

**MEMORANDUM**

**TO:** Cameron McNamee, Ohio State Board of Pharmacy

**FROM:** Paula Steele, Regulatory Policy Advocate

**DATE:** May 27, 2014

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

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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 proposed amended rule. The rule package was submitted to the CSI Office on May 7, 2014, and the comment period for the rule closed on May 20, 2014. No public comments were received during the comment period.

The proposed rule was recently reviewed by the CSI Office under the five-year review requirements of ORC 119.032. The rule addresses administration for certain immunizations and medications as prescribed in the Revised Code and at the time of the initial review, was amended to specifically address the zoster vaccine for the prevention of "shingles." On February 28, 2014, CSI issued a recommendation that concluded the Board should proceed with the formal filing of the proposed rule with the Joint Committee on Agency Rule Review. Since the review, Ohio has experienced an outbreak of measles and mumps<sup>1</sup> which has caused a need for additional changes. The amendment, as a direct result of the outbreak, now authorizes pharmacists to administer the measles, mumps and rubella (MMR) vaccine to individuals 18 years and older. According to the BIA there was a comprehensive stakeholder group involved in reviewing the proposed amendments.

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<sup>1</sup> <http://www.odh.ohio.gov/features/odhfeatures/Mumps.aspx>

The intent of the amended rule is to increase access to the Measles-Mumps-Rubella (MMR) vaccine in order to avoid the spread of two preventable diseases.

After reviewing the proposed rule and 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