

7/25/23

The following information is being provided pursuant to the requirements of Executive Order 2011-01K and Senate Bill 2 of the 129th General Assembly, which require state agencies, including the State of Ohio Board of Pharmacy, to draft rules in collaboration with stakeholders, assess and justify an adverse impact on the business community (as defined by S.B. 2), and provide an opportunity for the affected public to provide input on the following rules.

Amend:

- 4729-6-01: Provides the definition section for the Board's continuing education provider rule. Removes an old reference that no longer applies.
- 4729-6-02: Provides the criteria for in-state approved providers of pharmacy continuing education. Reduces the amount of time CE providers have to maintain certificates of completion from 5 year to 4 years. Removes old reference that no longer applies.
- 4729:1-2-01: Provides the criteria for pharmacist licensure by examination. Removes references to a specific score and rather refers to the "passing score" determined by the National Association of Boards of Pharmacy. Reduces the time to send fingerprints to the Board to 60 days from application rather than 12 months.
- 4729:1-2-02: Provides the criteria for pharmacist reciprocity. This rule permits a reciprocity candidate to complete a no-cost law course developed by the Board. This rule also incorporates required provisions from SB 131 (134th General Assembly) that requires licensure reciprocity.
- 4729:1-2-03: Outlines the requirements for a pharmacist application via examination. Removes requirement to submit a photograph and adds a reference to the eLicense transaction fee requirement by ORC 125.18.
- 4729:1-2-06: Provides the requirements for pharmacist change of name, email, mailing address and employer. Adds new options for providing a name change. Requires a pharmacist who obtains a new wall certificate to promptly destroy the old certificate. Clarifies that duplicate wall certificates may only be requested if they are lost, misplaced, or damaged.
- 4729:1-5-01: Provides the definitions for the pharmacist continuing education rule chapter. Adds two certifications that are recognized by the Board for continuing education purposes.
- 4729:1-5-02: Provides the continuing education requirements for pharmacists. Reduces the number of CE hours due to the passage of HB 509 (134th General Assembly). Also, exempts newly licensed pharmacists from having to complete CE within the first two years of licensure.
- 4729:1-5-03: Provides extensions for pharmacist continuing education requirements for military members and their spouses. Makes a minor grammatical correction.
- 4729:2-1-01: Provides the definitions for the pharmacy intern division of the Administrative Code. Reorganizes the rule to clarify that pharmacists may only supervise 2 interns at any time (6 if they are providing immunizations only).

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- 4729:2-2-01: Provides the requirements for licensure as a pharmacy intern. Makes one wording change.
- 4729:2-2-02: Provides the requirements for application as a pharmacy intern. Removes requirement to submit photograph and permits reciprocity as required by SB 131 (134th General Assembly).
- 4729:2-2-04: Provides the requirements for licensure renewal by a pharmacy intern. Permits pharmacy interns who are initially licensed after May 1st of an odd-numbered year to be provided a license that does not expire until the next renewal date (e.g., two years and 4 months). Incorporates the licensure renewal process from 4729:2-2-09.
- 4729:2-2-06: Provides the requirements for the statement of preceptor and practical experience affidavit for pharmacy interns. Requires practical experience affidavits to be submitted one year after credit is earned rather than by the first day of March each year. Also clarifies that the practical experience affidavit is only to be used to submit evidence of practical experience outside of the intern's school of pharmacy academic program.
- 4729:2-2-08: Provides the requirements for pharmacy intern change of name, email, mailing address and employer. Adds new options for providing a name change.

New/Rescind:

- 4729:1-2-07: Provides the standards for pharmacist licensure renewal. (Rescinding the current version of 4729:1-2-07 because more than 50% of the rule is being rescinded). The rule outlines the process for licensure renewal or reinstatement due to a lapsed license.

Rescind Only:

- 4729:2-2-09: Rescinds the pharmacy intern renewal rule. Provisions in this rule are being incorporated into rule 4729:2-2-04.

No Change:

- 4729-6-03: Provides the criteria for approved providers of continuing pharmacy education for providing volunteer healthcare services.
- 4729:1-2-04: Provides the passing scores for the Test of English as a Foreign Language, Internet-based Test.
- 4729:1-2-05: Provides the requirements for criminal records checks by pharmacists as required by ORC 4729.071 and 4776.02.
- 4729:1-2-08: Provides the licensure extensions for active-duty military members and their spouses.

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- 4729:2-2-03: Provides the requirements for a pharmacy intern to meet Ohio's criminal records check requirements.
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- 4729:2-2-07: Provides the passing scores for the Test of English as a Foreign Language, Internet-based Test.
- 4729:2-2-10: Provides the licensure extensions for active-duty military members and their spouses.

Comments on the proposed rules will be accepted until **close of business on August 17, 2023**.

Please send all comments to the following email address: RuleComments@pharmacy.ohio.gov

In addition, please copy your comments to: CSIPublicComments@governor.ohio.gov

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Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Joseph Baker, Director

Business Impact Analysis

Agency, Board, or Commission Name: State of Ohio Board of Pharmacy

Rule Contact Name and Contact Information:

Cameron McNamee, cameron.mcnamee@pharmacy.ohio.gov

Regulation/Package Title (a general description of the rules' substantive content):

Pharmacist and Pharmacy Intern Licensure and Continuing Education

Rule Number(s): 4729-6-01; 4729-6-02; 4729-6-03; 4729:1-2-01; 4729:1-2-02; 4729:1-2-03; 4729:1-2-04; 4729:1-2-05; 4729:1-2-06; 4729:1-2-07; 4729:1-2-08; 4729:1-5-01; 4729:1-5-02; 4729:1-5-03; 4729:2-1-01; 4729:2-2-01; 4729:2-2-02; 4729:2-2-03; 4729:2-2-04; 4729:2-2-09; 4729:2-2-05; 4729:2-2-06; 4729:2-2-07; 4729:2-2-08; 4729:2-2-10;

Date of Submission for CSI Review: 7/25/23

Public Comment Period End Date: 8/17/23

Rule Type/Number of Rules:

New/ 1 rules

No Change/ 8 rules (FYR? Y)

Amended/ 15 rules (FYR? Y)

Rescinded/ 2 rules (FYR? Y)

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing

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regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Reason for Submission

1. R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.

Which adverse impact(s) to businesses has the agency determined the rule(s) create?

The rule(s):

- a. ☒ Requires a license, permit, or any other prior authorization to engage in or operate a line of business.
- b. ☒ Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.
- c. ☒ Requires specific expenditures or the report of information as a condition of compliance.
- d. ☒ Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.

Regulatory Intent

2. Please briefly describe the draft regulation in plain language.
Please include the key provisions of the regulation as well as any proposed amendments.

Amend:

- 4729-6-01: Provides the definition section for the Board's continuing education provider rule. Removes an old reference that no longer applies.
- 4729-6-02: Provides the criteria for in-state approved providers of pharmacy continuing education. Reduces the amount of time CE providers have to maintain certificates of completion from 5 year to 4 years. Removes old reference that no longer applies.
- 4729:1-2-01: Provides the criteria for pharmacist licensure by examination. Removes references to a specific score and rather refers to the "passing score" determined by the National Association of Boards of Pharmacy. Reduces the time to send fingerprints to the Board to 60 days from application rather than 12 months.
- 4729:1-2-02: Provides the criteria for pharmacist reciprocity. This rule permits a reciprocity candidate to complete a no-cost law course developed by the Board. This rule

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also incorporates required provisions from SB 131 (134th General Assembly) that requires licensure reciprocity.

- 4729:1-2-03: Outlines the requirements for a pharmacist application via examination. Removes requirement to submit a photograph and adds a reference to the eLicense transaction fee requirement by ORC 125.18.
- 4729:1-2-06: Provides the requirements for pharmacist change of name, email, mailing address and employer. Adds new options for providing a name change. Requires a pharmacist who obtains a new wall certificate to promptly destroy the old certificate. Clarifies that duplicate wall certificates may only be requested if they are lost, misplaced, or damaged.
- 4729:1-5-01: Provides the definitions for the pharmacist continuing education rule chapter. Adds two certifications that are recognized by the Board for continuing education purposes.
- 4729:1-5-02: Provides the continuing education requirements for pharmacists. Reduces the number of CE hours due to the passage of HB 509 (134th General Assembly). Also, exempts newly licensed pharmacists from having to complete CE within the first two years of licensure.
- 4729:1-5-03: Provides extensions for pharmacist continuing education requirements for military members and their spouses. Makes a minor grammatical correction.
- 4729:2-1-01: Provides the definitions for the pharmacy intern division of the Administrative Code. Reorganizes the rule to clarify that pharmacists may only supervise 2 interns at any time (6 if they are providing immunizations only).
- 4729:2-2-01: Provides the requirements for licensure as a pharmacy intern. Makes one wording change.
- 4729:2-2-02: Provides the requirements for application as a pharmacy intern. Removes requirement to submit photograph and permits reciprocity as required by SB 131 (134th General Assembly).
- 4729:2-2-04: Provides the requirements for licensure renewal by a pharmacy intern. Permits pharmacy interns who are initially licensed after May 1st of an odd-numbered year to be provided a license that does not expire until the next renewal date (e.g., two years and 4 months). Incorporates the licensure renewal process from 4729:2-2-09.
- 4729:2-2-06: Provides the requirements for the statement of preceptor and practical experience affidavit for pharmacy interns. Requires practical experience affidavits to be submitted one year after credit is earned rather than by the first day of March each year. Also clarifies that the practical experience affidavit is only to be used to submit evidence of practical experience outside of the intern's school of pharmacy academic program.
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New/Rescind:

- 4729:1-2-07: Provides the standards for pharmacist licensure renewal. (Rescinding the current version of 4729:1-2-07 because more than 50% of the rule is being rescinded). The rule outlines the process for licensure renewal or reinstatement due to a lapsed license.

Rescind Only:

- 4729:2-2-09: Rescinds the pharmacy intern renewal rule. Provisions in this rule are being incorporated into rule 4729:2-2-04.

No Change:

- 4729-6-03: Provides the criteria for approved providers of continuing pharmacy education for providing volunteer healthcare services.
- 4729:1-2-04: Provides the passing scores for the Test of English as a Foreign Language, Internet-based Test.
- 4729:1-2-05: Provides the requirements for criminal records checks by pharmacists as required by ORC 4729.071 and 4776.02.
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- 4729:2-2-10: Provides the licensure extensions for active-duty military members and their spouses.

