



### NOTICE OF PUBLIC HEARING

Acting under the authority of the Ohio Revised Code Sections 119.03 to 119.13, 3715.69, 3719.28 and 4729.26, the State of Ohio Board of Pharmacy hereby announces a public hearing will be held on June 13, 2019 at 10:00 a.m. in the Room 1914, 19<sup>th</sup> Floor, Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio.

This is a statement of the agency's intention to adopt/rescind the following rules:

Rule Number	Description
4729:5-2-03 (Amend)	Change in description of a terminal distributor of dangerous drugs.
4729:11-1-01 (New)	Definitions – home medical equipment.
4729:11-2-01 (New)	Licensure, registration and renewal.
4729:11-2-02 (New)	Designated representative.
4729:11-2-03 (New)	Applications.
4729:11-2-04 (New)	Recognized accrediting bodies.
4729:11-2-05 (New)	Change in description of an HME services provider or discontinuation of a business.
4729:11-3-01 (New)	Minimum standards for licensees.
4729:11-3-02 (New)	Record keeping.
4729:11-3-03 (New)	Inspections and corrective actions.
4729:11-3-04 (New)	Continuing education.
4729:11-3-05 (New)	Advertising and solicitation.
4729:11-4-01 (New)	Disciplinary actions.
4761:1-1-01 (Rescind)	Public hearings on adoption, amendment, or rescission of rules: methods of public notice.
4761:1-1-02 (Rescind)	Notice of board meetings.
4761:1-2-01 (Rescind)	Board organization.
4761:1-2-02 (Rescind)	Personnel.
4761:1-2-03 (Rescind)	Board records.
4761:1-2-05 (Rescind)	Personal information systems.
4761:1-3-01 (Rescind)	Definition of terms.
4761:1-3-02 (Rescind)	Home medical equipment defined.
4761:1-4-01 (Rescind)	Recognition of accrediting organizations.
4761:1-5-01 (Rescind)	Qualifications for licensure.
4761:1-5-02 (Rescind)	Application form requirements.
4761:1-5-03 (Rescind)	Failure to file a complete application for a license.
4761:1-6-01 (Rescind)	Qualifications to obtain a certificate of registration.
4761:1-6-02 (Rescind)	Application form requirements to apply for a certificate of registration.
4761:1-6-03 (Rescind)	License and certificate of registration issuance and display.
4761:1-6-04 (Rescind)	Failure to file a complete application for a certificate of registration.
4761:1-7-01 (Rescind)	Qualifications for license renewal.
4761:1-7-02 (Rescind)	Qualifications for certificate of registration renewal.
4761:1-7-03 (Rescind)	Lapsed license or certificate of registration reinstatement procedure.

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4761:1-8-01 (Rescind)	Fees.
4761:1-8-02 (Rescind)	Late fees.
4761:1-8-03 (Rescind)	Inspection fees.
4761:1-8-04 (Rescind)	License and certificate of registration replacement fees.
4761:1-9-01 (Rescind)	Standards of practice for license holders.
4761:1-9-02 (Rescind)	Standard for maintaining a facility.
4761:1-9-03 (Rescind)	Standard for maintaining equipment.
4761:1-9-04 (Rescind)	Client records.
4761:1-9-05 (Rescind)	Personnel.
4761:1-10-01 (Rescind)	Filing of complaints.
4761:1-10-02 (Rescind)	Authority of board investigators.
4761:1-10-03 (Rescind)	Licensees and certificate holders must comply with investigations conducted by the board.
4761:1-11-01 (Rescind)	Administrative procedure for refusal to issue or renew a license, suspend, or revoke a license or impose a fine or other disciplinary action.
4761:1-11-02 (Rescind)	Board imposition of penalties.
4761:1-11-03 (Rescind)	Filing a request with the Ohio attorney general's office for injunctive relief or civil penalties.
4761:1-11-04 (Rescind)	Other disciplinary action.
4761:1-12-01 (Rescind)	Representation; appearance; communication; applicability.
4761:1-12-02 (Rescind)	Authority and duties of the board or hearing examiner.
4761:1-12-03 (Rescind)	Filing.
4761:1-12-04 (Rescind)	Motions.
4761:1-12-05 (Rescind)	Service.
4761:1-12-06 (Rescind)	Computation and extension of time.
4761:1-12-07 (Rescind)	Exchange of documents and witness lists.
4761:1-12-08 (Rescind)	Exhibits.
4761:1-12-09 (Rescind)	Witnesses.
4761:1-12-10 (Rescind)	Subpoenas for purposes of hearing.
4761:1-12-11 (Rescind)	Expert testimony.
4761:1-12-12 (Rescind)	Mileage reimbursement and witness fees.
4761:1-12-13 (Rescind)	Depositions and transcripts of prior testimony.
4761:1-12-14 (Rescind)	Continuance of hearing.
4761:1-12-15 (Rescind)	Reports and recommendations.
4761:1-12-16 (Rescind)	Transcripts.
4761:1-12-17 (Rescind)	Prior action by the board.
4761:1-13-01 (Rescind)	Continuing education standards.
4761:1-14-01 (Rescind)	Inspection frequency.
4761:1-14-02 (Rescind)	Inspection requirements.
4761:1-15-01 (Rescind)	Advertising and solicitation.
4761:1-15-02 (Rescind)	Signage.
4761:1-15-03 (Rescind)	Transfer of authorization to new facility or new ownership.
4761:1-15-04 (Rescind)	Requirement to provide board contact information to clients.
4761:1-16-01 (Rescind)	Definitions for accessing confidential personal information.
4761:1-16-02 (Rescind)	Procedures for accessing confidential personal information.
4761:1-16-03 (Rescind)	Valid reasons for accessing confidential personal information.
4761:1-16-04 (Rescind)	Confidentiality statutes.
4761:1-16-05 (Rescind)	Restricting and logging access to confidential personal information in computerized information systems.

The full text of the proposed/rescinded rules is available at the office of the State Board of Pharmacy in printed form without charge to any person affected by such proposals. The proposed rules are available on the Register of Ohio's web site at <http://www.registerofohio.state.oh.us/jsps/publicdisplayrules/searchAgency.jsp> (search by 4729 - State Board of Pharmacy).

**PLEASE NOTE:** It may take up to 24-hours from the filing date for the rules to be posted.

On the date and at the time and place designated in this notice, any person affected by the proposed action of the State of Ohio Board of Pharmacy may appear and be heard in person, by his/her attorney, or both; may present his/her position, arguments, or contentions orally or in writing; offer witnesses; and, present evidence tending to show that any proposal, if adopted or effectuated, will be unreasonable or unlawful.