



Ohio Administrative Code

Rule 4729:5-10-07 Occasional sales and handling fee.

Effective: May 27, 2023

(A) A pharmacy, hospital, or nonprofit clinic may charge the recipient of a donated drug a handling fee up to twenty dollars to cover restocking and dispensing costs. If a drug repository program chooses to charge a handling fee, then the fees collected in any given year shall not exceed the program's total restocking and dispensing costs for that given year.

(B) A charitable pharmacy, hospital, or nonprofit clinic that operates a drug repository program may conduct occasional sales at wholesale of drugs that have been donated or given to the program if all of the following apply:

(1) The receiving location is a charitable pharmacy, hospital, or nonprofit clinic that operates a drug repository program in this state or an entity participating in a drug repository program operated by another state subject to the laws of that state.

(2) The seller maintains a record of or sale that contains the following information:

(a) The name, strength, dosage form, national drug code, and quantity of the dangerous drug transferred or sold, the address of the location where the drugs were transferred or sold, the date of transfer or sale; or

(b) In lieu of the requirements listed in paragraph (B)(2)(a) of this rule, a hospital may document the transfer of the drug within the hospital system in accordance with paragraph (F) of rule 4729:5-9-02.3 of the Administrative Code.

(3) The seller provides a copy of the record of sale as outlined in this paragraph to the receiver.

(4) The seller and receiver maintain a record of the sale for three years from the date of creation in a readily retrievable manner.



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