

4723-9-08

Safety standards for personally furnishing drugs and therapeutic devices.

(A) In accordance with section 3719.81 of the Revised Code, a ~~A~~ nurse who holds a current, valid certificate to prescribe issued by the board may personally furnish to a patient a sample of a drug or therapeutic device ~~in accordance with section 3719.81 of the Revised Code provided the drug or therapeutic device is included among the types of drugs and devices set forth in the formulary established by~~ in rule 4723-9-10 of the Administrative Code, subject to all of the following:

- (1) The amount of the sample furnished shall not exceed a seventy-two-hour supply, except when the minimum available quantity of the sample is packaged in an amount that is greater than a seventy-two-hour supply, in which case the nurse may furnish the sample in the packaged amount;
- (2) Samples may not be sold as set forth in section 4729.01 of the Revised Code;
- (3) Samples of controlled substances may not be personally furnished;
- (4) Where the directions for use by a particular patient are different from the directions on or in the sample container, the nurse shall also provide, in written format, the following:
 - (a) The name of the prescribing nurse;
 - (b) The name of the patient; and
 - (c) Directions for use of the drug or therapeutic device; and
- (5) The nurse shall maintain a written record of all drugs and devices personally furnished by the nurse.

(B) A nurse who holds a current, valid certificate to prescribe issued by the board may personally furnish to a patient a complete or partial supply of a drug or therapeutic device included in the types of drugs and devices listed on the formulary ~~as set forth~~ established in rule 4723-9-10 of the Administrative Code, subject to all of the following:

- (1) ~~Only the following~~ Those drugs that may be personally furnished: ~~are limited to those set forth in section 4723.481 of the Revised Code~~ antibiotics, antifungals, scabicides, contraceptives, and prenatal vitamins;

- (2) The nurse shall affix to the container a label showing:
 - (a) The name and address of the prescribing nurse;
 - (b) The name of the patient for whom the drug is intended;
 - (c) Name and strength of the drug;
 - (d) Directions for use; and
 - (e) Date furnished;
- (3) The nurse shall maintain a written record of all drugs and devices personally furnished by the nurse; and
- (4) The nurse ~~shall~~ may personally furnish the drug or device only in the ~~following~~ locations: set forth in section 4723.481 of the Revised Code.
 - ~~(a) A health department program operated by the board of health of a city or general health district or by an authority having the duties of a board of health under section 3709.05 of the Revised Code;~~
 - ~~(b) A federally funded comprehensive primary care clinic; or~~
 - ~~(c) A non-profit health care clinic or program.~~
- (C) A nurse who personally furnishes a drug or therapeutic device shall do so only in accordance with this rule and any other applicable state or federal laws or rules relative to personally furnishing drugs and therapeutic devices, including, but not limited to, rules adopted by the Ohio board of pharmacy.

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Certification

01/19/2006

Date

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