

**MEMORANDUM**

TO: Cameron McNamee, Ohio State Board of Pharmacy

FROM: Paula Steele, Regulatory Policy Advocate

DATE: February 28, 2014

RE: **CSI Review – Vaccinations** (OAC 4729-5-38)

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This Ohio State Board of Pharmacy (Board) rule package consists of one amended draft rule – being proposed under the five-year review requirements of ORC 119.032. The rule package was submitted to the CSI Office on February 6, 2014, and the comment period for the rule closed on February 20, 2014. No public comments were received during the comment period.

The draft rules address administration for certain immunizations and medications as prescribed in the Revised Code. In addition the rule specifically addresses the zoster vaccine for the prevention of “shingles.” The proposed rule is being amended to allow pharmacies to provide the zoster vaccine without a prescription for adults meeting prescribed criteria. According to the BIA, the proposed amendment is in response to stakeholder input which included the State Medical Board.

The CSI Office followed up with the Board's staff to request some minor revisions in the BIA. After reviewing the proposed rules and revised BIA, the CSI Office has determined that the rule package satisfactorily meets the standards espoused by the CSI Office, and the purpose of the rules justifies the adverse impact identified in the BIA.

Recommendations

For the reasons described above, the CSI Office has no recommendations regarding this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office