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Hearing Date: 7/23/2020

Today's Date: 8/14/2020

Agency: State Medical Board of Ohio

Rule Number(s): 4730-1-06, 4730-1-07, 4730-1-08, 4730-2-04, 4730-2-05, 4730-2-06, 4730-2-07, 4730-2-10, 4730-4-01, 4730-4-02, 4731-11-01, 4731-11-14, 4731-33-01, 4731-33-02, 4731-35-01, 4731-35-02, 4761-5-01, 4761-5-04, 4761-6-01, 4761-7-04, 4761-9-01, 4761-9-05, 4761-9-07, 4761-10-03

If no comments at the hearing, please check the box. ☐

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Zach Holzapfel, Hicks Partners 4731-33-02 and 4730-4-02
2. Henry Van den Berg, US Worldmeds 4731-33-02 and 4730-4-02
3. Cameron McNamee, Ohio Board of Pharmacy 4731-11-01, 4731-35-01, 4731-35-02
4. Sean McGlone, Ohio Hospital Association 4731-11-01 and 4731-11-14
5. Christine Wilder, MD, UC Health 4731-33-02, 4731-4-02
6. Sue Ciarlariello, Ohio Society for Respiratory Care 4761-5-01, 4761-5-04, 4761-6-01, 4761-7-04, 4761-9-01, 4761-9-05, 4761-9-07, 4761-10-03
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Hearing Summary Report

Consolidated Summary of Comments Received

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

4731-11-01: Cameron McNamee of the Ohio Board of Pharmacy advised that the controlled substance schedules are contained in Chapter 4729:9-1 of the Administrative Code;

4731-11-01 and 4731-11-14: Sean McGlone of the Ohio Hospital Association asked why changes to the definitions of board certification in oncology to include radiation oncology were not adopted;

4731-35-01 and 4731-35-02: Cameron McNamee of the Ohio Board of Pharmacy advised that 4729-17-01 was in the process of being renumbered and suggested using agency 4729 of the Administrative Code to reference institutional rules of the Board of Pharmacy;

4731-33-02 and 4730-4-02: Zach Holpzafel of Hicks Partners suggested a change to paragraph (F)(5) to allow for treatment of alcohol use disorder with medication assisted treatment with Naltrexone or any other FDA approved medication;

4731-33-02 and 4730-4-02: Henry Van den Berg of US World Meds suggested a change to paragraph (D)(10)(c)(iii) to allow for more than a one-week supply for take home prescriptions for withdrawal medications if clinically appropriate based on labeling for the product;

4731-33-02 and 4730-4-02: Christine Wilder, M.D. of UC Health commented that while she did not oppose the rules, she would appreciate more guidance around the treatment of detoxification of alcohol use disorder;

4761-5-01, 4761-5-04, 4761-6-01, 4761-7-04, 4761-9-01, 4761-9-05, 4761-9-07 and 4761-10-03: Sue Ciarlariello of the Ohio Society of Respiratory Care commented that she was in favor of all of the proposed changes to the rules. She provided additional detail regarding 4761-9-05 that the college courses should be limited to those regarding respiratory care.

Hearing Summary Report

Incorporated Comments into Rule(s)

Indicate how comments received during the hearing process were incorporated into the rule(s). If no comments were incorporated, explain why not.

4731-11-01(A) and (B) have been modified to refer to 4729:9-01 of the Administrative Code for the controlled substance schedules.

4731-11-01 and 4731-11-14 were already modified at CSI to include the recommendations of the Ohio Hospital Association regarding board specialty in oncology and hematology to include radiation oncologists. The rules were revised prior to the public hearing to reflect the earlier modification.

4731-33-02 and 4730-4-02 have been refiled to modify paragraph (F)(5) to allow treatment using any FDA approved forms of medication assisted treatment for alcohol use disorder and to include the requirement for an instruction that patients receiving medication assisted treatment for alcohol use disorder not drive or operate dangerous machinery.

4761-9-05 as filed contains language in paragraph (A)(1) that the college credit is limited to respiratory care courses.

4731-35-01(B) and 4731-35-02(A)(3) were refiled to remove reference to rule 4729-17-01 and instead to refer to agency 4729 of the Administrative Code.

On August 12, 2020, the State Medical Board reviewed the comment from Henry Van den Berg of US Worldmeds and determined not to make the change to paragraph (D)(10(c)(iii) to allow for more than a one-week supply of take home withdrawal medications. The Board determined that it was important for patients to be seen frequently when on take home withdrawal medications to ensure success and safety for the patient.