

## COVID-19 Response Efforts

**Updated 11/30/2023**

The Ohio Board of Pharmacy is committed to protecting the health and safety of Ohioans. This document outlines the Board's COVID-19 guidance and response efforts, including the issuance of waivers to assist our licensees in addressing operational needs. A full list of waivers is available starting on page 4 of this document.

For more information on the state's efforts to address coronavirus, visit [www.coronavirus.ohio.gov](http://www.coronavirus.ohio.gov) or call 1-833-4-ASK-ODH.

### **Waivers Approved for Recission**

The Board approved the rescission of the following COVID-19 waivers (see table for effective dates):

| <b>Waiver Issue<br/>Date</b>                      | <b>Description</b>  | <b>Recission Effective</b>       |
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| <b>3/16/2020 –<br/><br/>UPDATED<br/>3/26/2020</b> | Authorized expedited onboarding of pharmacy technician trainees. This resolution can be accessed <a href="#">here</a> . | <b>RESCIND EFFECTIVE 1/1/24.</b> |

### **Rescinded COVID-19 Waivers & Guidance**

The Department of Health and Human Services (HHS) is planning for the federal Public Health Emergency (PHE) for COVID-19, declared under Section 319 of the Public Health Service (PHS) Act, to expire at the end of the day on May 11, 2023 (effectively May 12, 2023).

The following list has been updated to reflect the Board of Pharmacy waivers that will expire because of the expiration of the PHE.

| <b>Waiver Issue Date</b>   | <b>Description</b>  | <b>Recission Effective</b>  |
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| <b>3/14/2020 –<br/>UPDATED<br/>3/30/2020 &amp;<br/>6/11/2020</b> | Authorized the compounding and sale of certain alcohol-based hand sanitizer products by Ohio-licensed pharmacies and outsourcing facilities.  | <b>RESCINDED EFFECTIVE MAY 12, 2023</b>   |
| <b>3/14/2020 -<br/>UPDATED<br/>4/14/2020 &amp;<br/>5/15/2020</b> | Authorized licensees conducting sterile compounding to reuse certain personal protective equipment (PPE). The waiver was updated to align with recently released PPE conservation guidance issued by the FDA. | <b>RESCINDED EFFECTIVE MAY 12, 2023</b>   |
| <b>3/20/2020 –<br/>UPDATED<br/>4/23/2020</b>                     | Authorized licensees to perform sterile compounding for another licensee, referred to as central compounding.   | <b>RESCINDED EFFECTIVE MAY 12, 2023</b>   |
| <b>4/3/2020,<br/>12/1/2020 –<br/>UPDATED<br/>1/11/2020</b>       | Permits the temporary reinstatement of lapsed or expired Ohio pharmacist licenses in Ohio under certain conditions.   | <b>This resolution has been rescinded and replaced by a change in the Federal PREP Act. NOTE: The change to Federal PREP ACT is RESCINDED EFFECTIVE MAY 12, 2023.</b> |

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| <b>4/17/2020 –<br/>UPDATED<br/>5/15/2020</b> | Formally adopted FDA’s “ <a href="#">Temporary Policy for Compounding of Certain Drugs for Hospitalized Patients by Outsourcing Facilities During the COVID-19 Public Health Emergency</a> ” for Ohio-licensed outsourcing facilities.  | <b>RESCINDED EFFECTIVE MAY 12, 2023</b>  |
| <b>4/23/2020</b>                             | Formally adopted FDA’s “Temporary Policy on Repackaging or Combining Propofol Drug Products During the COVID-19 Public Health Emergency” for Ohio-licensed pharmacies, repackagers, and outsourcing facilities.   | <b>RESCINDED EFFECTIVE MAY 12, 2023</b>  |
| <b>7/7/2020</b>                              | Formally adopted FDA’s “ <a href="#">Temporary Policy on Prescription Drug Marketing Act Requirements for Distribution of Drug Samples During the COVID-19 Public Health Emergency (June 2020)</a> ” authorizing Ohio-licensed drug distributors to deliver drug samples to a patient’s home. | <b>RESCINDED EFFECTIVE MAY 12, 2023</b>  |
| <b>3/16/2020 –<br/>UPDATED<br/>6/8/2020</b>  | Authorized the extension of emergency refills.<br>This resolution can be accessed <a href="#">here</a> .  | <b>RESCINDED – EFFECTIVE 8/10/22 (see new law regarding emergency refills: <a href="http://www.pharmacy.ohio.gov/emergency">www.pharmacy.ohio.gov/emergency</a>)</b> |

