For Stakeholder Feedback – OARRS and ASAP 5.0

Issue Date: 3/26/2024

(Updated 3/27/2024)

On March 6, 2023, the American Society for Automation in Pharmacy (ASAP) released a new version, ASAP Version 5.0, of its standard for prescription drug monitoring program reporting. To ensure the most up-to-date reporting standards, the Board is proposing a new version of OAC 4729:8-3-03 (electronic format required for the transmission of drug sales).

The rule provides licensees until May 1, 2025, to begin reporting to OARRS using the ASAP Version 5.0 format. The rule also permits the Board's Executive Director to authorize an additional six-month extension if a pharmacy or prescriber has made all reasonable and prudent attempts to meet the deadline.

Additionally, the Board is conducting a statutorily mandated 5-year review of OAC 4729:8 and includes a new rule governing the reporting of non-fatal drug overdoses to the system (OAC 4729:8-4-05).

Comments on the proposed rules will be accepted until close of business on **Wednesday, May 1, 2024**. Please send all comments to the following email address: RuleComments@pharmacy.ohio.gov.

Update 3/27/24: Veterinary species code was added to rule 4729:8-3-02.

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Rule 4729:8-3-03 | Electronic format required for the transmission of drug sales. (RESCIND CURRENT / NEW)

(A) All prescription dispensing information or prescriber personally furnishing information required to be submitted to the board pursuant to rule 4729-8-3-02 of the Administrative Code must be transmitted in the following format specified by the "American Society for Automation in Pharmacy" (ASAP) for prescription monitoring programs:

(1) ASAP Version 5.0 Standard for Prescription Drug Monitoring Programs (1/1/2024); or

(2) Until May 1, 2025, ASAP Version 4.2A Standard for Prescription Drug Monitoring Programs (3/15/2017).

(B) The board's executive director or the director's designee may authorize up to a six-month extension to the implementation of ASAP Version 5.0 beyond April 1, 2025. Such extensions may only be considered if the pharmacy or prescriber has made all reasonable and prudent attempts to meet the deadline.

(C) In the event that a pharmacy or a prescriber cannot electronically transmit the required information pursuant to paragraph (A) of this rule, the pharmacy or prescriber may request a variance from the board's executive director or the director's designee to submit drug sales information in a mutually acceptable format.

(D) All wholesale data required to be submitted to the board of pharmacy pursuant to rule 4729-8-3-02 of the Administrative Code shall be transmitted in the report format used when transmitting controlled substance data to the federal drug enforcement administration via the "Automation of Reports and Consolidated Orders System (ARCOS)" or other mutually acceptable format.

(E) In the event that a drug distributor or terminal distributor cannot electronically transmit the required information pursuant to paragraph (D) of this rule, the drug distributor or terminal distributor may request a variance from the board's executive director or the director's designee to submit drug sales information in a mutually acceptable format.

Rule 4729:8-1-01 | Ohio Automated Rx Reporting System - Definitions. (AMEND)

As used in division 4729:8 of the Administrative Code:

(A) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.

(B) "Central fill pharmacy" has the same meaning as in rule 4729:5-5-19 of the Administrative Code.

(~~B~~ **C**) "Distributor of dangerous drugs" or "drug distributor" means the following persons licensed in accordance with section 4729.52 of the Revised Code and division 4729:6 of the Administrative Code:

(1) Wholesale distributors of dangerous drugs, including virtual wholesalers.

(2) Manufacturers of dangerous drugs.

(3) Outsourcing facilities.

(D) "Designated representative" means the dispensary key employee responsible for acting in compliance with agency 3796 of the Administrative Code.

(E) "Dispense" means the final association of a drug with a particular 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.

(F) "Dispensary" means a holder of a valid retail dispensary license in accordance with Chapter 3796. of the Revised Code.

(G) "Originating pharmacy" has the same meaning as in rule 4729:5-5-19 of the Administrative Code.

(H) "Opioid treatment program" has the same meaning as in Chapter 4729:5-21 of the Administrative Code.

(~~C~~ **H**) "Outpatient" means any person who receives drugs for use outside of an institutional facility as defined in agency 4729 of the Administrative Code.

(~~D~~ **G**) "Peer review committee" has the same meaning as in section 2305.25 of the Revised Code, except that it includes only a peer review committee of a hospital or a peer review committee of a nonprofit health care corporation that is a member of the hospital or of which the hospital is a member.

