



Ohio Revised Code

Section 4729.281 Conditions for refill of prescription.

Effective: June 1, 2022

Legislation: House Bill 37

(A) A pharmacist may dispense a dangerous drug, other than a schedule II controlled substance as defined in section 3719.01 of the Revised Code, without a prescription from a licensed health professional authorized to prescribe drugs if all of the following conditions are met:

(1) The pharmacy at which the pharmacist practices has a record of a prescription for the drug in the name of the patient who is requesting it, but the prescription does not provide for a refill or the time permitted by rules adopted by the state board of pharmacy for providing refills has elapsed.

(2) The pharmacist is unable to obtain authorization to refill the prescription from the prescriber who issued the prescription or another prescriber responsible for the patient's care.

(3) In the exercise of professional judgment, the pharmacist determines that both of the following are the case:

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

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

(B) With respect to the number of times that a pharmacist may dispense a drug under this section and the amount of that drug, all of the following apply:

(1) Except as provided in division (B)(2) of this section, the drug may be dispensed not more than once and the amount shall not exceed a seventy-two-hour supply based on the original prescription.

(2)(a) If the drug is not a controlled substance and the patient has been on a consistent drug therapy as demonstrated by records maintained by a pharmacy, the drug may be dispensed not more than three times in any twelve-month period, none of which are to be consecutive in time, and, subject to



division (B)(2)(b) of this section, the amount shall not exceed one thirty-day supply based on the original prescription or, if the standard unit of dispensing for the drug exceeds a thirty-day supply, the amount shall not exceed one standard unit of dispensing.

(b) If one thirty-day supply or one standard unit that exceeds a thirty-day supply is dispensed, then for a second or third dispensing of the drug under this section during the same twelve-month period, the amount shall not exceed a seven-day supply or, if the drug is packaged in a manner that provides more than a seven-day supply, the lowest available supply.

(3) The pharmacist shall exercise professional judgment in determining the amount.

(C) A pharmacist who dispenses a drug under this section shall do all of the following:

(1) For one year after the date of dispensing, maintain a record in accordance with this chapter of the drug dispensed, including the amount dispensed, the original prescription number, the name and address of the patient, and, if the individual receiving the drug is not the patient, the name and address of that individual;

(2) Notify the prescriber who issued the original prescription or another prescriber responsible for the patient's care not later than seventy-two hours after the drug is dispensed;

(3) If applicable, obtain authorization for additional dispensing from one of the prescribers described in division (C)(2) of this section.