified by the manufacturer. A multiple-dose vial that exceeds its beyond-use date shall be deemed adulterated.

(N) Adulterated drugs, including expired drugs, shall be stored in accordance with rule 4729:5-3-06 of the Administrative Code.

(O) Disposal of controlled substances shall be conducted in accordance with rule 4729:5-3-01 of the Administrative Code.

(P) Disposal of non-controlled dangerous drugs shall be conducted in accordance with rule 4729:5-3-06 of the Administrative Code.

(Q) Disposal of controlled substances by a dog training facility that are not dangerous drugs shall be conducted as follows:

(1) The method of disposal shall render the drug or substance non-retrievable as defined in rule 4729:5-3-01 of the Administrative Code.

(2) Disposal shall be conducted by any of the following:

(a) The responsible person and one other employee of the dog training facility;

(b) A law enforcement officer; or

(c) A contracted waste disposal company in compliance with all federal, state and local laws, rules, and regulations.

(3) Records for the disposal of the drug shall contain the actual identification of the drug or substance, form, and quantity disposed, the date disposed, the method of disposal and, if disposal is conducted on-site, the positive identification of the person or persons conducting and witnessing the



AUTHENTICATED,  
OHIO LEGISLATIVE SERVICE  
COMMISSION  
DOCUMENT #239302

disposal.