(~~E~~ **H**) "Personally furnish" means the distribution of drugs by a prescriber to the prescriber's patients for use outside the prescriber's practice setting.

(~~F~~ **I**) "Pharmacy" has the same meaning as in section 4729.01 of the Revised Code.

(~~G~~ **J**) "Prescriber" or "licensed health professional authorized to prescribe drugs" have the same meaning as in section 4729.01 of the Revised Code.

(~~H~~ **K**) "Terminal distributor of dangerous drugs" or "terminal distributor" has the same meaning as in section 4729.01 of the Revised Code.

(~~I~~ **L**) "Sale" and "sell" has the same meaning as in section 4729.01 of the Revised Code.

(~~J~~ **M**) "Wholesale sale" and "sale at wholesale" have the same meaning as in section 4729.01 of the Revised Code. Wholesale sale also includes the following:

(1) An occasional sale conducted in accordance with section 4729.51 of the Revised Code;

(2) The sale of a sample or complimentary supply, as defined in rule 4729:6-3-08 of the Administrative Code, to a prescriber or terminal distributor;

(3) The transfer or sale of a non-patient specific dangerous drug to a prescriber or terminal distributor.

~~**(K) "Zero report" means a report documenting that none of the drugs listed in Chapter 4729:8-2 of the Administrative code were sold, dispensed or personally furnished during the required reporting period.**~~

(N) "Zero report" means either:

(1) A report documenting that none of the drugs listed in Chapter 4729:8-2 of the Administrative Code were sold, dispensed or personally furnished during the required reporting period; or

(2) For a dispensary, a report documenting that no medical marijuana was sold or dispensed.

Rule 4729:8-2-01 | List of drugs to be reported. (NO CHANGE)

Pursuant to section 4729.75 of the Revised Code, the required information for the following drugs pursuant to an outpatient prescription, personally furnished by a prescriber, or sold at wholesale to a terminal distributor of dangerous drugs shall be submitted to the state board of pharmacy pursuant to sections 4729.77, 4729.78 and 4729.79 of the Revised Code and this division of the Administrative Code:

(A) All schedule II controlled substances;

(B) All schedule III controlled substances;

(C) All schedule IV controlled substances;

(D) All schedule V controlled substances.

Rule 4729:8-2-02 | Additional drugs to be reported. (NO CHANGE)

(A) Pursuant to section 4729.75 of the Revised Code, the required information for the following drugs pursuant to an outpatient prescription, personally furnished by a prescriber, or sold at wholesale to a prescriber or terminal distributor of dangerous drugs shall be submitted to the state board of pharmacy in accordance with sections 4729.77, 4729.78 and 4729.79 of the Revised Code and this division of the Administrative Code:

All dangerous drug products containing gabapentin.

(B) Pursuant to section 4729.75 of the Revised Code, the required information for the following drugs pursuant to an outpatient prescription shall be submitted to the state board of pharmacy in accordance with section 4729.77 of the Revised Code and this division of the Administrative Code:

All dangerous drug products containing naltrexone that are indicated for the treatment of alcohol dependence or the prevention of relapse to opioid dependence.

Rule 4729:8-3-01 | Entities required to submit information. (AMEND)

The following entities are required to submit the specified dispensing, personal furnishing, or wholesale sale information in accordance with this chapter of the Administrative Code to the state board of pharmacy for the operation of the drug database:

(A) All pharmacies located within this state and licensed as a terminal distributor of dangerous drugs shall report all drugs listed in Chapter 4729:8-2 of the Administrative Code that are dispensed to outpatients.

(B) All pharmacies located outside this state and licensed as a terminal distributor of dangerous drugs shall report all drugs listed in Chapter 4729:8-2 of the Administrative Code that are dispensed to outpatients residing in this state.

(C) Except as provided in rule 4729:8-2-02 of the Administrative Code, all licensed drug distributors and terminal distributors of dangerous drugs located within this state that sell at wholesale drugs listed in Chapter 4729:8-2 of the Administrative Code to prescribers or terminal distributors of dangerous drugs shall report those drug transactions in accordance with the wholesale reporting requirements of this chapter.

