



Ohio Administrative Code

Rule 4729:5-5-02.3 Requests for Additional Staff and Reports of Staffing Concerns in an Outpatient Pharmacy.

Effective: May 1, 2024

(A) An outpatient pharmacy shall develop a process for pharmacy staff to communicate requests for additional staff or reports of staffing concerns. Requests for additional staff or reports of staffing concerns shall be communicated and documented by the responsible person or pharmacist on duty to the terminal distributor.

(B) Executed requests for additional staffing or reports of staffing concerns shall be provided to the immediate supervisor of the responsible person or pharmacist on duty, with one copy maintained in the pharmacy for three years for immediate inspection by an agent, inspector, or employee of the board.

(C) Outpatient pharmacies licensed as terminal distributors of dangerous drugs shall review all requests and reports of concern submitted in accordance with this rule and shall resolve any issues listed in a timely manner to ensure a safe working environment for pharmacy staff as required by section 4729.55 of the Revised Code. A written response to the request or report of concern shall occur within fourteen business days of submission and be communicated to the responsible person or pharmacy staff who submitted the request for additional staffing or report of concern. A copy of this response shall be maintained in the pharmacy for three years for immediate inspection by an agent, inspector, or employee of the board.

(D) An outpatient pharmacy shall not retaliate or discipline a pharmacist who, in good faith, makes a request for additional staff or reports staffing concerns in accordance with this rule. As used in this rule, retaliation or discipline of an employee includes, but is not limited to, the following:

(1) Removing or suspending the employee from employment;

(2) Withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled;



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #315971

- (3) Transferring or reassigning the employee;
- (4) Denying the employee a promotion that otherwise would have been received;
- (5) Reducing the employee in pay or position.