



## Ohio Revised Code

### Section 4729.571 Suspension of terminal distributor's license without hearing.

Effective: September 29, 2017

Legislation: House Bill 49 - 132nd General Assembly

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(A) The state board of pharmacy may suspend without a hearing the license of a terminal distributor of dangerous drugs if the board determines that there is clear and convincing evidence of a danger of immediate and serious harm to others due to either of the following:

- (1) The method used by the terminal distributor to possess or distribute dangerous drugs;
- (2) The method of prescribing dangerous drugs used by a licensed health professional authorized to prescribe drugs who holds a terminal distributor license or practices in the employ of or under contract with a terminal distributor.

(B) The board shall follow the procedure for suspension without a prior hearing in section 119.07 of the Revised Code. The suspension shall remain in effect, unless removed by the board, until the board's final adjudication order becomes effective, except that if the board does not issue its final adjudication order within one hundred twenty days after the suspension, the suspension shall be void on the one hundred twenty-first day after the suspension.

If the terminal distributor holds a license with a pain management clinic classification issued under section 4729.552 of the Revised Code or a license with an office-based opioid treatment classification issued under section 4729.553 of the Revised Code and the person holding the license also holds a certificate issued under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, prior to suspending the license without a hearing, the board shall consult with the secretary of the state medical board or, if the secretary is unavailable, another physician member of the board.

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