(D) Except as provided in rule 4729:8-2-02 of the Administrative Code, all licensed drug distributors and terminal distributors of dangerous drugs located outside this state that sell at wholesale drugs listed in Chapter 4729:8-2 of the Administrative Code to prescribers or terminal distributors of dangerous drugs located within this state shall report those drug transactions in accordance with the wholesale reporting requirements of this chapter.

(E) Except as provided in rule 4729:8-2-02 of the Administrative Code, all prescribers, except veterinarians, located within this state shall report all drugs listed in Chapter 4729:8-2 of the Administrative Code that are personally furnished to patients.

(F) A retail dispensary licensed under Chapter 3796. of the Revised Code in accordance with section 4729.771 of the Revised Code.

(G) An opioid treatment program licensed as a terminal distributor of dangerous drugs is exempted from the reporting requirements of this division.

(1) An opioid treatment program shall report patient information via the central registry established in rule 5122-40-08 of the Administrative Code.

(2) Reporting of patient information pursuant to paragraph (G)(1) of this rule shall be made in compliance with 42 CFR Part 2.

Rule 4729:8-3-02 | Information required for submission. (AMEND)

(A) Pharmacies pursuant to paragraphs (A) and (B) of rule 4729:8-3-01 of the Administrative Code that dispense drugs listed in Chapter 4729:8-2 of the Administrative Code to outpatients shall report the following dispensing information to the board of pharmacy in accordance with rule 4729:8-3-03 of the Administrative Code:

(1) Pharmacy drug enforcement administration registration number. If not applicable, another mutually acceptable identifier;

(2) Pharmacy name;

(3) Pharmacy address;

(4) Pharmacy telephone number;

(5) Pharmacy dispensing software vendor;

(6) Pharmacy license number, if both the drug enforcement administration registration and national provider identifier are not provided;

(7) Type of pharmacy or dispenser;

(8) Indication if entity is a mail order pharmacy;

(~~5~~ **10**) Patient full name;

(~~6~~ **11**) Patient residential address;

(~~7~~ **12**) Patient telephone number;

(~~8~~ **13**) Patient date of birth;

(~~9~~ **14**) Patient gender;

(15) Patient race;

(16) Patient ethnicity;

(17) Last four digits of patient social security number;

(18) Species code;

(19) Owner's name for veterinary patients;

(20) Owner's date of birth for veterinary patients;

(21) Owner's gender for veterinary patients;

(22) Name of animal;

(23) Veterinary species code for veterinary patients;

(~~10~~ **24**) Prescriber's full name (first name and last name);

(25) Transmission form of prescription (e.g., written, verbal, electronic, etc.);

(~~11~~ **26**) Prescriber's drug enforcement administration registration number. If not applicable, another mutually acceptable identifier;

(~~12~~ **27**) Date prescription was issued by the prescriber;

(~~13~~ **28**) Date the prescription was dispensed ~~**or sold**~~ by the pharmacy;

(29) Date the prescription was sold by the pharmacy, which shall be the date the prescription is sold, picked up, or otherwise left the pharmacy;

(~~14~~ **30**) Indication of whether the prescription dispensed is new or a refill;

(~~15~~ **31**) Number of the refill being dispensed;

(~~16~~ **32**) National drug code of the drug dispensed;

(33) Indication if the product is compounded in accordance with division 4729:7 of the Administrative Code;

(~~17~~ **34**) Quantity of the drug prescribed;

(~~18~~ **35**) Quantity of drug dispensed;

(~~19~~ **36**) Number of days' supply of the drug dispensed as indicated by the prescriber pursuant to agency 4729 of the Administrative Code, except as follows:

(a) If a days' supply is not indicated by the prescriber, the pharmacy shall calculate and report the number of days' supply of the drug dispensed;

(b) If the quantity of drug dispensed is different from the quantity indicated on the prescription, the pharmacy shall calculate and report the number of days' supply of the drug dispensed.

