



## Ohio Administrative Code

### Rule 3796:7-2-11 Release of registered patient information maintained by the state board of pharmacy.

Effective: September 5, 2022

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(A) Pursuant to division (B) of section 3796.08 of the Revised Code and division (C) of section 4729.80 of the Revised Code, records related to registered patients are confidential and are not public records subject to disclosure under section 149.43 of the Revised Code. The state board of pharmacy is authorized or required to provide information related to registered patients only as follows:

- (1) The patient or that patient's designated caregiver;
- (2) The certified physician who issued the recommendation to the patient;
- (3) Certified or licensed health care personnel who is responsible for the care of the patient;
- (4) Any state or local law enforcement agency conducting an investigation of a criminal violation of state or federal law;
- (5) Any person that the state board of pharmacy is legally required to, including upon issuance of a valid subpoena, court order, or other similar document only in a criminal matter or an equivalent juvenile matter;
- (6) A government entity responsible for the licensure, regulation, or discipline of health care professionals;
- (7) Any person, other than those listed in paragraphs (A)(1) to (A)(6) of this rule, only when the patient has given consent for such disclosure in writing, except where a patient is unable to deliver written consent, in which case, written consent must be provided by the patient's caregiver or legal guardian.
  - (a) Any consent must be signed by the patient or caregiver and dated.



(b) Any consent for disclosure is valid until rescinded by the patient or caregiver.

(c) In an emergency, the state board of pharmacy may disclose the registered patient information when it is deemed to be in the best interest of the patient.

(B) Any person that receives patient information pursuant to paragraphs (A)(4) through (A)(6) of this rule shall comply with the same requirements regarding confidentiality as those with which the state board of pharmacy must comply, notwithstanding any conflicting provision of the Revised Code or agency procedure that applies when the agency is dealing with other information in its possession.