



## Ohio Revised Code

### Section 3719.05 Pharmacist may dispense controlled substances - prescriptions - sale of stock.

Effective: September 23, 2022

Legislation: House Bill 193

---

(A) A pharmacist may dispense controlled substances to any person upon a prescription issued in accordance with section 3719.06 of the Revised Code. When dispensing controlled substances, a pharmacist shall act in accordance with rules adopted by the state board of pharmacy and in accordance with the following:

(1) The prescription shall be retained on file by the owner of the pharmacy in which it is filled for a period of three years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of Chapter 2925., 3719., or 4729. of the Revised Code.

(2) Each oral prescription shall be recorded by the pharmacist and the record shall show the name and address of the patient for whom, or of the owner of the animal for which the controlled substance is dispensed, the full name, address, and registry number under the federal drug abuse control laws of the prescriber, the name of the controlled substance dispensed, the amount dispensed, and the date when dispensed. The record shall be retained on file by the owner of the pharmacy in which it is filled for a period of three years.

(3)(a) Except as provided in divisions (A)(3)(b) and (c) of this section, a schedule II controlled substance shall be dispensed only upon an electronic prescription.

(b) A schedule II controlled substance may be dispensed upon an oral prescription in emergency situations as provided in the federal drug abuse control laws.

(c) A schedule II controlled substance may be dispensed upon a written prescription if either of the following applies:

(i) A temporary technical, electrical, or broadband failure prevents the pharmacist from dispensing upon an electronic prescription.



(ii) The written prescription was issued as described in division (C) of section 3719.06 of the Revised Code.

(d) A pharmacist who receives a faxed, oral, or written prescription for a schedule II controlled substance is not required to verify that the prescription was issued under an exception to the requirement that a prescriber issue such a prescription electronically, including an exception described in divisions (A)(3)(b) and (c) of this section or division (C) of section 3719.06 of the Revised Code.

A pharmacist may continue to dispense any other drug upon an otherwise valid faxed, oral, or written prescription that is consistent with state and federal statutes, rules, and regulations.

(4) A prescription for a schedule II controlled substance shall not be refilled.

(5) Prescriptions for schedule III and IV controlled substances may be refilled not more than five times in a six-month period from the date the prescription is given by a prescriber.

(B) The legal owner of any stock of schedule II controlled substances in a pharmacy, upon discontinuance of dealing in those drugs, may sell the stock to a manufacturer, wholesaler, or owner of a pharmacy registered under the federal drug abuse control laws pursuant to an official written order.