3. Please list the Ohio statute(s) that authorize the agency, board or commission to adopt the rule(s) and the statute(s) that amplify that authority.

The proposed rules are authorized by section 4729.26 of the Ohio Revised Code.

4. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?

If yes, please briefly explain the source and substance of the federal requirement.

These rules do not implement a federal requirement.

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5. **If the regulation implements a federal requirement, but includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

These rules exceed federal requirements because the regulation of the pharmacy profession, including pharmacists and pharmacy interns, has traditionally been done at the state level by legislatively created state boards of pharmacy.

6. **What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

Section 4729.26 of the Ohio Revised Code authorizes the Board of Pharmacy to adopt rules governing the practice of pharmacy. Without these regulations the Board would not be able to provide clear standards for licensure and education requirements for pharmacists and pharmacy interns. These regulations ensure that Ohio pharmacy professionals can practice competently and safely.

7. **How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?**

The success of the regulations will be measured by having rules written in plain language, licensee compliance with the rules, and minimal questions from licensees regarding the provisions of the rules.

8. **Are any of the proposed rules contained in this rule package being submitted pursuant to R.C. 101.352, 101.353, 106.032, 121.93, or 121.931?**

If yes, please specify the rule number(s), the specific R.C. section requiring this submission, and a detailed explanation.

No.

Development of the Regulation

9. **Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.**

If applicable, please include the date and medium by which the stakeholders were initially contacted.

This rule package was distributed for initial public comment by posting the rule package to the Board's proposed rules website.

Prior to filing with CSI, the rules were reviewed and approved by the Board of Pharmacy.

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10. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

The Board received three comments during the rule process. Those comments and the Board's responses can be found below:

Commenter	Rule	Comment	Draft Board Response
Pharmacist	4729:1-5-01 - Pharmacist Continuing Education - Definitions. (AMEND)	While I commend the board for continuing to promote the safe use of medications, topics related to the safe use of medication can have other designators beyond -05. I believe the requirement should at a minimum be expanded to include not only -05 but also -07 and -08 ACPE accredited activities. Part of the improper pharmaceutical care that led to this requirement I believe, involved 1) lack of sterile compounding and 2) opioids, and the ongoing opioid epidemic. Subsequent to the original rule requiring -05 designated patient or medication safety CE, ACPE expanded their topic designators options to include the more specific -07 Compounding designator and -08- Pain Management designator. As defined by ACPE, the -07 Compounding designator 07 is defined as "activities related to sterile, nonsterile, and hazardous drug compounding for humans and animals. This includes best practices and USP quality assurance standards, environmental testing and control, record keeping, error detection and reporting, and continuous quality improvement processes." The -08 designator is defined as "activities that address any component regarding the treatment and management of pain, including the prescribing, distribution and use of opioid medications, and/or the risks, symptoms, and treatment of opioid misuse/addiction." Additionally, I would note that CE providers can off activities that are specifically about safety but they are not required to submit it as an -05 designated activity. For example, the US Food and Drug Administration currently offers an activity entitled "Safety Labeling Changes for Leukotriene Receptor Antagonists and Decisions Behind a Boxed Warning" but the UAN is an -01 Disease State Management/Drug therapy activity. Another example from the FDA is an activity entitled "Overview of Risk Evaluation and Mitigation Strategies (REMS) for Health Care Providers"	There are only 8 Universal Activity Numbers. By adding two more, it loses the original intent of a patient safety/medication error prevention focus. Therefore, this comment was not incorporated into the rule.

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		which has a UAN of JA0002895-0000-22-055-H04-P, which uses the -04 Pharmacy Administration designator. A third example from the FDA is "FDA's Role in Postmarketing Drug Safety Surveillance" which has the UAN of JA0002895-0000-22-015-H04-P. While ideally any activity that has safety or risk in its name should be considered compliant, at a minimum the designators -07, and -08 would be positive additions to the currently required -05 designator. Thank you.	
Pharmacist	4729:2-2-06 - Statement of preceptor and practical experience affidavit. (AMEND)	"No internship credit shall be granted by the board for practical experience obtained for the purposes of the intern's school of pharmacy academic program." This is kinda messed up requiring additional hours. Previously the schools satisfied this through ippe and appe hours. It can be challenging to find an intern position. It took me 2 years to obtain one and even then it was only because my family knew someone.	Comment has been addressed in the rule. Intern hours can be achieved via school academic programs.
Pharmacist	4729:1-2-01 - Criteria for licensure by examination . (AMEND)	If the Board is designing an expanded Ohio Law course for those applying for reciprocity the same should be offered for new grads. Perhaps allowing the faculty that cover Law within Ohio to apply to be approved jurisprudence providers would allow them to assess competency in the same manner as the rule update for reciprocity. Either way the MPJE as it stands is problematic and offers little to no real information for test takers or colleges of pharmacy to assess performance.	The Board is exploring this option. However, the MPJE is the national standard currently used by most states to assess pharmacy law competency.

11. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

Scientific data was not used to develop or review this rule.

12. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives? *Alternative regulations may include performance-based regulations, which define the required outcome, but do not dictate the process the regulated stakeholders must use to comply.*

As the regulations are essential to protecting the public's safety by ensuring uniform standards for the practice of pharmacy, the State of Ohio Board of Pharmacy did not consider any regulatory alternatives.

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13. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

The Board of Pharmacy's Director of Policy and Communications and Director of Licensing reviewed the proposed rules to ensure that the regulations do not duplicate another State of Ohio Board of Pharmacy regulation.

14. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

The rules will be posted on the Board of Pharmacy's web site, information concerning the rules will be included in materials e-mailed to licensees, and notices will be sent to associations, individuals and groups. Board of Pharmacy staff are also available via phone or email to answer questions regarding implementation of the rules. In addition, the Board's compliance agents are trained to educate licensees on current and/or new regulations during on-site inspections.

Board of Pharmacy staff receive regular updates on rules via a monthly internal newsletter, biannual staff meetings featuring a regulatory update, mandatory all-day law reviews for new employees, email updates, webinars from the Director of Policy and Communications and feedback from the Board's legal department for every citation submitted.

Adverse Impact to Business

15. Provide a summary of the estimated cost of compliance with the rule(s). Specifically, please do the following:

a. Identify the scope of the impacted business community:

- Pharmacists;
- Pharmacy Interns

b. Quantify and identify the nature of all adverse impact (e.g., fees, fines, employer time for compliance, etc.).

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a representative business. Please include the source for your information/estimated impact.

Amend:

- 4729-6-01: Provides the definition section for the Board's continuing education provider rule. Removes an old reference that no longer applies. This is a definitions section and should have no adverse impact.

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- 4729-6-02: Provides the criteria for in-state approved providers of pharmacy continuing education. Reduces the amount of time CE providers have to maintain certificates of completion from 5 year to 4 years. Removes old reference that no longer applies. This rule will increase costs for providers of in-state pharmacy jurisprudence continuing education because of the administrative requirements to maintain certain paperwork. This rule is reducing the burden on providers by shortening the retention time for such paperwork from 5 years to 4 years.
- 4729:1-2-01: Provides the criteria for pharmacist licensure by examination. Removes references to a specific score and rather refers to the “passing score” determined by the National Association of Boards of Pharmacy. Reduces the time to send fingerprints to the Board to 60 days from application rather than 12 months. Requires successful passage of the NAPLEX and MPJE examinations. The cost of the NAPLEX is \$485, MPJE \$200 and the cost to register for both is \$685.
- 4729:1-2-02: Provides the criteria for pharmacist reciprocity. This rule permits a reciprocity candidate to complete a no-cost law course developed by the Board. This rule also incorporates required provisions from SB 131 (134th General Assembly) that requires licensure reciprocity. The reciprocity fee for pharmacists is \$337.50.
- 4729:1-2-03: Outlines the requirements for a pharmacist application via examination. Removes requirement to submit a photograph and adds a reference to the eLicense transaction fee requirement by ORC 125.18. To comply with the requirements of this rule, an applicant must obtain an advanced degree from an approved school of pharmacy.
- 4729:1-2-06: Provides the requirements for pharmacist change of name, email, mailing address and employer. Adds new options for providing a name change. Requires a pharmacist who obtains a new wall certificate to promptly destroy the old certificate. Clarifies that duplicate wall certificates may only be requested if they are lost, misplaced, or damaged. The required fee for a new wall certificate is \$22.50.
- 4729:1-5-01: Provides the definitions for the pharmacist continuing education rule chapter. Adds two certifications that are recognized by the Board for continuing education purposes. This is a definition section and should have no adverse impact.
- 4729:1-5-02: Provides the continuing education requirements for pharmacists. Reduces the number of CE hours due to the passage of HB 509 (134th General Assembly). Also, exempts newly licensed pharmacists from having to complete CE within the first two years of licensure. The reduction CE hours will result in time and money saved by the pharmacist. Additionally, pharmacists who obtain an initial license will not have to meet CE requirements for the first renewal cycle, which will also save time and money for the pharmacist.
- 4729:1-5-03: Provides extensions for pharmacist continuing education requirements for military members and their spouses. Makes a minor grammatical correction.

