

TO BE RESCINDED

4723-9-08

Safety standards for personally furnishing drugs and therapeutic devices.

(A) A clinical nurse specialist, certified nurse mid-wife, or certified nurse practitioner ~~In accordance with section 3719.81 of the Revised Code, 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, whether as a sample drug or a complete or partial supply, only if the following requirements are met included among the types of drugs and devices set forth in the formulary established in rule 4723-9-10 of the Administrative Code, subject to all of the following:~~

- (1) The drug or therapeutic device is included in the types of drugs and devices listed in the formulary established in rule 4723-9-10 of the Administrative Code ~~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) The nurse complies with rule 4723-9-12 of the Administrative Code regarding standards and procedures for review of OARRS reports ~~Samples may not be sold as set forth in section 4729.01 of the Revised Code;~~
- (3) The nurse maintains a written record of all drugs and therapeutic devices personally furnished by the nurse ~~Samples of controlled substances may not be personally furnished; and~~
- (4) 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. 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 clinical nurse specialist, certified nurse mid-wife, or certified nurse practitioner

who holds a current, valid certificate to prescribe issued by the board may personally furnish to a patient a sample drug, as that term is defined in section 2925.01 of the Revised Code, or therapeutic device only if, in addition to the requirements set forth in paragraph (A) of this rule, the following requirements are met:~~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 established in rule 4723-9-10 of the Administrative Code, subject to all of the following:~~

- (1) The amount of the sample furnished does 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;~~Those drugs that may be personally furnished are limited to those set forth in section 4723.481 of the Revised Code;~~
- (2) Samples may not be sold as set forth in section 4729.01 of the Revised Code;~~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) Samples of controlled substances cannot be personally furnished;
- ~~(3)(4) The sample drug is furnished in compliance with section 3719.81 of the Revised Code~~The nurse shall maintain a written record of all drugs and devices personally furnished by the nurse; and
- ~~(4)(5) The nurse provides the patient, in writing, the following information:~~may personally furnish the drug or device only in the locations set forth in section 4723.481 of the Revised Code.

 - (a) The name of the prescribing nurse;
 - (b) The name of the patient; and
 - (c) Directions for the use of the drug or therapeutic device.

(C) A clinical nurse specialist, certified nurse mid-wife, or certified nurse practitioner who holds a current, valid certificate to prescribe issued by the board may ~~who personally furnish~~furnishes to a patient a complete or partial supply of a drug or therapeutic device only if, in addition to the requirements set forth in paragraph (A) of this rule, the following requirements are met: 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 and rule 4723-9-12 of the Administrative Code regarding standards and procedures for review of OARRS reports.

(1) The drugs and devices are limited to those set forth in section 4723.481 of the Revised Code;

(2) The drugs and devices are furnished only in the locations set forth in section 4723.481 of the Revised Code; and

(3) The nurse affixes a label to the drug or device container that shows:

(a) The name and business 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.

(D) Notwithstanding the requirements of this rule, a clinical nurse specialist, certified nurse mid-wife, or certified nurse practitioner who holds a current, valid certificate to prescribe issued by the board may personally furnish a supply of naloxone according to section 4723.488 of the Revised Code.

Effective:

Five Year Review (FYR) Dates: 10/15/2015

Certification

Date

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