

## TO BE RESCINDED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 who holds a current, valid certificate to prescribe 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 included in the types of drugs and devices listed in the formulary, located at <http://www.nursing.ohio.gov/Practice-CTP.htm> (effective 2015), established according to rule 4723-9-10 of the Administrative Code;
- (2) The nurse complies with rule 4723-9-12 of the Administrative Code regarding standards and procedures for review of OARRS reports;
- (3) The nurse maintains a written record of all drugs and therapeutic devices personally furnished by the nurse; 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.

(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:

- (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;
- (2) Samples may not be sold as set forth in section 4729.01 of the Revised Code;
- (3) Samples of controlled substances cannot be personally furnished;
- (4) The sample drug is furnished in compliance with section 3719.81 of the Revised Code; and
- (5) The nurse provides the patient, in writing, the following information:

- (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 personally furnish 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:
- (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: 10/12/2017

---

Certification

---

Date

Promulgated Under: 119.03

Statutory Authority: 4723.07

Rule Amplifies: 4723.481

Prior Effective Dates: 02/01/2002, 02/01/2006, 02/01/2011, 02/01/2012,  
02/01/2016