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- 4729:2-1-01: Provides the definitions for the pharmacy intern division of the Administrative Code. Reorganizes the rule to clarify that pharmacists may only supervise 2 interns at any time (6 if they are providing immunizations only). Sites where interns are practicing may have to hire additional staff to meet the supervision requirement. Please be advised that the supervision requirement is not changing from the current version of the rule, except that it expands for interns administering immunizations.
- 4729:2-2-01: Provides the requirements for licensure as a pharmacy intern. Makes one non-substantive wording change. Interns will have to comply with one of three options to obtain an intern license (enrolled in a school of pharmacy, obtained a pharmacy degree, or having obtained a Foreign Pharmacy Graduate Examination Commission).
- 4729:2-2-02: Provides the requirements for application as a pharmacy intern. Removes requirement to submit photograph and permits reciprocity as required by SB 131 (134th General Assembly). The fee for application is \$30.00.
- 4729:2-2-04: Provides the requirements for licensure renewal by a pharmacy intern. Permits pharmacy interns who are initially licensed after May 1st of an odd-numbered year to be provided a license that does not expire until the next renewal date (e.g., two years and 4 months). Incorporates the licensure renewal process from 4729:2-2-09. Requires pharmacy intern to notify the Board and the intern's current employer if they are no longer enrolled in a school of pharmacy. This notification requirement is estimated to take 5 minutes to complete and can be submitted via email.
- 4729:2-2-06: Provides the requirements for the statement of preceptor and practical experience affidavit for pharmacy interns. Requires practical experience affidavits to be submitted one year after credit is earned rather than by the first day of March each year. Also clarifies that the practical experience affidavit is only to be used to submit evidence of practical experience outside of the intern's school of pharmacy academic program. The statement of preceptor form is 2-pages and is estimated to take anywhere between 5-10 minutes to complete.
- 4729:2-2-08: Provides the requirements for pharmacy intern change of name, email, mailing address and employer. Adds new options for providing a name change. The required fee for a new wall certificate is \$22.50.

New/Rescind:

- 4729:1-2-07: Provides the standards for pharmacist licensure renewal. (Rescinding the current version of 4729:1-2-07 because more than 50% of the rule is being rescinded). The rule outlines the process for licensure renewal or reinstatement due to a lapsed license. The cost of licensure renewal is \$250 (plus \$3.50 eLicense transaction fee). The cost to renew a lapsed license is \$337.50.

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Rescind Only:

- 4729:2-2-09: Rescinds the pharmacy intern renewal rule. Provisions in this rule are being incorporated into rule 4729:2-2-04.

No Change:

- 4729-6-03: Provides the criteria for approved providers of continuing pharmacy education for providing volunteer healthcare services. May increase costs for in-state providers of volunteer healthcare services to register with the Board as a CE provider and report program information.
- 4729:1-2-04: Provides the passing scores for the Test of English as a Foreign Language, Internet-based Test. This rule is no change and should not have an adverse impact as it only provides the passing scoring criteria.
- 4729:1-2-05: Provides the requirements for criminal records checks by pharmacists as required by ORC 4729.071 and 4776.02. The cost of a criminal records check (BCI and FBI) is \$61.70 combined.
- 4729:1-2-08: Provides the licensure extensions for active-duty military members and their spouses. The cost of compliance with this rule is the administrative time it takes to submit documentation to the Board. This should take anywhere between 15-30 minutes to complete.
- 4729:2-2-03: Provides the requirements for a pharmacy intern to meet Ohio's criminal records check requirements. The cost of a criminal records check (BCI and FBI) is \$61.70 combined.
- 4729:2-2-05: Provides the internship credit hours necessary for a pharmacy intern to sit for the pharmacist licensure examinations. To comply with the requirements of this rule, an applicant must obtain an advanced degree from an approved school of pharmacy or complete the required training hours. Additionally, an applicant who seeks to obtain practical experience at a site other than a pharmacy will have to submit a request to the Board. This request can take anywhere from 30-60 minutes to complete but does not have a fee associated with it.
- 4729:2-2-07: Provides the passing scores for the Test of English as a Foreign Language, Internet-based Test. This rule is no change and should not have an adverse impact as it only provides the passing scoring criteria.
- 4729:2-2-10: Provides the licensure extensions for active-duty military members and their spouses. Requires documentation to grant extensions. Such documentation can be submitted electronically directly to the Board electronically.

16. Are there any proposed changes to the rules that will reduce a regulatory burden imposed on the business community? Please identify. (*Reductions in regulatory burden*)

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may include streamlining reporting processes, simplifying rules to improve readability, eliminating requirements, reducing compliance time or fees, or other related factors).

- 4729-6-02: Provides the criteria for in-state approved providers of pharmacy continuing education. Reduces the amount of time CE providers have to maintain certificates of completion from 5 year to 4 years. Removes old reference that no longer applies. This rule will increase costs for providers of in-state pharmacy jurisprudence continuing education because of the administrative requirements to maintain certain paperwork. **This rule is reducing the burden on providers by shortening the retention time for such paperwork from 5 years to 4 years.**
- 4729:1-5-02: Provides the continuing education requirements for pharmacists. Reduces the number of CE hours due to the passage of HB 509 (134th General Assembly). Also, exempts newly licensed pharmacists from having to complete CE within the first two years of licensure. **The reduction CE hours will result in time and money saved by the pharmacist. Additionally, pharmacists who obtain an initial license will not have to meet CE requirements for the first renewal cycle, which will also save time and money for the pharmacist.**

17. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

The Board determined that the regulatory intent justifies the impact on business because the regulations protect and promote public safety by ensuring uniform requirements for the licensure and education of pharmacists and pharmacy interns.

Regulatory Flexibility

18. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

These rules do not provide any exemptions or alternative means of compliance for small businesses. The law pertaining to pharmacy technicians does not differentiate on the size of the business and therefore the regulation is uniform across Ohio.

19. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

The State of Ohio Board of Pharmacy does not fine licensees or impose penalties for first-time paperwork violations. However, any failure of a standard of care in the practice of

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pharmacy is not considered a paperwork error but a quality assurance issue by the licensee that is necessary for the protection of the public.

20. What resources are available to assist small businesses with compliance of the regulation?

To assist our licensees, including those representing small business, the Board developed inspection guides. These guides align with internal guidance used by Board inspectors and allow licensees to conduct self-inspections to maintain compliance. The guides also include links to the rules, important definitions, and reminders of when a licensee is required to submit notification or additional information to the Board. The guides may be accessed by visiting: www.pharmacy.ohio.gov/inspection

Additionally, the Board has a number of resources on its licensing and continuing education websites to educate our licensees.

Rule 4729-6-01 | Continuing Education Providers - Definitions. (AMEND)

(A) "A.C.P.E." means the accreditation council for pharmacy education.

(B) "Continuing education unit" or "C.E.U." means ten contact hours of participation in an organized continuing pharmacy education experience presented by a provider listed in paragraph (C) of this rule.

(C) "Continuing pharmacy education" or "continuing education", as required in section [4729.12](#) of the Revised Code, is defined as post-licensure pharmacy education undertaken to maintain professional competency to practice pharmacy, improve professional skills, and preserve uniform qualifications for continuing the practice of the profession for the purpose of protecting public health and welfare. Continuing pharmacy education may be obtained from any of the following providers:

(1) A pharmacy jurisprudence program pursuant to paragraph (E) of this rule;

(2) An approved in-state provider of volunteer healthcare services in accordance rule [4729-6-03](#) of the Administrative Code;

(3) An A.C.P.E. accredited continuing education provider.

(D) "In-state provider" means an Ohio provider approved by the state board of pharmacy to provide the following continuing pharmacy education:

(1) Board approved pharmacy jurisprudence in accordance with paragraph (E)(2) of this rule; or

(2) Volunteer healthcare services in accordance with paragraph (C)(2) of this rule.

(E) "Pharmacy jurisprudence" continuing education shall include any of the following:

(1) An A.C.P.E. law program as identified by A.C.P.E numbering convention "03";

(2) A board of pharmacy approved continuing education program provided by an in-state approved jurisprudence provider in accordance with rule [4729-6-02](#) of the Administrative Code that pertains to current or recent changes to laws, rules, and regulations relating to the practice of pharmacy; or

(3) A program presented by the state board of pharmacy that pertains to current or recent changes to laws, rules, and regulations relating to the practice of pharmacy.

~~(F) All C.E.U.s obtained from an approved in-state provider prior to the effective date of this rule shall be deemed valid for pharmacist continuing education requirements pursuant to Chapter 4729:1-5 of the Administrative Code.~~

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Rule 4729-6-02 | Criteria for in-state approved providers of pharmacy jurisprudence continuing education.

In-state providers of pharmacy jurisprudence continuing education who seek approval by the state board of pharmacy must demonstrate ability and willingness to offer quality pharmacy jurisprudence continuing education in a responsible manner and shall submit evidence of this on applications developed by the board. The minimum criteria shall include:

(A) There shall be a program director charged with the administration of the continuing pharmacy education program that serves as a liaison to the board. Unless otherwise approved by the board, the program director shall be a pharmacist licensed to practice pharmacy in Ohio.

(B) Providers shall award pharmacy jurisprudence continuing education credit to successful participants in units consisting of C.E.U.s.

(C) Providers shall maintain a list of successful program or experience participants and the participants' Ohio license or registration numbers for a **four-year** ~~five-year~~ period to be made available to the board upon request.

(D) Providers shall award a certificate to each successful participant containing at least the following information:

- (1) The name of the provider;
- (2) The completion date of the experience;
- (3) The name of the participant;
- (4) The title of the experience;
- (5) The number of C.E.U.s the experience has been assigned;
- (6) The program or experience identification number according to the numbering system designated by the board;
- (7) The manual signature, including a scanned image, or the electronic signature of the program director listed in paragraph (A) of this rule.

(E) Ohio jurisprudence program providers shall submit, in a manner determined by the board, a provider program notice and list of successful participants and the participants' license or registration numbers to the board no later than sixty days after a program is presented.

(F) Providers shall develop and employ evaluation techniques that will assess the effectiveness of the continuing pharmacy education experiences with the goal of continual improvement.

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(G) Providers should utilize an evaluation mechanism to allow each participant to assess the achievement of personal objectives.

(H) All programs offered by an approved pharmacy jurisprudence provider shall be no less than one contact hour of participation (0.1 C.E.U.). ~~Programs offered after the effective date of this rule that are less than 0.1 C.E.U. will not be accepted by the board for licensure or registration renewal.~~

(I) Jurisprudence continuing education programs shall also meet the following requirements:

(1) Contain accurate information on current laws, rules, and regulations;

(2) Consist of information relevant to the practice of pharmacy in Ohio;

(3) Be presented in an unbiased manner; and

(4) Shall not be utilized for more than two years from the date the program was approved by the state board of pharmacy.

(J) If an initial jurisprudence program submission is denied by the state board of pharmacy, the approved pharmacy jurisprudence continuing education provider may resubmit that program to address the problem areas outlined by the board during the review process. If the resubmitted program is not approved by the board, the provider shall not submit a program covering the same topic for a period of one year from the date of the denial.