(~~20~~ **37**) Serial or prescription number assigned to the prescription order;

(~~21~~ **38**) Source of payment for the prescription that indicates one of the following: private pay (cash), medicaid, medicare, commercial insurance, or workers' compensation;

(39) Source of additional payment for the prescription that indicates one of the following: private pay (cash), medicaid, medicare, commercial insurance, or workers' compensation (if more than one payment source is used);

(40) Indication if a discount card is used as an additional source of payment;

(~~22~~ **41**) Pharmacy national provider identification (NPI) number;

(~~23~~ **42**) Prescriber's national provider identification (NPI) number, if prescriber does not have an NPI**, then the prescriber's state license number or** another mutually acceptable identifier;

(43) Pharmacist national provider identifier (if a pharmacist other than the dispensing pharmacist conducted the drug utilization review per rule 4729:5-5-08 of the Administrative Code, report the NPI of the pharmacist who conducted the drug utilization review); if pharmacist does not have an NPI, report the pharmacist's license number or another mutually acceptable identifier;

(44) Name of pharmacist (if a pharmacist other than the dispensing pharmacist conducted the drug utilization review per rule 4729:5-5-08 of the Administrative Code, report the full name of the pharmacist who conducted the drug utilization review);

(~~24~~ **45**) Any of the following as indicated by the prescriber pursuant to agency 4729 of the Administrative Code:

(a) The ICD-10-CM medical diagnosis code of the primary disease or condition that the controlled substance drug is being used to treat. The code shall, at a minimum, include the first four alpha-numeric characters of the ICD-10-CM medical diagnosis code, sometimes referred to as the category and the etiology (ex. M 16.5);

(b) For dentists licensed pursuant to Chapter 4715. of the Revised Code, the "Code on Dental Procedures and Nomenclature" (CDT code), as published by the American dental association, of the dental treatment requiring the controlled substance prescription;

(c) If no such code is indicated on the prescription, the pharmacy shall indicate "NC" in the diagnosis data field.

(B) Prescribers pursuant to paragraph (E) of rule 4729:8-3-01 of the Administrative Code that personally furnish drugs listed in Chapter 4729:8-2 of the Administrative Code shall report the following information to the board of pharmacy in accordance with rule 4729:8-3-03 of the Administrative Code:

(1) Prescriber drug enforcement administration registration number. If not applicable, another mutually acceptable identifier;

(2) Prescriber full name (first and last name);

(3) Prescriber address;

(4) Prescriber telephone number;

(5) Patient full name;

(6) Patient residential address;

(7) Patient telephone number;

(8) Patient date of birth;

(9) Patient gender;

(10) Patient race;

(11) Patient ethnicity;

(12) Last four digits of patient social security number;

(~~10~~ **13**) Date the drug was personally furnished by the prescriber;

(~~11~~ **14**) National drug code of the drug personally furnished;

(~~12~~ **15**) Quantity of drug personally furnished;

(~~13~~ **16**) Number of intended days' supply of drug personally furnished;

(~~14~~ **17**) Source of payment for the prescription that indicates one of the following: private pay (cash), medicaid, medicare, commercial insurance, or workers' compensation;

(18) Source of additional payment for the prescription that indicates one of the following: private pay (cash), medicaid, medicare, commercial insurance, or workers' compensation (if more than one payment source is used);

(~~15~~ **19**) Either of the following:

(a) The ICD-10-CM medical diagnosis code of the primary disease or condition that the controlled substance drug is being used to treat. The code shall, at a minimum, include the first four alpha numeric characters of the ICD-10-CM medical diagnosis code, sometimes referred to as the category and the etiology (ex. M 16.5);

(b) For dentists licensed pursuant to Chapter 4715. of the Revised Code, the "Code on Dental Procedures and Nomenclature" (CDT code), as published by the American dental association, of the dental treatment requiring the controlled substance prescription.

(C) Drug distributors and terminal distributors pursuant to paragraphs (C) and (D) of rule 4729:8-3-01 of the Administrative Code that sell at wholesale drugs listed in Chapter 4729:8-2 of the Administrative Code shall report the following information to the board of pharmacy in accordance with rule 4729:8-3-03 of the Administrative Code:

(1) Drug distributor or terminal distributor drug enforcement administration registration number. If not applicable, then another mutually acceptable identifier;

(2) Purchaser's drug enforcement administration registration number. If not applicable, then another mutually acceptable identifier;

(3) National drug code number of the drug sold;

(4) Quantity of the drug sold;

(5) Date of sale; and

(6) Transaction identifier or invoice number.

(D) Drug distributors shall report suspicious orders and customer information pursuant to rule 4729:6-3-05 of the Administrative Code to the drug database established in section 4729.75 of the Revised Code.

