

4723-9-08

**Safety standards for personally furnishing drugs and therapeutic devices.**

- (A) ~~A~~ An advanced practice registered nurse with a current valid license issued by the board and designated as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner who holds a current, valid advanced practice registered nurse license issued by the board may personally furnish to a patient a drug or therapeutic device, whether as a sample drug or a complete or partial supply, only if the following requirements are met:
- (1) The drug or therapeutic device is not excluded by the formulary set forth in rule 4723-9-10 of the Administrative Code, located at <http://www.nursing.ohio.gov/Practice-Prescribing.htm> (effective 2017) ~~established according to rule 4723-9-10 of the Administrative Code;~~
  - (2) If the drug furnished is a controlled substance, the requirements of section 4729.291 of the Revised Code are met, including limiting the amount of the controlled substance to a seventy-two hour supply, and, in any thirty-day period, not personally furnishing to or for patients, taken as a whole, an amount that exceeds two thousand five hundred dosage units;
  - (3) If the drug furnished is a dangerous drug, other than a sample drug, the nurse affixes labeling to the container as specified in rule 4729:5-19-02~~4729-5-17~~ of the Administrative Code;
  - (4) The nurse complies with rule 4723-9-12 of the Administrative Code regarding standards and procedures for review of OARRS reports;
  - (5) The nurse maintains a written record of all drugs and therapeutic devices personally furnished by the nurse as required by rule 4729:5-19-04~~4729-5-17~~ of the Administrative Code; and
  - (6) The nurse maintains current knowledge of and complies with all applicable state and federal laws or rules related to personally furnishing drugs and therapeutic devices.
- (B) ~~A~~ An advanced practice registered nurse with a current valid license issued by the board and designated as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner who holds a current, valid advanced practice registered nurse license issued by the board may personally furnish to a patient a sample drug only if, in addition to the requirements set forth in paragraph (A) of this rule, the following requirements are met:

- (1) The sample drug is furnished in compliance with section 3719.81 of the Revised Code, including but not but limited to the requirement that the sample be provided free of charge; and
  - (2) If the sample is a dangerous drug, the requirements of rule 4729:5-19-02~~4729-5-17~~ of the Administrative Code are met.
- (C) Notwithstanding the requirements of this rule, an advanced practice registered nurse with a current valid license issued by the board and designated as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner ~~who holds a current, valid advanced practice registered nurse license issued by the board~~ may personally furnish a supply of naloxone according to section 4723.488 of the Revised Code.
- (D) Notwithstanding the requirements of this rule, an advanced practice registered nurse with a current valid license issued by the board and designated as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner ~~who holds a current, valid advanced practice registered nurse license~~ may personally furnish a complete or partial supply of a drug to treat chlamydia, gonorrhea, or trichomoniasis as specified in section 4723.4810 of the Revised Code.

Effective: 2/1/2021

Five Year Review (FYR) Dates: 10/15/2020 and 10/15/2025

CERTIFIED ELECTRONICALLY

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Certification

12/22/2020

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Date

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Rule Amplifies: 4723.481

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