(K)

(1) Once approved as an in-state provider of pharmacy jurisprudence continuing education, the provider shall maintain or update the providers contact information, at a minimum, biennially, in accordance with a schedule adopted by the board. Contact information shall be updated using a form approved by the board.

(2) Providers who have not complied with paragraph (K)(1) of this rule shall no longer be deemed as an approved in-state provider of pharmacy jurisprudence continuing education. The provider shall have to resubmit an application for approval in accordance with this rule.

(L) The board of pharmacy, upon receipt of evidence that any approved provider is presenting experiences not conforming to the requirements of this rule, may place a provider on probationary status or revoke such approval.

Rule 4729-6-03 | Criteria for in-state approved providers of continuing pharmacy education for providing volunteer health care services. (NO CHANGE)

In-state providers seeking approval by the state board of pharmacy must demonstrate ability and willingness to monitor and report volunteer services for continuing pharmacy education provided in accordance with section [4745.04](#) of the Revised Code in a responsible manner and shall submit evidence of this on applications developed by the board. The minimum criteria shall include:

(A) There shall be a program director charged with the administration of the continuing pharmacy education program that serves as a liaison to the board. The program director shall be a designated representative of the entity that provides health care services.

(B) Providers shall award continuing pharmacy education credit to successful participants in units consisting of C.E.U.s and in accordance with the requirements of section [4745.04](#) of the Revised Code.

(C) Providers shall maintain a list of the number and date of volunteer hours of participants and the participants' Ohio license or registration numbers for a five-year period to be made available to the board upon request.

(D) Providers shall award a certificate to each successful participant containing at least the following information:

(1) The name of the provider;

(2) The completion date of the experience;

(3) The name of the participant;

(4) The title of the experience;

(5) The number of C.E.U.s the experience has been assigned;

(6) The program or experience identification number according to the numbering system designated by the board;

(7) The manual signature, including a scanned image, or the electronic signature of the program director listed in paragraph (A) of this rule.

(E) All in-state providers shall provide, in a manner determined by the board, a provider program notice and list of successful participants and the participants' license or registration numbers to the board no later than sixty days after the date of volunteer service is completed.

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(F) The board of pharmacy, upon receipt of evidence that any approved provider is presenting experiences not conforming to the requirements pursuant to this rule, may place a provider on probationary status or revoke such approval.

(G) All C.E.U.s shall be awarded in half hour increments at the rate of 0.05 C.E.U.s for each thirty minutes spent providing health care services as a volunteer.

(H) Once approved as an in-state provider of continuing pharmacy education for providing volunteer health care services, the provider shall maintain or update the provider's contact information, at a minimum, biennially, in accordance with a schedule adopted by the board. Contact information shall be updated using a form approved by the board. Providers who have not complied with this paragraph shall no longer be deemed as an approved in-state provider. The provider shall have to resubmit an application for approval in accordance with this rule.

Rule 4729:1-2-01 | Criteria for licensure by examination.

(A) Pursuant to sections [4729.07](#) and [4729.13](#) of the Revised Code, pharmacist licensure by examination shall consist of the "North American Pharmacist Licensure Examination" (NAPLEX) and the "Multistate Pharmacy Jurisprudence Examination" (MPJE) **administered by the national association of boards of pharmacy (NABP).**

(1) **Unless otherwise approved by the board,** the minimum passing score on each examination **is ~~seventy-five~~ shall be determined by NABP.**

(a) Any candidate who fails to receive a **passing** score ~~of seventy-five~~ on the NAPLEX examination shall make application and remit the fee established by the state board of pharmacy for re-examination.

(b) Any candidate who fails to receive a **passing** score ~~of seventy-five~~ on the MPJE jurisprudence examination shall make application and remit the fee established by the state board of pharmacy for re-examination.

(B) A candidate may use the NABP process to transfer the candidate's NAPLEX score to Ohio only after the candidate has met all of the requirements set by the board for examination and licensure in Ohio.

(C) Pursuant to section [4729.08](#) of the Revised Code, graduates of unapproved schools or colleges of pharmacy located outside the United States who are using an approved examination to establish equivalency of their education shall:

(1) Obtain a **passing** score, **as determined by NABP,** ~~no lower than seventy-five~~ on the "Foreign Pharmacy Graduate Equivalency Examination (FPGEE)"; and

(2) Show oral proficiency in English by successful completion of the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) pursuant to rule [4729:1-2-04](#) of the Administrative Code.

(D) Any examination candidate who fails to take both of the required examinations pursuant to paragraph (A) of this rule within twelve months from the date the board receives the application materials shall submit a new application for the required examination or examinations and remit the fee established by the board, as the original application shall be deemed abandoned.

(E) The record of the passing score for an examination candidate who takes both of the required examinations pursuant to paragraph (A) of this rule, but successfully only completes one examination will:

(1) Be maintained up to three years if no more than twelve months has elapsed between attempts to successfully complete the remaining examination.

(2) Not be maintained if more than twelve months has elapsed between attempts to successfully complete the remaining examination. It will then be necessary for the examination candidate to repeat both examinations for Ohio licensure.

(F) Any candidate who has requested to transfer their NAPLEX score to Ohio must take the MPJE within twelve months from the date the candidate completed the NAPLEX examination or the score transfer will be denied.

(G) Pursuant to section [4729.071](#) of the Revised Code, a candidate must submit electronic or ink fingerprint impressions for a criminal records check prior to receiving **approval to take the required examinations**~~an initial license to practice as a pharmacist~~. An examination candidate must submit fingerprint impressions no later than ~~twelve months~~ **sixty days** after the date the board receives the application materials ~~or the scores obtained on the NAPLEX and/or MPJE will be denied~~. After ~~twelve months~~ **sixty days** a candidate must submit a new application, the required fee, **and** fingerprint impressions, **as the original application shall be deemed abandoned**.

(H) Candidates shall be limited to a total of five attempts to pass the NAPLEX and the MPJE. The board may grant one additional attempt to pass the NAPLEX and the MPJE in the event of extraordinary circumstances. A candidate that exceeds the limits set forth in this paragraph is no longer eligible to obtain licensure as a pharmacist **by examination** pursuant to this rule.

(I) Pursuant to section 4729.16 of the Revised Code, a limited or restricted license may be issued to an applicant upon the determination of the board.

Rule 4729:1-2-02 | Criteria for licensure by reciprocity. (AMEND)

(A) An applicant seeking licensure as a pharmacist by reciprocity shall comply with all the following:

(1) Be at least eighteen years of age.

(2) Obtain a degree in pharmacy from a school of pharmacy approved by the state board of pharmacy.

(3) Have met the applicable practical experience requirements by either:

(a) Successfully graduating after December 31, 2006 with a doctor of pharmacy degree (Pharm.D.) from a school of pharmacy approved by the state board of pharmacy; or

(b) Obtaining a total of at least one thousand seven hundred and forty hours of documented supervised practical experience in Ohio or any other state or jurisdiction in which the credentials are at least the equivalent of those required by this state at the time the experience was obtained. If the reciprocating state or jurisdiction requires less than the required hours, the board may grant internship credit for practice as a pharmacist.

(4) Hold an active license or registration to practice pharmacy, which is in good standing, in a state or jurisdiction in which the credentials are at least the equivalent of those required by this state. Certification of these credentials shall be **filed on forms provided conducted** by the national association of boards of pharmacy (NABP) ~~or similar forms recognized and approved by the board.~~

(B) An applicant who has met the requirements of the state or jurisdiction with which the applicant holds a certificate of good standing pursuant to a "Foreign Pharmacy Graduate Examination Commission (FPGEC)" certificate shall be required to establish proficiency in spoken English by providing evidence of the successful completion of the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) pursuant to rule [4729:1-2-04](#) of the Administrative Code.

~~(C) Candidates who qualify for licensure by reciprocity shall personally appear before the full board within six months of the date that the application is filed with the board. Candidates who do not appear before the board within the six-month period must file a new application and fee for licensure by reciprocity, as the original application shall be deemed abandoned.~~

(C) Except as provided in rule 4729:1-2-09 of the Administrative Code, candidates who qualify for licensure by reciprocity shall successfully complete a course developed by the

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board, that includes a scored evaluation component, on Ohio’s law and rules governing the practice of pharmacy.

(1) Candidates who do not successfully complete this course within six months following the submission of a completed application shall file a new application and required fee for licensure by reciprocity, as the original application shall be deemed abandoned.

(2) The Board may require an applicant to complete the “Multistate Pharmacy Jurisprudence Examination” (MPJE) in lieu of completing the course if the applicant has never obtained a passing score on the MPJE for any state or jurisdiction.

(D) Pursuant to section [4729.071](#) of the Revised Code, a candidate must submit electronic or ink fingerprint impressions for a criminal records check prior to receiving an initial license to practice as a pharmacist. A reciprocity candidate must submit fingerprint impressions no later than ~~twelve~~ **six** months after the date the board receives the application materials. After ~~twelve~~ **six** months, a candidate must submit a new application, the required fee, **and** fingerprint impressions, ~~and again personally appear before the board as described in this paragraph (C) of this rule.~~

(E) Pursuant to division (B)(2) of section 4796.03 of the Revised Code, the board hereby waives the requirements set forth in division (B)(1) of section 4796.03 of the Revised Code.

(F) Pursuant to division (F)(3) of section 4796.03 of the Revised Code, the required fee for reciprocity shall be three-hundred and thirty-seven dollars and fifty cents and any transaction fee as required by section 125.18 of the Revised Code.

(G) Pursuant to section 4729.16 of the Revised Code, a limited or restricted license may be issued to an applicant upon the determination of the board.

Rule 4729:1-2-03 | Examination application for licensure as a pharmacist. (AMEND)

(A) Each person seeking to apply to take the examinations for licensure as a pharmacist shall submit the required application materials and fees to the national association of boards of pharmacy (NABP) and the following to the state board of pharmacy:

(1) A completed application form as provided by the board;

~~(2) A head and shoulders passport photograph (two by two inches) taken within the previous six months;~~

~~(2) (3)~~ Required fee, **including any transaction fee as required by section 125.18 of the Revised Code; and**

~~(3) (4)~~ Either of the following:

(a) A certificate of education completed and certified by an approved school of pharmacy documenting the successful graduation of the applicant with a doctor of pharmacy degree obtained after December 31, 2006; or

(b) The required hours of supervised practical experience pursuant to rule [4729:2-2-05](#) of the Administrative Code, and either:

(i) A certificate of education completed and certified by an approved school of pharmacy documenting the successful graduation of the applicant; or

(ii) Certification **provided by the national association of boards of pharmacy documenting the applicant has** ~~of having~~ established educational equivalency by obtaining a "Foreign Pharmacy Graduate Examination Commission" (FPGEC) certificate and evidence of successful completion of the "Test of English as a Foreign Language, Internet-based test (TOEFL iBT)" pursuant to rule [4729:1-2-04](#) of the Administrative Code.

