

**MEMORANDUM**

TO: Cameron McNamee, Ohio State Board of Pharmacy

FROM: Christopher Smyke, Regulatory Policy Advocate

DATE: October 26, 2017

RE: **CSI Review – Pharmacy Interns (OAC 4729:2-2-08, 4729:2-2-09, 4729:2-2-10, 4729:2-4-01, 4729:2-4-02, and 4729-5-04)**

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

Analysis

This rule package consists of six rules submitted by the Ohio State Board of Pharmacy (Board). There are five new rules and one rescinded rule in this package. It was submitted to the CSI Office on August 8, 2017 and the comment period closed on August 28, 2017. No comments were received during this time.

Ohio Administrative Code (OAC) 4729:2-2-08, -09, and -10 establish the rules regarding how pharmacy interns must notify the Board of a change to their license, the process for license renewal, and an allowance for interns to have an expired license renewed contingent upon military service. OAC 4729:2-4-01 and -02 outline disciplinary action that the Board may impose on interns found in violation of the rules, as well as the requirements for interns to report violations of Ohio laws or rules. The rule to be rescinded, OAC 4729-5-04 details the violations that may lead to disciplinary action against a pharmacist or pharmacy intern license.

Prior to submission to the CSI Office, the rules were reviewed by the Board's Rule Review Committee, which is comprised of pharmacists from several practice areas. No comments were

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received during the CSI public comment period.

The BIA indicates that the rules impact licensed pharmacy interns. Violation of the rules may result in administrative discipline, including reprimand, suspension or revocation of a license; additional continuing education or monetary fines (up to \$500 per violation). The renewal fee for licensees is set in statute at \$22.50 (ORC 4729.15) and the renewal application requires 30 minutes to complete. The application to renew an expired license based on military service would take approximately 30 minutes as well.

The Board justifies these rules with the need to enforce uniform licensing, reporting and disciplinary standards for pharmacy interns. After reviewing the proposed rules and BIA, the CSI Office has determined that the rule package satisfactorily meets the standards espoused by the CSI Office, and the purpose of the rule package is justified.

Recommendation

For the reasons explained above, the CSI office does not have any recommendations for this rule package.

Conclusion

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

cc: Emily Kaylor, Lt. Governor's Office