Rule 4729:8-3-04 | Frequency requirements for submitting drug database information. (AMEND)

(A) A terminal distributor or prescriber that has been in possession of a drug listed in Chapter 4729:8-2 of the Administrative Code for dispensing or personally furnishing within the previous three years shall submit to the board of pharmacy, at least daily, either of the following:

(1) All information required to be submitted to the board of pharmacy pursuant to this division of the Administrative Code.

(2) A zero report, if a terminal distributor has no drug dispensing information or a prescriber has no personally furnishing information required to be submitted to the board of pharmacy pursuant to this division of the Administrative Code.

(B) The information required to be reported pursuant to paragraph (A) of this rule shall be consecutive and inclusive from the last date and time the information was submitted to the board of pharmacy and shall be reported no later than thirty-six hours after the last time reported.

(C) Any record of a dispensed or personally furnished drug listed in Chapter 4729:8-2 of the Administrative Code shall be reported to the board of pharmacy within twenty-four hours of being dispensed or personally furnished.

(D) Any terminal distributor or prescriber whose normal business hours are not seven days per week shall electronically indicate their normal business hours to the board and no zero report will be required for the terminal distributor or prescriber's non-business days.

(E) If a terminal distributor or prescriber ceases to dispense or personally furnish a drug listed in Chapter 4729:8-2 of the Administrative Code, the responsible person on the terminal distributor of dangerous drugs license or the prescriber shall notify the board of pharmacy in writing and request an exemption to reporting.

If at any time a terminal distributor or prescriber begins dispensing or personally furnishing drugs listed in Chapter 4729:8-2 of the Administrative Code, the exemption to reporting shall no longer be valid and the terminal distributor or prescriber shall start reporting in accordance with this rule.

(F) A drug distributor that has been in possession of a drug listed in Chapter 4729:8-2 of the Administrative Code for sale at wholesale within the previous three years shall submit to the board of pharmacy, at least monthly, either of the following:

(1) All information required to be submitted to the board pursuant to this division of the Administrative Code.

(2) A zero report, if a drug distributor has no drug sale information required to be submitted to the board of pharmacy pursuant to this division of the Administrative Code.

(G) All wholesale sale information required to be submitted to the board of pharmacy pursuant to this division of the Administrative Code shall be submitted at least monthly. The information shall be consecutive and inclusive from the last date and time the information was submitted and shall be reported no later than forty-five days after the date of the wholesale sale.

(H) If a drug distributor, prescriber, or terminal distributor cannot submit the required information at the required intervals specified in this rule, the drug distributor, terminal distributor or prescriber may request an extension from the **board's** ~~**boards**~~ executive director or the ~~**directors**~~ **director's** designee to submit the required information in a mutually acceptable time frame.

Rule 4729:8-3-05 | Corrections to the drug database. (AMEND)

(A) All information required to be submitted in accordance with this division shall be submitted to the drug database in an accurate and timely manner.

(B) If the omission of drug sale information is discovered, the omitted information shall be submitted to the board of pharmacy by the terminal distributor, prescriber, or drug distributor during the next reporting time period after the discovery.

(C) If erroneous drug sale information is discovered, the terminal distributor, drug distributor or prescriber shall notify the board of pharmacy within twenty-four hours of the discovery. The corrected information must be submitted to the board of pharmacy by the terminal distributor, prescriber**,** or drug distributor within seven days of the discovery.

(D) If the omission of data or erroneous data is the result of a computer programming error, the terminal distributor, prescriber, or drug distributor must notify the board of pharmacy immediately by telephone and submit written or electronic documentation. The documentation shall fully describe the error and propose a mutually agreed upon date for submitting the corrected information.

(E) Except as noted in paragraph (D) of this rule, all data must be submitted or corrected electronically unless prior permission for an alternate method is granted by the **board's** ~~**boards**~~ executive director or the ~~**directors**~~ **director's** designee.

(F) If utilizing a central fill pharmacy to report to the drug database in accordance with this division of the Administrative Code, the central fill pharmacy and the originating pharmacy shall implement a process to submit a correction if the drug is returned to stock pursuant to rule 4729:5-5-22 of the Administrative Code. It shall be the responsibility of the reporting pharmacy to ensure this process is completed in accordance with this rule.