(5) Any other information or documentation as determined by the board.

(B) The state board of pharmacy may make an applicant eligible to take the required examinations as soon as the board receives all the items set forth in paragraph (A) of this rule and the results of a criminal records check pursuant to section 4729.071 of the Revised Code.

(C) The state board of pharmacy may deny admission to the licensure examination.

Rule 4729:1-2-04 | Successful completion of the Test of English as a Foreign Language, Internet-based Test. (NO CHANGE)

Successful completion of the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) shall be the following minimum scores or higher:

- (A) Writing: twenty-four;
- (B) Speaking: twenty-six;
- (C) Listening: twenty-one; and
- (D) Reading: twenty-two.

Rule 4729:1-2-05 | Criminal records check for pharmacists. (NO CHANGE)

(A) Pursuant to section [4729.071](#) of the Revised Code, an applicant seeking an initial license as a pharmacist by examination or reciprocity must first submit fingerprint impressions to the Ohio bureau of criminal identification and investigation (BCI&I) for a criminal records check.

(B) Pursuant to section [4776.02](#) of the Revised Code, the criminal records check performed by BCI&I shall consist of both a BCI&I criminal records check and a federal bureau of investigation (FBI) criminal records check. BCI&I shall send the results of the BCI&I and FBI criminal records checks directly to the state board of pharmacy.

(C) The state board of pharmacy requires that the criminal records check:

(1) Be based on electronic fingerprint impressions that are submitted directly to BCI&I from a WebCheck provider agency or ink impressions. The state board of pharmacy may accept the results of a criminal records check based on ink impressions only in the following circumstances:

(a) Readable electronic fingerprint impressions cannot be obtained or are rejected by either BCI&I or FBI;

(b) The applicant is from out-of-state;

(c) The applicant's home address is seventy-five miles or more from the nearest WebCheck location.

(2) Results will only be considered valid if the fingerprint impressions were obtained within one year of the date the application is received by the board.

Rule 4729:1-2-06 | Pharmacist change of name, address or employment. (AMEND)

(A) A pharmacist, who has a legal change of name, shall notify the board of pharmacy, in a manner determined by the board, within thirty days from the effective date of such change. Such notification of a name change shall be accompanied by one of the following:

(1) A notarized affidavit;

(2) A certified copy of a court record; ~~or~~

(3) A certified copy of a marriage certificate;

(4) A government-issued identification card which reflects the pharmacist's name change; or

(5) Any other documentation as approved by the board.

~~(B) Requests for a duplicate wall certificate shall be issued in the new name of the pharmacist and shall be accompanied by the following:~~

~~(1) The wall certificate issued in the original name; and~~

~~(2) The required fee.~~

(B) Requests for a duplicate wall certificate shall be issued in the new name of the pharmacist and shall be accompanied by the required fee. The pharmacist shall promptly destroy the wall certificate that no longer reflects their legal name.

(C) Upon receipt of the required documents and fee pursuant to paragraphs (A) and (B) of this rule, the board will forward the duplicate wall certificate issued in the pharmacist's new name.

(D) A pharmacist who changes their mailing or email address shall notify the board of pharmacy, in a manner determined by the board, of the new address within thirty days after the effective date of such change.

(E) A pharmacist who changes their place of employment shall notify the board of pharmacy, in a manner determined by the board, of the address of the principal place where they practice, including pharmacist placement services, within thirty days after they have commenced such practice.

(F) The board shall only issue a duplicate wall certificate to a pharmacist who has lost, misplaced, or damaged their original wall certificate. A pharmacist seeking a duplicate wall certificate in accordance with this paragraph shall submit a request for a duplicate wall certificate in manner determined by the board and shall pay the required fee.

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Rule 4729:1-2-07 | Pharmacist licensure and renewal. (RESCIND AND NEW)

NOTE: This proposed rule is intended to replace current rule [OAC 4729:1-2-07](#).

(A) Except as provided in paragraph (B) of this rule, a pharmacist license issued by the state board of pharmacy in accordance with Chapter 4729. of the Revised Code entitles the individual to whom it is issued to practice as a pharmacist until the next renewal date.

(B) An initial pharmacist license issued by the state board of pharmacy on or after the first of May of every odd-numbered year in accordance with Chapter 4729. of the Revised Code entitles the individual to whom it is issued to practice as a pharmacist until the renewal date immediately following the next required renewal date.

(C) A pharmacist license shall be renewed on the fifteenth day of September of every odd-numbered year.

(D) An individual who fails to renew their license by the fifteenth day of September of every odd-numbered year shall not engage in the practice of pharmacy until a valid license is issued by the board.

(E) In accordance with section [4729.15](#) of the Revised Code, the renewal fee shall be two hundred fifty dollars and any transaction fee as required by section 125.18 of the Revised Code.

(F) In accordance with section 4729.15 of the Revised Code, a pharmacist renewing a license that expired less than three years shall pay the renewal fee plus a penalty of thirty-seven dollars and fifty cents.

(G) In accordance with section 4729.13, a pharmacist who fails to renew a license within three years may reinstate the license by:

(1) Successfully completing the required examinations pursuant to rule 4729:1-2-01 of the Administrative Code; or

(2) Meeting the criteria for licensure by reciprocity pursuant to rule 4729:1-2-02 of the Administrative Code.

(H) A pharmacist applying for reinstatement pursuant to paragraph (G) shall submit the following to the state board of pharmacy:

(1) A completed application form as provided by the board;

(2) Required fee, including any transaction fee as required by section 125.18 of the Revised Code;

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(3) Criminal records check as required by rule 4729:1-2-05 of the Administrative Code; and

(4) The applicable registration or license transfer applications as determined by the national association of boards of pharmacy (NABP).

**Rule 4729:1-2-08 | Veteran and military family provisions related to pharmacist licensure.
(NO CHANGE)**

(A) Renewal of an expired license.

(1) In accordance with section [5903.10](#) of the Revised Code, a holder of an expired license shall be granted a renewal of the license by the state board of pharmacy at the usual cost without penalty and without re-examination if not otherwise disqualified because of mental or physical disability and if either of the following applies:

(a) The license was not renewed because of the holder's service in the armed forces.

(b) The license was not renewed because the holder's spouse served in the armed forces of the United States or a reserve component of the armed forces and the service resulted in the holder's absence from this state.

(2) A pharmacist shall submit proper documentation certifying the active duty service and length of active duty service. Documentation required to obtain a renewal pursuant to paragraph (A)(1) of this rule will be published on the state board of pharmacy's website: www.pharmacy.ohio.gov.

(B) The state board of pharmacy may implement fee waivers for licensure. If implemented, fee waivers will be published on the state board of pharmacy's web site: www.pharmacy.ohio.gov.

(C) Substantially equivalent education.

In accordance with section [5903.03](#) of the Revised Code, there are no military programs of training or military primary specialties which are substantially equivalent to the education requirements for licensure as a pharmacist.

Rule 4729:1-5-01 | Pharmacist Continuing Education - Definitions. (AMEND)

As used in Chapter 4729:1-5 of the Administrative Code:

(A) "A.C.P.E." means the accreditation council for pharmacy education.

~~(B) "Board approved pharmacy practice-specific specialty certification program" means a practice-specific specialty certification program approved by the state board of pharmacy. The board shall adopt a resolution of the approved programs and make a list of the approved programs available on its website (www.pharmacy.ohio.gov). At a minimum, such pharmacy practice-specific specialty certification programs shall consist of:~~

~~(1) Periodic recertification examinations;~~

~~(2) Documentation by the certification program that the pharmacist is currently certified by the program;~~

~~(3) Other requirements as determined by the board.~~

(B) "Board approved pharmacy practice-specific specialty certification program" means a practice-specific specialty certification program that meets one of the following:

(1) The program is offered by the board of pharmacy specialties (BPS); or

(2) The program is offered by the specialty pharmacy certification board (SPCB); or

(3) A program approved by the board that consist of the following:

(a) Periodic recertification examinations;

(b) Documentation by the certification program that the pharmacist is currently certified by the program; and

(c) Other requirements as determined by the board.

(C) "Continuing education unit" or "C.E.U." means ten contact hours of participation in an organized continuing pharmacy education experience presented by a provider listed in paragraph (D) of this rule.

(D) "Continuing pharmacy education" or "continuing education", as required in section [4729.12](#) of the Revised Code, means post-licensure pharmacy education undertaken to maintain professional competency to practice pharmacy, improve professional skills, and preserve uniform qualifications for continuing the practice of the profession for the purpose of

protecting public health and welfare. Continuing pharmacy education may be obtained from any of the following providers:

(1) A pharmacy jurisprudence program pursuant to paragraph (F) of this rule;

(2) An approved in-state provider of volunteer healthcare services in accordance with section [4745.04](#) of the Revised Code and rule [4729-6-03](#) of the Administrative Code;

(3) An A.C.P.E. accredited continuing education provider.

(E) "One-third of a licensee's continuing education requirement" as used in division (C) of section [4745.04](#) of the Revised Code and paragraph (H) of rule [4729:1-5-02](#) of the Administrative Code, means the total number of required C.E.U.s for licensure renewal divided by three and rounded down to the nearest whole number.

(F) "Pharmacy jurisprudence" continuing education shall include any of the following:

(1) An A.C.P.E. law program as identified by A.C.P.E numbering convention "03";

(2) A board of pharmacy approved continuing education program provided by an in-state approved jurisprudence provider pursuant to rule [4729-6-02](#) of the Administrative Code that pertains to current or recent changes to laws, rules, and regulations relating to the practice of pharmacy; or

(3) A program presented by the state board of pharmacy that pertains to current or recent changes to laws, rules, and regulations relating to the practice of pharmacy.

