

4731-11-01 **Definitions.**

As used in Chapter 4731-11 of the Administrative Code:

- (A) "Controlled substance" means a drug, compound, mixture, preparation, or substance included in schedule I, II, III, IV, or V pursuant to the provisions of Chapter 3719. of the Revised Code.
- (B) "Controlled substance stimulant" means any drug, compound, mixture, preparation, or substance which is classified as a stimulant in controlled substance schedule II, III, or IV listed in section 3719.41 of the Revised Code, or which is classified as a stimulant in controlled substances schedule II, III, or IV pursuant to section 3719.43 or 3719.44 of the Revised Code.
- (C) "Cross-coverage" means an agreement between an Ohio-licensed physician and another Ohio licensed physician or healthcare provider acting within the scope of their professional license under which the physician provides medical services for an active patient, as that term is defined in paragraph (D) of rule this rule, of the other physician or healthcare provider who is temporarily unavailable to conduct the evaluation of the patient.
- (1) This type of agreement includes on-call coverage for after hours and weekends.
- (2) The medical evaluation required by paragraph (C) of rule 4731-11-09 of the Administrative Code may be a limited evaluation conducted through interaction with the patient.
- (D) For purposes of paragraph (D) of rule 4731-11-09 of the Administrative Code, "active patient" as that term is used in paragraph (C) of this rule, means that within the previous twenty-four months the physician or other healthcare provider acting within the scope of their professional license conducted at least one in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine as that term is defined in 21 C.F.R. 1300.04, in effect as of the effective date of this rule.
- (E) "Utilize a controlled substance or controlled substance stimulant" means to prescribe, administer, dispense, supply, sell or give a controlled substance or controlled substance stimulant.
- (F) "Recognized contraindication" means any contraindication to the use of a drug which is listed in the United States food and drug administration (hereinafter, "F.D.A.") approved labeling for the drug, or which the board determines to be accepted as a contraindication.

- (G) "The board" means the state medical board of Ohio.
- (H) "BMI" means body mass index, calculated as a person's weight in kilograms divided by height in meters squared.
- (I) "Physician" means an individual holding a certificate under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery and practicing within his or her scope of practice as defined by section 4731.51 of the Revised Code.
- (J) "Board certified addictionologist or addiction psychiatrist" means a medical doctor or doctor of osteopathic medicine and surgery who holds one of the following certifications:
- (1) Subspecialty board certification in addiction psychiatry from the american board of psychiatry and neurology;
 - (2) Board certification in addiction medicine from the american board of addiction medicine;
 - (3) Certification from the American society of addiction medicine;
 - (4) Subspecialty certification in addiction medicine from the American board of preventive medicine; or
 - (5) Board certification with additional qualification in addiction medicine from the American osteopathic association.
- (K) "Office based opioid treatment", or "OBOT", means treatment of opioid addiction utilizing a schedule III, IV or V controlled substance narcotic.
- (L) "Acute pain" means pain that normally fades with healing, is related to tissue damage, significantly alters a patient's typical function and is expected to be time limited and not more than six weeks in duration.
- (M) "Minor" has the same meaning as in section 3719.061 of the Revised Code.
- (N) "Morphine equivalent daily dose (MED)" means a conversion of various opioid analgesics to a morphine equivalent dose by the use of accepted conversion tables provided by the state of Ohio board of pharmacy at: <https://www.ohiopmp.gov/> (effective 2017).
- (O) "Extended-release or long-acting opioid analgesic" means an opioid analgesic that:

- (1) Has United States food and drug administration approved labeling indicating that it is an extended-release or controlled release formulation;
 - (2) Is administered via a transdermal route; or
 - (3) Contains methadone.
- (P) “Opioid analgesic” has the same meaning as in section 3719.01 of the Revised Code and means a controlled substance that has analgesic pharmacologic activity at the opioid receptors of the central nervous system, including but not limited to the following drugs and their varying salt forms or chemical congeners: buprenorphine, butorphanol, codeine (including acetaminophen and other combination products), dihydrocodeine, fentanyl, hydrocodone (including acetaminophen combination products), hydromorphone, meperidine, methadone, morphine sulfate, oxycodone (including acetaminophen, aspirin, and other combination products), oxymorphone, tapentadol, and tramadol.
- (Q) “Hospice care program” has the same meaning as in section 3712.01 of the Revised Code.
- (R) “Palliative care” has the same meaning as in section 3712.01 of the Revised Code.
- (S) “Terminal condition” ~~has the same meaning as in section 2133.01 of the Revised Code~~ means an irreversible, incurable, and untreatable condition caused by disease, illness, or injury from which, to a reasonable degree of medical certainty as determined in accordance with reasonable medical standards by a physician who has examined the patient, both of the following apply:-
- (1) There can be no recovery.
 - (2) Death is likely to occur within a relatively short time if life-sustaining treatment is not administered.
- (T) “Medication therapy management” has the same meaning as in rule 4729:5-12-01 of the Administrative Code.
- (U) “Subacute pain” means pain that has persisted after reasonable medical efforts have been made to relieve it and continues either episodically or continuously for more than six weeks but less than twelve weeks following initial onset of pain. It may be the result of underlying medical disease or condition, injury, medical or surgical treatment, inflammation, or unknown cause.
- (V) “Chronic pain” means pain that has persisted after reasonable medical efforts have been made to relieve it and continues either episodically or continuously for twelve

or more weeks following initial onset of pain. It may be the result of an underlying medical disease or condition, injury, medical treatment, inflammation, or unknown cause. "Chronic pain" does not include pain associated with a terminal condition or with a progressive disease that, in the normal course of progression, may reasonably be expected to result in a terminal condition.

(W) "Board certification in hospice and palliative care" means either of the following:

- (1) Subspecialty certification in hospice and palliative medicine granted by a certification board that is a member of the American board of medical specialties.
- (2) Certification of added qualification in hospice and palliative medicine by the American osteopathic association bureau of medical specialties.

(X) "Board certified hematologist" means a medical doctor or doctor of osteopathic medicine and surgery who holds one of the following certifications:

- (1) Subspecialty board certification in hematology from the American board of internal medicine;
- (2) Subspecialty board certification in pediatric hematology-oncology from the American board of pediatrics;
- (3) Board certification with additional qualification in hematology from the American osteopathic association;

(Y) "Board certified oncologist" means a medical doctor or doctor of osteopathic medicine and surgery who holds one of the following certifications:

- (1) Subspecialty board certification in medical oncology from the American board of internal medicine;
- (2) Subspecialty board certification in gynecologic oncology from the American board of obstetrics and gynecology;
- (3) Subspecialty board certification in pediatric hematology-oncology from the American board of pediatrics;
- (4) Subspecialty board certification in complex general surgical oncology from the American board of surgery;
- (5) Board certification with additional qualification in oncology from the American osteopathic association;

(6) Board certification with additional qualification in gynecological oncology from the American osteopathic association.

Effective:

Five Year Review (FYR) Dates: 6/19/2020

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4731.052, 4731.05 , 4730.39, 3719.062
Rule Amplifies: 3719.062 , 4731.74, 4731.052, 4730.39
Prior Effective Dates: 11/17/1986, 01/11/1998, 10/31/1998, 09/01/2000,
11/30/2008, 01/31/2015, 03/23/2017, 08/31/2017,
12/07/2017, 12/23/2018