



Ohio Administrative Code

Rule 4729:4-1-01 Definitions - impaired licensees, registrants and probation.

Effective: February 4, 2021

As used in division 4729:4 of the Administrative Code:

(A) "Aftercare" is a counselor-facilitated group meeting which directly responds to problems relating to the ongoing treatment and monitoring of the licensee or registrant's sobriety and should extend for a minimum of twelve months.

(B) "Approved monitoring program" means a board approved and designated monitor pursuant to section 4729.18 of the Revised Code and rule 4729:4-1-06 of the Administrative Code.

(C) "Approved treatment provider" means a designated treatment program pursuant to section 4729.18 of the Revised Code and rule 4729:4-1-03 of the Administrative Code.

(D) "Business day" means any day other than Saturday, Sunday or a holiday recognized by the state of Ohio on which the offices of the board of pharmacy are not open for business.

(E) "Designated person" for an approved treatment provider or approved monitoring program is an individual who shall be in full and actual charge of the treatment or monitoring program including, but not limited to, the following:

(1) Ensuring the provider has the necessary facilities and personnel to provide services;

(2) Maintaining records; and

(3) Notification of the board when required.

(F) "Hemp products" has the same meaning as defined in section 924.212 of the Revised Code.

(G) "Impaired licensee or registrant" means a licensee or registrant who, because of the person's



mental illness, habitual or excessive use or abuse of drugs or alcohol, use of psychoactive substances, or use of other substances that impair the ability to practice, is rendered unable to practice pharmacy or conduct authorized activities within a pharmacy with requisite judgment, skill, competence, or safety to the public.

(H) "Individualized treatment plan" is a document which shall provide for inpatient treatment, outpatient treatment, family therapy, psychotherapy, professional support groups, twelve-step programs, aftercare including support and self-help groups, monitoring programs consisting of random, chain of evidence drug screens, and work site review. Such services and other services may be determined by an approved treatment provider or an approved monitoring program.

(I) "Inpatient treatment" shall consist of placing the licensee or registrant in an approved treatment provider facility that will provide lodging and food, as well as care and treatment for detoxification and rehabilitation as indicated by the treatment contract.

(J) "Intervenor" means a person who is employed by or affiliated with an approved treatment provider or an approved monitoring program and participates in a process whereby a licensee or registrant alleged to be impaired is confronted to evaluate the presence of impairment and, if indicated, who refers the licensee or registrant for assessment and treatment of the impairment.

(K) "Outpatient treatment" shall consist of the licensee or registrant not residing in an inpatient treatment facility but who is participating in aftercare, twelve-step programs, professional support group (if available), and monitoring programs consisting of random, chain of evidence drug screens and work site review, to establish compliance.

(L) "Professional support group" is a group of peers meeting to discuss the problems specific to recovery and re-entry to practice of the licensee or registrant.

(M) "Referral for assessment" means a process whereby an intervenor or designated person who has reason to believe that a licensee or registrant is impaired directs that individual to be examined for diagnosis and treatment.

(N) "Relapse" means any use of, or obtaining for the purpose of using, drugs, alcohol, psychoactive



substances, or any use of other substances that impair the ability to practice; it also includes a positive drug screen or a return to a pattern of impairment activities which affects the licensee or registrant's ability to practice. Relapse also refers to a mental health or mental illness episode that impacts or impairs the ability to practice pharmacy or conduct authorized activities within a pharmacy with the requisite judgment, skill or competence to ensure the safety of the public.

(O) "Substance abuse/chemical dependency" means a substance use disorder as defined by the "Diagnostic and Statistical Manual of Mental Disorders" (DSM-5) or any official supplement thereto (10/1/2018).

(P) "Treatment assessor" means any of the following:

(1) An individual who is licensed under Chapter 4731. of the Revised Code as a doctor of medicine or a doctor of osteopathic medicine and surgery and who is a certified addiction specialist; or

(2) An individual who is licensed by the Ohio chemical dependency professionals board as a licensed independent chemical dependency counselor, licensed chemical dependency counselor 3 or 2 pursuant to Chapter 4758. of the Administrative Code and, who by training and experience, can make an assessment of a licensee or registrant's impairment.

(3) An individual who holds a license or certification approved by the board or the board's probation committee and, who by training and experience, can make an assessment of a licensee or registrant's impairment.

(Q) "Treatment contract" means a document which outlines the individualized treatment plan, the requirement to cease practice, the requirement for compliance by the impaired licensee or registrant, and the requirement for notification of the board for non-compliance or relapse pursuant to section 4729.18 of the Revised Code.

(R) "Twelve-step program" means a self-help program such as alcoholics anonymous or narcotics anonymous or a related organization that addresses substance use disorders and promotes sobriety and recovery through peer group support, self-help, and anonymity, and which is based on an abstinence model of recovery. An impaired licensee or registrant shall be required to personally



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attend face-to-face twelve-step programs not less than three documented meetings each week, on separate days. Meetings that occur online, telephonically, or via other electronic means shall not be counted towards the minimum requirement.