(G) "Patient or medication safety" means an A.C.P.E. continuing education program identified by the A.C.P.E. numbering convention "05" that deals with the prevention of healthcare errors and the elimination or mitigation of patient injury caused by healthcare errors.

(H) "Veteran" means anyone who is serving or has served under honorable conditions in any component of the armed forces, including the national guard and reserve.

Rule 4729:1-5-02 | Continuing education requirements for pharmacists. (AMEND)

(A)

(1) Except as provided in paragraphs (A)(2) ~~and (A)(3)~~ of this rule, ~~four~~ three C.E.U.s (~~forty~~ thirty contact hours) of approved continuing education shall be completed by a pharmacist licensed in accordance with Chapter 4729. of the Revised Code prior to the renewal of the pharmacist's license. At least 0.2 C.E.U.s of the total required C.E.U.s must be obtained in pharmacy jurisprudence and at least 0.2 C.E.U.s of the total required C.E.U.s must be obtained in patient or medication safety. The C.E.U.s must be obtained within a period that is no more than two years prior to September fifteenth of the year in which a pharmacist's license must be renewed.

~~(2) A pharmacist who obtains an initial license by reciprocity or examination during an even-numbered year shall complete two C.E.U.s (twenty contact hours) of approved continuing education to be completed prior to the renewal of the pharmacist's license. At least 0.1 C.E.U. of the total required C.E.U.s must be obtained in pharmacy jurisprudence and at least 0.1 C.E.U. of the total required C.E.U.s must be obtained in patient or medication safety.~~

~~(3) A pharmacist who obtains an initial license by reciprocity or examination prior to May first in an odd-numbered year shall complete two C.E.U.s (twenty contact hours) of approved continuing education to be completed prior to the renewal of the pharmacist's license. At least 0.1 C.E.U. of the total required C.E.U.s must be obtained in pharmacy jurisprudence and at least 0.1 C.E.U. of the total required C.E.U.s must be obtained in patient or medication safety.~~

(2) A pharmacist who obtains initial licensure by reciprocity or examination shall not have to complete the continuing education requirements for the initial licensure period prior to the renewal of that pharmacist's license.

(B)

(1) A pharmacist may satisfy the continuing pharmacy education requirements in accordance with paragraph (A) of this rule by providing evidence at the time of renewal that the pharmacist has met the requirements of and is currently certified by a board approved pharmacy practice-specific specialty certification program.

(2) Except as provided in paragraph (B)(3) of this rule, pharmacists who meet the requirements of paragraph (B)(1) of this rule shall be required to complete at least 0.2 C.E.U.s in pharmacy jurisprudence and 0.2 C.E.U.s in patient or medication safety. The

C.E.U.s must be obtained within a period that is no more than two years prior to September fifteenth of the year in which a pharmacist's license must be renewed.

(3) A pharmacist who obtains initial licensure by reciprocity or examination shall not have to complete the continuing education requirements for the initial licensure period prior to the renewal of that pharmacist's license.

~~(2) Pharmacists who meet the requirements of paragraph (B)(1) of this rule shall be required to complete either of the following prior to renewal:~~

~~(a) At least 0.2 C.E.U.s in pharmacy jurisprudence and 0.2 C.E.U.s in patient or medication safety. The C.E.U.s must be obtained within a period that is no more than two years prior to September fifteenth of the year in which a pharmacist's license must be renewed.~~

~~(b) If the pharmacist obtains initial licensure in accordance with paragraphs (A)(2) and (A)(3) of this rule, at least 0.1 C.E.U. in pharmacy jurisprudence and 0.1 C.E.U. in patient or medication safety. The C.E.U.s must be obtained within a period that is no more than two years prior to September fifteenth of the year in which a pharmacist's license must be renewed.~~

(C)

(1) Except as provided in paragraph (C)(2) of this rule, C.E.U.s must be obtained within a period that is no more than two years prior to September fifteenth of the year in which a pharmacist's license must be renewed.

(2) A pharmacist obtaining initial licensure by reciprocity or examination may apply C.E.U.s obtained during the pharmacist's initial period of licensure to meet the continuing education requirements set forth in this rule.

(D) Except as provided in paragraph (F) of this rule, a pharmacist whose license has lapsed or is being renewed after board action shall obtain three C.E.U.s of continuing education during the two-year period immediately preceding the date the renewal application is filed with the board.

(1) At least 0.2 C.E.U.s must be in pharmacy jurisprudence and 0.2 C.E.U.s must be in patient or medication safety.

(2) Any additional continuing education requirements ordered pursuant to a board order or settlement agreement shall not be counted for the purposes of meeting this requirement.

~~(D) If continuing pharmacy education is required after a pharmacist's license has lapsed or where the license is being renewed after board action, continuing education must be~~

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~~obtained during the three-year period immediately preceding the date the renewal application is filed with the board office. A pharmacist shall obtain two C.E.U.s for each year the pharmacist's license has lapsed or is subject to board action.~~

(E) C.E.U.s obtained that exceed the required C.E.U.s at the time continuing education is required for licensure renewal may not be transferred and applied to future requirements.

(F) Ohio-licensed pharmacists who hold a current license in states where continuing education is mandatory, have met the continuing pharmacy education requirements of that state, and who have not practiced pharmacy in Ohio at any time during the two years prior to the renewal date in which a pharmacist's license must be renewed, may renew their license in accordance with the provisions of Chapter 4729. of the Revised Code without having to comply with the requirements of this rule.

(G) A pharmacist may satisfy up to one-third of the pharmacist's continuing education requirements by providing health care services as a volunteer in accordance with section [4745.04](#) of the Revised Code. The location where health care services are provided shall be an approved in-state provider of volunteer healthcare services in accordance with rule [4729-6-03](#) of the Administrative Code.

(H) Pharmacists shall keep all certificates and other documented evidence of participation that have been issued by non-A.C.P.E. accredited providers for approved C.E.U.s for which the pharmacist has claimed continuing education units towards licensure renewal for a period of one year following the year in which continuing education was required for renewal.

(I) The board may request a pharmacist submit documentation demonstrating compliance with the continuing education requirements of this rule. A pharmacist shall have thirty days to submit such documentation upon receipt of a request by the board.

(J) The board shall monitor compliance by conducting an audit of licensees, **as determined by the board.**

(K) The board shall require the reporting of continuing education units to a national or state register.

**Rule 4729:1-5-03 | Veteran and military family provisions related to continuing education.
(AMEND)**

(A) Extension of continuing education requirements.

(1) In accordance with section [5903.12](#) of the Revised Code, the state board of pharmacy shall grant extension periods and waivers for the completion of continuing education requirements for active duty veteran members and the spouses of active duty veterans. If a current pharmacist or their spouse is called to active duty for military service, the time period allowed for completion of any continuing education requirements will be extended by the amount of time that the pharmacist or the pharmacist's spouse was on active duty.

(2) Upon receiving the application and proper documentation, the board's director of licensing shall extend the continuing education reporting period by an amount of time equal to the total number of months that the licensee or their spouse spent on active duty during the current reporting period. For purposes of this division, any portion of a month served on active duty shall be considered one full month.

(3) The licensee shall submit proper documentation certifying the active duty service and the length of that active duty service. Documentation required to obtain an extension or waiver pursuant to paragraph (A)(1) of this rule will be published on the state board of pharmacy's website: www.pharmacy.ohio.gov.

(B) Determining fulfillment of continuing education.

(1) If a pharmacist is a veteran, the state board of pharmacy shall consider relevant military education, training or service that has been completed by the license holder no more than two years prior to September fifteenth of the year in which a ~~pharmacists~~ **pharmacist's** license must be renewed when determining the fulfillment of any continuing education requirements.

(2) For the board to consider relevant education, training, or service completed by a pharmacist, the licensee shall submit a request for consideration and evidence or documentation of the education, training, or service to the director of licensing at least sixty days prior to the required continuing education reporting period pursuant to rule [4729:1-5-02](#) of the Administrative Code.

Rule 4729:2-1-01 | Definitions - pharmacy interns. (AMEND)

As used in this division:

(A) "Abandoned application" means an application for a licensure pursuant to this division where the applicant fails to complete all application requirements within thirty days after being notified by the board. An applicant forfeits all fees associated with an abandoned application. The board shall not be required to act on any abandoned application and the application may be destroyed by board staff. If the application is abandoned, the applicant shall be required to reapply for licensure, submit the required fee and comply with the licensure requirements in effect at the time of reapplication.

(B) "Addicted to or abusing alcohol or drugs" means the chronic and habitual use of alcohol or the use of a drug of abuse as defined in section [3719.011](#) of the Revised Code by an individual to the extent that the individual no longer can control the individual's use of alcohol or drugs, the individual is physically or psychologically dependent on alcohol or drugs, or the individual's use or abuse of alcohol or drugs endangers the health, safety, or welfare of the individual or others.

(C) "Board of pharmacy" or "board" means the state board of pharmacy established under Chapter 4729. of the Revised Code.

(D) "Business day" means any day other than Saturday, Sunday or a holiday recognized by the state of Ohio on which the offices of the board of pharmacy are not open for business.

(E) "Compounding" has the same meaning as defined in section [4729.01](#) of the Revised Code and agency 4729 of the Administrative Code.

(F) "Controlled substance" has the same meaning as in section [3719.01](#) of the Revised Code.

