



Ohio Administrative Code Rule 4729:5-10-03 Donating drugs.

Effective: [May 27, 2023](#)

(A) The following may donate or facilitate the donation of a drug, pursuant to the eligibility requirements of rule 4729:5-10-04 of the Administrative Code, to a pharmacy, hospital, or nonprofit clinic that elects to participate in a drug repository program:

(1) Any pharmacy, drug manufacturer, or health care facility, or other person or government entity may donate or give drugs to a drug repository program.

(2) Any person or government entity may facilitate the donation or gift of drugs to the program.

(B) Except as provided in paragraph (C) of this rule, a person electing to donate an eligible dangerous drug shall not have taken custody of the drug prior to the donation. The person may direct the donation through any entity or person authorized in paragraph (A) of this rule.

(C) The restriction in paragraph (B) of this rule does not apply to the following:

(1) Orally administered cancer drugs described in paragraph (B) of rule 4729:5-10-04 of the Administrative Code;

(2) Drugs described in paragraph (C) of rule 4729:5-10-04 of the Administrative Code donated to a charitable pharmacy, hospital, or nonprofit clinic.

(D) A person who resides in an institutional facility and was legally dispensed a dangerous drug pursuant to a patient-specific order may elect to sign and date a donor form prior to donating a drug, which shall state "from this day forward I wish to donate all my remaining unused drugs that are eligible, pursuant to rule 4729:5-10-04 of the Administrative Code, to a drug repository program."

(E) The following may make the decision to donate an eligible drug on behalf of a patient:



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- (1) A person designated by durable power of attorney, a guardian, or other individual responsible for the care and well-being of a patient; or

- (2) An executor, administrator, or trustee of the estate of a deceased patient.