Rule 4729:8-4-01 | Procedures for obtaining drug database information and access by peer review committees. (AMEND)

(A) Persons that are permitted pursuant to section 4729.80 of the Revised Code to obtain information from the drug database shall comply with all application procedures, requirements and acceptable use policies adopted by the board.

(B) An individual seeking the individual's own database information shall comply with the following:

(1) Complete a notarized request form giving such information as required by the board of pharmacy;

(2) Submit the completed form in person or by mail;

(3) Receive the information in person at the board of pharmacy office during normal business hours and show proof of identity with a current government issued form of identification that contains a picture such as a current state issued identification card, a current state issued driver's license, or a valid passport; and

(4) The person may be required to pay the cost of printing the document as determined by the board of pharmacy's current per page rate.

(C) Pursuant to section 4729.80 of the Revised Code, the board shall provide the following information to a designated representative of a peer review committee relating to a prescriber who is subject to the committee's evaluation, supervision, or discipline:

(1) A summary of the prescriber's prescribing record, if such a record is created by the board;

(2) Information from the database, in a format determined by the board, relating to a current or previous patient of the prescriber who is subject to the **committee's** ~~committees~~ evaluation, supervision, or discipline.

Rule 4729:8-4-02 | Extension to the information storage requirements and the provision of database statistics. (NO CHANGE)

(A) A government entity or a law enforcement agency pursuant to section 4729.82 of the Revised Code may request that specific information in the database related to an open investigation be retained beyond the five-year information retention requirement. The government entity or law enforcement agency must submit a written request on a form giving such information as required by the board of pharmacy.

(B) The board of pharmacy may provide or present database statistics and law enforcement outcomes based on request information pursuant to section 4729.80 of the Revised Code. The information shall not identify a person and will be provided as determined by the board of pharmacy in summary, statistical, or aggregate form.

Rule 4729:8-4-03 | Access to opioid treatment program data provided by the Ohio department of mental health and addiction services. (AMEND)

(A) Pursuant to ~~**division (A)(23) of**~~ section 4729.80 of the Revised Code, the following persons shall be permitted to access opioid treatment program data provided by the Ohio department of mental health and addiction services in accordance with section 4729.772 of the Revised Code:

(1) Prescriber and prescriber delegates as authorized in ~~**division (A)(5) of section**~~ **under** 4729.80 of the Revised Code;

(2) Pharmacist and pharmacist delegates as authorized ~~**in division (A)(6) of**~~ **under** section 4729.80 of the Revised Code;

(3) The director of health as authorized ~~**in division (A)(13) of**~~ **under** section 4729.80 of the Revised Code;

(4) An individual listed in paragraphs (A)(1) and (A)(2) of this rule who is from or participating with another state's prescription monitoring program; and

~~**(4) An individual listed in division (A)(5) or (A)(6) of section 4729.80 who is from or participating with another states prescription monitoring program; and**~~

(5) A coroner, deputy coroner, or coroner's delegate as authorized ~~**in division (A)(17) of**~~ **under** section 4729.80 of the Revised Code.

(B) Nothing in this rule shall be construed to limit the state board of ~~**pharmacys**~~ **pharmacy's** access and use of data collected by the drug database to carry out its responsibilities in accordance with section 4729.81 of the Revised Code.

4729:8-4-05 | Access to overdose data provided by the Ohio department of health. (NEW)

(A) Pursuant to section 4729.80 of the Revised Code, the following persons shall be permitted to access drug overdose data provided by the Ohio department of health in accordance with section 4729.772 of the Revised Code:

(1) Prescriber and prescriber delegates as authorized in division (A)(5) of section 4729.80 of the Revised Code;

(2) Pharmacist and pharmacist delegates as authorized in division (A)(6) of section 4729.80 of the Revised Code;

(3) The director of health as authorized in division (A)(13) of section 4729.80 of the Revised Code;

(4) An individual listed in division (A)(5) or (A)(6) of section 4729.80 who is from or participating with another states prescription monitoring program; and

(5) A coroner, deputy coroner, or coroner's delegate as authorized in division (A)(17) of section 4729.80 of the Revised Code.

(B) Nothing in this rule shall be construed to limit the state board of pharmacy’s access and use of data collected by the drug database to carry out its responsibilities in accordance with section 4729.81 of the Revised Code.