(G) "Disciplinary action," unless otherwise stated in this division, means any of the following by the drug enforcement administration or licensing agency of any state or jurisdiction, regardless of whether the action occurred by formal proceeding, consent, settlement, or other agreement:

(1) An action to revoke, suspend, restrict, limit, or refuse to grant or renew a license, registration, or certification;

(2) A summary or emergency suspension of a license, registration or certification, of any length, and any subsequent revision to the action;

(3) An administrative fine or money penalty, taken as a result of a formal proceeding, to include any fine or money penalty connected to the delivery of health care services or taken in conjunction with other adverse licensure, registration or certification actions, such as revocation, suspension, censure, reprimand, or probation;

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- (4) An action to reprimand or place the license, registration, or certification holder on probation;
 - (5) The issuance of a corrective action plan only if such issuance is in conjunction with other adverse licensure, registration or certification actions, such as revocation, suspension, reprimand, probation, or surrender;
 - (6) The withdrawal of a renewal application for licensure, registration or certification while under investigation;
 - (7) The non-renewal of a license, registration or certification while under investigation or to avoid an investigation;
 - (8) The surrender or other relinquishment of a license, registration or certification in lieu of a formal sanction against a person's license, registration, or certificate, whether permanent or temporary;
 - (9) In lieu of an adverse licensure, registration or certification action, a licensing agency issues a consent order in which a person agrees not to re-apply for a license, registration, or certification in the future;
 - (10) An enforceable agreement not to practice or to be placed into inactive or other equivalent status while under investigation or in exchange for not conducting an investigation.
- (H) "Dispense" means the final association of a drug with a patient pursuant to a prescription, drug order, or other lawful order of a prescriber and the professional judgment of and the responsibility for interpreting, preparing, compounding, labeling, and packaging a specific drug.
- (I) "In good standing" means a preceptor to which all the following apply:
- (1) Has not been denied the privilege of supervising interns by the board;
 - (2) Has not been denied a license, registration or certificate by any public agency or licensing agency;
 - (3) Does not have a license, registration or certificate limited, suspended, or revoked by any public agency or licensing agency.
- (J) "Personal supervision" or "direct supervision" means a pharmacist shall be physically present in the pharmacy, or in the area where the practice of pharmacy is occurring, to provide personal review and approval of all professional activities. The pharmacist providing personal supervision of an intern shall **comply with the following**:
- (1) Be readily available to answer questions of the pharmacy intern.

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(2) Make appropriate in-process and end-process verifications of the activities of the pharmacy intern.

(3) Be fully responsible for the practice of the pharmacy intern.

(4) Except as provided in paragraph (J)(5) of this rule, the number of interns engaged in the practice of pharmacy at any time is limited to not more than two for each pharmacist on duty, unless otherwise approved by the board's executive director or the director's designee.

(5) The number of pharmacy interns engaged in the administration of immunizations at any time is limited to not more than six for each pharmacist providing personal supervision.

(K) "Pharmacist" means an individual who holds a valid pharmacist license in accordance with Chapter 4729. of the Revised Code.

(L) "Place on probation" means to take action against a license, for a period of time determined by the board, which imposes conditions or other requirements, or suspends or otherwise restricts some or all of the activities in which the licensee may engage.

(M) "Preceptor" means an individual responsible for seeing that a pharmacy intern is properly supervised and exposed to all aspects of an internship program.

(1) A preceptor shall be either:

(a) A pharmacist who holds a license to practice pharmacy that is in good standing. Unless employed by a school of pharmacy, a preceptor shall have at least one year of practice experience as a licensed pharmacist.

(b) A person who is of good moral character and is qualified to direct the practical experience in the area approved by the director of licensing pursuant to rule [4729:2-2-05](#) of the Administrative Code.

(2) A person may serve as the preceptor for more than one intern.

~~(3) Except as provided in paragraph (M)(4) of this rule, the number of interns engaged in the practice of pharmacy at any time is limited to not more than two for each pharmacist on duty, unless otherwise approved by the board.~~

~~(4) The number of pharmacy interns engaged in the administration of immunizations at any time is limited to not more than six for each pharmacist providing personal supervision.~~

(5) A preceptor must report to the board on the progress and aptitude of an intern when requested by the director of licensing.

(N)

(1) "Positive identification" means a method of identifying a person that does not rely solely on the use of a private personal identifier such as a password, but must use a secure means of identification that includes any of the following:

(a) A manual signature on a hard copy record;

(b) A magnetic card reader;

(c) A bar code reader;

(d) A biometric method;

(e) A proximity badge reader;

(f) A board approved system of randomly generated personal questions;

(g) A printout of every transaction that is verified and manually signed within a reasonable period of time by the individual who performed the action requiring positive identification. The printout must be maintained for three years and made readily retrievable; or

(h) Other effective methods for identifying individuals that have been approved by the board.

(2) A method relying on a magnetic card reader, a bar code reader, a proximity badge reader, or randomly generated questions for identification must also include a private personal identifier, such as a password, for entry into a secure mechanical or electronic system.

(O) "Practical experience affidavit" is a form provided by the state board of pharmacy used to submit evidence of practical experience for internship credit pursuant to rule [4729:2-2-06](#) of the Administrative Code.

(P) "Practice of pharmacy" has the same meaning as in division (B) of section [4729.01](#) of the Revised Code.

(Q) "Readily retrievable" means that records maintained in accordance with this division shall be kept in such a manner that, upon request, they can be produced for review no later than three business days to an agent, officer or inspector of the board.

(R) "Responsible person" has the same meaning as defined in rule [4729:5-2-01](#) of the Administrative Code.

(S) "Refuse to grant or renew" means to deny original or continued licensure for a period of at least twenty-four months. After twenty-four months, or such period of time as the individual board order may require, a person licensed by the board or a person seeking to attain such status by licensure, and whose license the state board of pharmacy has refused to grant or renew, may make application to the board for issuance of a new license. A person that seeks to attain such status by licensure, whose license the state board of pharmacy has refused to grant or renew, must meet all requirements established by the board in rule and as may be set forth in the person's board order.

(T) "Revoke" means to take action against a license rendering such license void and such license shall not be reissued. Revoke is an action that is permanent against the licensee.

(U) "School of pharmacy" has the same meaning as a college of pharmacy or a department of pharmacy of a university, which has been recognized and approved by the state board of pharmacy in accordance with rule [4729-5-01](#) of the Administrative Code.

(V) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a territory or insular possession subject to the jurisdiction of the United States.

(W) "Suspend" means to take action against a license rendering such license without force and effect for a period of time as determined by the state board of pharmacy. The board may require that an individual whose license or registration has been suspended may not be employed by or work in a facility licensed by the state board of pharmacy to possess or distribute dangerous drugs during such period of suspension.

(X) "Summary suspension" means to take immediate action against a license without a prior hearing rendering such license without force and effect for a period of time as indicated in section [3719.121](#) of the Revised Code. The board may suspend a license issued pursuant to Chapter 4729. of the Revised Code by utilizing a telephone conference call to review the allegations and take a vote.

(Y) "Veteran" means anyone who is serving or has served under honorable conditions in any component of the armed forces, including the national guard and reserve.

Rule 4729:2-2-01 | Licensure as a pharmacy intern. (AMEND)

(A) A license as a pharmacy intern shall only be issued for the purpose of allowing those individuals who intend to become licensed pharmacists the opportunity to obtain the practical experience required for examination and licensure as a pharmacist.

(B) If a person is actively working towards the requirements for licensure as a pharmacist and **seeks** ~~desires~~ to work as a pharmacy intern in Ohio, the person shall:

(1) Comply with at least one of the following:

(a) Have successfully completed at least sixty semester or ninety quarter hours of college, be enrolled in a school of pharmacy, and has begun taking professional classes directly related to the practice of pharmacy;

(b) Have obtained a first professional degree in pharmacy from a program which has been recognized and approved by the state board of pharmacy; or

(c) Have established educational equivalency by obtaining a "Foreign Pharmacy Graduate Examination Commission (FPGEC)" certificate, and have established proficiency in spoken English by successfully completing the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) pursuant to rule [4729:2-2-06](#) of the Administrative Code.

(2) Submit electronic fingerprint or ink impressions for a criminal records check pursuant to section [4729.071](#) of the Revised Code.

(3) Apply to the state board of pharmacy for licensure as a pharmacy intern.

Rule 4729:2-2-02 | Application for licensure as a pharmacy intern. (AMEND)

(A) Each person seeking a license as a pharmacy intern for the purpose of obtaining the practical experience required for examination and licensure as a pharmacist shall submit the following to the state board of pharmacy:

(1) A completed application form as provided by the board, which can be accessed by visiting <http://www.pharmacy.ohio.gov>.

~~(2) A head and shoulders passport size photograph (two by two inches) taken within the previous six months;~~

~~(2) (3)-Required fee Fee.~~

~~(3) (4)~~ Documentation, in a manner determined by the board, that the applicant has successfully completed a minimum of sixty semester or ninety quarter hours of college work; ~~and.~~

~~(4) (5)~~

(a) Documentation, in a manner determined by the board, from a school of pharmacy that has been recognized and approved by the board certifying that the person is currently enrolled in a school of pharmacy and has begun taking professional classes directly related to the practice of pharmacy; or

(b) Either of the following:

(i) Certification of having obtained a first professional degree in pharmacy from a program that has been recognized and approved by the state board of pharmacy; or

(ii) Certification provided by the national association of boards of pharmacy documenting the applicant has ~~of having~~ established educational equivalency by obtaining a "Foreign Pharmacy Graduate Examination Commission (FPGEC)" certificate, and evidence of successful completion of the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) pursuant to rule [4729:2-2-06](#) of the Administrative Code.

(5) Any other information or documentation as determined by the board.

(B) The state board of pharmacy may license an applicant as a pharmacy intern as soon as the state board of pharmacy receives all the required items set forth in paragraph (A) of this rule and the results of a criminal records check pursuant to section [4729.071](#) of the Revised Code.

(C) The state board of pharmacy may deny the issuance of a license to practice as a pharmacy intern.

(D) A pharmacy intern licensed in another state may apply for licensure by reciprocity by complying with the requirements listed in this rule.

(E) Pursuant to division (B)(2) of section 4796.03 of the Revised Code, the board hereby waives the requirements set forth in division (B)(1) of section 4796.03 of the Revised Code.

(F) In accordance with section 4729.15 of the Revised Code, the required fee for licensure as a pharmacy intern shall be thirty dollars and any transaction fee as required by section 125.18 of the Revised Code.

(G) Pursuant to section 4729.16 of the Revised Code, a limited or restricted license may be issued to an applicant upon the determination of the board.

Rule 4729:2-2-03 | Criminal records check for pharmacy interns. (NO CHANGE)

(A) Pursuant to section [4729.071](#) of the Revised Code, an applicant seeking an initial license as a pharmacy intern must first submit fingerprint impressions to the Ohio bureau of criminal identification and investigation (BCI&I) for a criminal records check.

