



Ohio Administrative Code

Rule 4729:5-5-10 Manner of processing a prescription.

Effective: December 1, 2020

(A) A prescription, to be valid, must be issued for a legitimate medical purpose by an individual prescriber acting in the usual course of the prescriber's 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 dispensing an outpatient prescription shall comply with the requirements of this chapter, including, but not limited to, the following:

(1) Ensure that patient information is profiled pursuant to rule 4729:5-5-07 of the Administrative Code;

(2) Perform prospective drug utilization review pursuant to rule 4729:5-5-08 of the Administrative Code; and

(3) Ensure that the drug is labeled pursuant to rule 4729:5-5-06 of the Administrative Code.

(C) Prescriptions:

(1) The front of hard copy prescriptions for controlled substance dangerous drugs shall be clearly notated to indicate receipt by the pharmacy in a manner that does not destroy any of the original information contained on the prescription but prevents the unauthorized duplication of the prescription.

(2) When a pharmacist dispenses a drug pursuant to an original prescription, the pharmacist must record the date of such dispensing and the pharmacist's positive identification.



(3) When a pharmacist dispenses a drug pursuant to an authorized refill of a prescription, the pharmacist must record the date of such dispensing and the pharmacist's positive identification.

(D) Oral prescriptions:

(1) A 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. The pharmacist is responsible for ensuring the validity of the source of the oral prescription.

(2) Upon receiving a prescription from a recording device or voice mail service, a pharmacist shall transcribe the information. 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 ensuring the validity of the prescription removed from the recording device or voice mail service.

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

(a) The intern shall immediately transcribe the prescription, 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 pharmacist on duty. Prior to dispensing, positive identification of the intern and the pharmacist on duty shall be recorded to identify the responsibility for the receipt of the oral order.

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

(c) The pharmacist on duty must be immediately available to answer questions or discuss the prescription with the prescriber or the prescriber's agent.

(4) A certified pharmacy technician may receive telephone prescriptions and remove prescriptions from a recording device or voice mail service for non-controlled drugs in accordance with rule 4729:3-3-04 of the Administrative Code.



(E) Facsimile prescriptions:

A facsimile shall only be valid as a prescription if a pharmacy retains a printed copy of a facsimile prescription or an electronic copy of the facsimile prescription in accordance with rule 4729:5-5-03 of the Administrative Code. The facsimile prescription shall comply with the requirements of rule 4729:5-3-11 of the Administrative Code.

(F) Electronic prescriptions:

(1) A pharmacy receiving electronic prescriptions directly into its computer system shall ensure original prescription information received from the prescriber is maintained in accordance with rule 4729:5-5-03 of the Administrative Code.

(2) A pharmacy computer system receiving electronic prescriptions shall:

(a) Comply with the applicable provisions of 21 C.F.R. 1311 (05/01/19); and

(b) Have the capability to receive an ICD-10-CM medical diagnosis code for all controlled substance prescriptions pursuant to rule 4729:5-5-15 of the Administrative Code.

(G) Except as provided for in section 4729.46 of the Revised Code, a pharmacist shall not dispense a dangerous drug for the first time beyond six months from the date of issuance of a prescription.

(H) The quantity prescribed shall be considered the quantity dispensed, unless the quantity dispensed meets any of the following:

(1) If the dispensed prescription is less than the quantity prescribed, the pharmacist shall note the quantity dispensed on the original prescription or within a computerized recordkeeping system.

(2) If the quantity dispensed on a prescription is greater than the quantity prescribed, the pharmacist shall record on the original prescription or within a computerized recordkeeping system 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.

(3) A prescription dispensed in accordance with section 4729.40 of the Revised Code. The pharmacist shall note the quantity dispensed on the original prescription or within a computerized recordkeeping system.

(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 in the record of dispensing by the pharmacist.

(1) A prescription issued by a prescriber who experiences a change of status, as defined in paragraph (J)(2) of this rule, that precludes a continued prescriber-patient relationship may be dispensed by a pharmacist in accordance with the following:

(a) In the exercise of the pharmacist's professional judgment:

(i) The drug is essential to sustain the life of the patient or continue therapy for a chronic condition of the patient; or

(ii) Failure to dispense the drug to the patient could result in harm to the health of the patient.

(b) The prescription was issued prior to the prescriber's change of status, as defined in paragraph (J)(2) of this rule, and in accordance with all applicable provisions of state and federal laws, rules and regulations.

(c) For a non-controlled substance prescription, a pharmacist may dispense up to a thirty-day supply as provided in the prescription or, if the standard unit of dispensing for the drug exceeds a thirty-day supply, the amount of the drug dispensed shall not exceed the standard unit of dispensing. The pharmacist shall exercise professional judgment in determining the amount of the drug to be dispensed.



(d) For a controlled substance prescription, a pharmacist may dispense up to a seventy-two-hour supply as provided in the prescription. The pharmacist shall exercise professional judgment in determining the amount of the drug to be dispensed.

(2) A change of status includes, but is not limited to, the following: death, incapacity, suspension, surrender or revocation of the prescriber's license or registration, or permanent relocation.

(3) A prescription for a dangerous drug dispensed in accordance with paragraph (J)(1) of this rule is considered void after the initial dispensing and may not be dispensed again. Following the initial dispensing of the drug, a pharmacist shall utilize a manual or electronic method for invalidating the prescription to prevent further dispensing.