(B) Pursuant to section [4776.02](#) of the Revised Code, the criminal records check performed by BCI&I shall consist of both a BCI&I criminal records check and a federal bureau of investigation (FBI) criminal records check. BCI&I shall send the results of the BCI&I and FBI criminal records checks directly to the state board of pharmacy.

(C) The state board of pharmacy requires that the criminal records check:

(1) Be based on electronic fingerprint impressions that are submitted directly to BCI&I from a WebCheck provider agency or ink impressions. The state board of pharmacy may accept the results of a criminal records check based on ink impressions only in the following circumstances:

(a) Readable electronic fingerprint impressions cannot be obtained or are rejected by either BCI&I or FBI;

(b) The applicant is from out-of-state;

(c) The applicant's home address is seventy-five miles or more from the nearest WebCheck location.

(2) Results will only be considered valid if the fingerprint impressions were obtained within one year of the date the application is received by the board.

Rule 4729:2-2-04 | Pharmacy intern license renewal and expiration. (AMEND) [RESCIND 4729:2-2-09]

(A) Except as provided in paragraph (B) of this rule, a pharmacy intern license issued by the state board of pharmacy in accordance with Chapter 4729. of the Revised Code entitles the individual to whom it is issued to practice as a pharmacy intern until the next renewal date.

(B) An initial pharmacy intern license issued by the state board of pharmacy on or after the first of May of every odd-numbered year in accordance with Chapter 4729. of the Revised Code entitles the individual to whom it is issued to practice as a pharmacy intern until the renewal date immediately following the next required renewal date.

(C) A pharmacy intern license shall be renewed on the fifteenth day of September of every odd-numbered year.

(D) An individual who fails to renew their license by the fifteenth day of September of every odd-numbered year shall not engage in the practice of pharmacy until a valid license is issued by the board.

(E) A pharmacy intern shall submit the renewal fee as specified in section 4729.15 of the Revised Code.

(A F) A pharmacy intern may renew ~~the intern's~~ **their** license each year provided they are actively working toward the requirements for licensure as a pharmacist and otherwise meet the requirements and rules of the state board of pharmacy. The state board of pharmacy may refuse to grant or renew license to practice pharmacy as an intern.

(B G) An intern shall be considered to be actively working towards licensure as a pharmacist if the intern has complied with all of the statutes and rules regarding internship since licensure as a pharmacy intern, and:

(1) The intern is currently enrolled in a school of pharmacy and is taking professional classes directly related to the practice of pharmacy; or

(2) The intern is a member of the armed forces and can provide evidence that the intern has ~~has~~ been accepted for enrollment in a school of pharmacy upon their release from the armed forces.

(C H) An intern who has obtained a first professional degree in pharmacy from a school of pharmacy, or who has established equivalency by obtaining a "Foreign Pharmacy Graduate Examination Commission" (FPGEC) certificate, may renew the intern's license only once. In the event of extraordinary circumstances and when due to no fault of the intern, the board may approve additional renewals **or license extensions.**

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(D I) Upon receiving an initial license to practice as a pharmacist, the intern's license to practice as a pharmacy intern terminates.

(E J) A pharmacy intern, other than a graduate pharmacist intern, must notify the state board of pharmacy, the intern's current employer and any subsequent employer where practicing as a pharmacy intern within ~~seventy-two hours~~ **three business days** if they are no longer enrolled in a school of pharmacy. ~~The person shall return their pharmacy intern certificate to the state board of pharmacy within ten days of notifying the board.~~ **Upon notification that an intern is no longer enrolled in a school of pharmacy, the Board shall inactivate the intern license and the intern shall no longer be permitted to practice as a pharmacy intern in this state.**

Rule 4729:2-2-05 | Internship credit. (NO CHANGE)

(A) The pharmacy internship credit requirement for the licensure examinations shall be deemed satisfactorily completed when the intern has either:

(1) Successfully graduated after December 31, 2006 with a doctor of pharmacy degree ("Pharm.D.") from a school of pharmacy approved by the "Accreditation Council for Pharmacy Education" (A.C.P.E.) and the state board of pharmacy; or

(2) Obtained a total of at least one thousand seven hundred and forty hours of documented supervised practical experience accepted by the state board of pharmacy which may include any hours:

(a) Documented on a practical experience affidavit pursuant to rule [4729:2-2-06](#) of the Administrative Code; or

(b) Worked in another state where the appropriate licensing agency submits to the board an official verification of the actual practical experience contact hours completed that meets the requirements in paragraph (A)(2) of this rule.

(B) No internship credit shall be granted by the board for practical experience until a foreign pharmacy graduate has established educational equivalency by obtaining a "Foreign Pharmacy Graduate Examination Commission" (FPGEC) certificate, and has established proficiency in spoken English by successfully completing the "Test of English as a Foreign Language, Internet-based test (TOEFL iBT)" pursuant to rule [4729:2-2-07](#) of the Administrative Code.

(C) Practical experience obtained pursuant to paragraph (A)(2)(a) of this rule may include up to five hundred hours of internship credit at a site other than a pharmacy licensed as a terminal distributor of dangerous drugs (e.g., manufacturing, research, consulting, drug information, and drug utilization review). To receive credit for such experience, a formal request must be submitted to the director of licensing for approval prior to beginning the experience in these areas. The request shall include a detailed description of the internship with respect to time, place, duties, responsibilities, professional supervision, and the person supervising the experience. The request must be signed by both the intern and the person supervising the experience and returned with a completed statement of preceptor form. If approved by the board, the hours must be documented using a practical experience affidavit pursuant to rule [4729:2-2-06](#) of the Administrative Code.

(D) Internship credit may be denied for the practical experience accumulated when an intern is found in violation of section [4729.16](#) of the Revised Code or agency 4729 of the Administrative Code.

Rule 4729:2-2-06 | Statement of preceptor and practical experience affidavit. (AMEND?)

(A) At the beginning of internship, or if there is a change in preceptor or employment site, the intern must submit a completed statement of preceptor form within thirty days of the change to the state board of pharmacy. The filing of a statement of preceptor form is not required for a change of preceptor or internship site related to a school of pharmacy academic program.

(B) The intern is responsible for submitting the following required forms to certify the hour and supervision requirements pursuant to rule [4729:2-2-05](#) of the Administrative Code:

(1) A statement of preceptor form must be received by the state board of pharmacy for each pharmacy intern within thirty days of beginning an internship under a preceptor's supervision.

(a) No credit will be given for practical experience obtained prior to thirty days of the date that the statement of preceptor form is received by the board office; except, in the event of extraordinary circumstances and when due to no fault of the intern, the board may accept a retroactive date of filing for the statement of preceptor.

(b) The intern must file a statement of preceptor form whenever the intern changes internship sites and/or preceptors. The form must be submitted within thirty days of a change of internship site and/or preceptor.

(2) A practical experience affidavit form shall be used to submit evidence of practical experience for internship credit earned outside of the intern's school of pharmacy academic program.

(a) Practical experience reported on the affidavit shall be the total number of actual clock hours worked during the reported time period rounded to the nearest hour. The hours reported must be able to be documented by payroll or other records which may be examined by the state board of pharmacy upon request.

(b) Practical experience affidavits must be signed by the preceptor and submitted to the state board of pharmacy. In the event of the unavailability of the preceptor's signature due to extraordinary circumstances and due to no fault of the intern, the board may accept an alternative method for verification of a practical experience affidavit.

(c) Practical experience affidavits for a calendar year may be submitted at any time, except that they must be ~~received in~~ **submitted to** the board ~~office or postmarked~~ no later than ~~the first day of March of the following year~~ **one year after the credit is earned**.

(d) No internship credit shall be granted by the board for practical experience obtained before licensure as an intern or during a period when the intern's license has lapsed.

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~~(C) Statement of preceptor and practical experience affidavit forms may also be used to document any additional hours completed by the intern.~~

Rule 4729:2-2-07 | Successful completion of the Test of English as a Foreign Language, Internet-based Test. (NO CHANGE)

Successful completion of the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) shall be the following minimum scores or higher:

- (A) Writing: twenty-four;
- (B) Speaking: twenty-six;
- (C) Listening: twenty-one; and
- (D) Reading: twenty-two.

Rule 4729:2-2-08 | Pharmacy intern change of name, address or employment. (AMEND)

(A) A pharmacy intern, who has a legal change of name, shall notify the board of pharmacy, in a manner determined by the board, within thirty days from the effective date of such change. Such notification of a name change shall be accompanied by one of the following:

- (1) A notarized affidavit;
- (2) A certified copy of a court record; ~~or~~
- (3) A certified copy of a marriage certificate;

(4) A government-issued identification card which reflects the pharmacist's name change; or

(5) Any other documentation as approved by the board.

(B) Requests for a duplicate wall certificate shall be issued in the intern's new name and shall be accompanied by the following:

- (1) The wall certificate issued in the original name; and
- (2) The required fee.

(C) Upon receipt of the required documents and fee in paragraphs (A) and (B) of this rule, the board will forward the duplicate wall certificate issued in the intern's new name.

(D) A pharmacy intern who changes their mailing or email address shall notify the board of pharmacy, in a manner determined by the board, of the new address within thirty days after the effective date of such change.

(E) A pharmacy intern who changes their place of employment shall notify the board of pharmacy, in a manner determined by the board, of the address of the principal place where they practice within thirty days after they have commenced such practice.

Rule 4729:2-2-10 | Veteran and military family provisions related to pharmacy intern licensure. (NO CHANGE)

(A) Renewal of an expired license.

(1) In accordance with section [5903.10](#) of the Revised Code, a holder of an expired license shall be granted a renewal of the license by the state board of pharmacy at the usual cost without penalty if not otherwise disqualified because of mental or physical disability and if either of the following applies:

(a) The license was not renewed because of the holder's service in the armed forces.

(b) The license was not renewed because the holder's spouse served in the armed forces of the United States or a reserve component of the armed forces and the service resulted in the holder's absence from this state.

(2) A pharmacy intern shall submit proper documentation certifying the active duty service and length of active duty service. Documentation required to obtain a renewal pursuant to paragraph (A)(1) of this rule will be published on the state board of pharmacy's website: www.pharmacy.ohio.gov.

(B) The state board of pharmacy may implement fee waivers for licensure. If implemented, fee waivers will be published on the state board of pharmacy's web site: www.pharmacy.ohio.gov.