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| <b>3/18/2020</b>                             | Authorized prescribers working in an opioid treatment program licensed as a terminal distributor of dangerous drugs to temporarily delegate personally furnishing of buprenorphine products to nurses licensed under Chapter 4723. of the Revised Code. | <b>RESCINDED – EFFECTIVE 8/10/22 – This resolution has been incorporated into rule (see OAC <a href="#">4729:5-21-02</a>).</b> |
| <b>3/18/2020 –<br/>UPDATED<br/>4/14/2020</b> | Authorized prescribers to delegate personally furnishing non-controlled drugs to nurses licensed in accordance with Chapter 4723. of the Revised Code. This resolution can be accessed <a href="#">here</a> .   | <b>RESCINDED – EFFECTIVE 8/10/22</b>   |
| <b>3/31/2020 –<br/>UPDATED<br/>4/30/2020</b> | Authorized the use of temporary satellite locations for the storage and use of dangerous drugs during COVID-19. This resolution can be accessed <a href="#">here</a> .  | <b>RESCINDED – EFFECTIVE 8/10/22</b>   |
| <b>4/17/2020</b>                             | Authorized the temporary waiver of the 5 percent limit on the occasional wholesale sales of dangerous drugs by a licensed pharmacy set forth in rule <a href="#">4729:5-3-09</a> of the Administrative Code.  | <b>RESCINDED – EFFECTIVE 8/10/22</b>   |
| <b>6/8/2020</b>                              | Authorizes a licensed terminal distributor of dangerous drugs (TDDD) to mail or deliver non-controlled drugs to patients that have been personally furnished by a prescriber that is  | <b>RESCINDED – EFFECTIVE 8/10/22</b>   |

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|   | employed or contracted by the terminal distributor.   |                                      |
| <b>12/17/2020</b>                             | Temporarily suspends in-person training requirements for obtaining BLS in paragraph (M) of rule 4729:1-3-02 and (A)(3) of rule 4729:2-3-03 of the Administrative Code.  | <b>RESCINDED – EFFECTIVE 8/10/22</b> |
| <b>2/16/2021</b>                              | Temporarily expands the pharmacy intern supervision requirements in OAC 4729:2-1-01 for interns administering the COVID-19 vaccine.   | <b>RESCINDED – EFFECTIVE 8/10/22</b> |
| <b>1/3/2022</b>                               | National Guard personnel assigned to any Ohio-licensed pharmacy may perform technician trainee activities pursuant to rule 4729:3-3-01 of the Ohio Administrative Code and any other COVID-19 waivers issued by the Board under the direct supervision of a pharmacist without registration by the Board. | <b>RESCINDED – EFFECTIVE 8/10/22</b> |
| <b>4/14/2020</b><br><b>*Medical Marijuana</b> | Permits medical marijuana patients and caregivers to renew patient/caregiver registrations and recommendations using an expired method of identification under certain conditions.  | <b>RESCIND EFFECTIVE 6/5/23.</b>     |
| <b>4/14/2020</b>                              | Permits minors (i.e., those under the age of 18) and adult patients with legal guardians to   | <b>RESCIND EFFECTIVE 6/5/23.</b>     |

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| <b>*Medical Marijuana</b>   | utilize a birth certificate to register as a medical marijuana patient.   |   |
| <b>4/1/2020</b><br><b>*Medical Marijuana</b>                                      | Permits patients with expired forms of identification to utilize a birth certificate to register as a medical marijuana patient.  | <b>RESCIND EFFECTIVE 6/5/23.</b>  |
| <b>4/7/2020</b><br><b>*Medical Marijuana</b>                                      | Permits currently registered patients and caregivers who have lost their authorized form of photo identification to utilize alternate forms of identification in order to purchase medical marijuana.   | <b>RESCIND EFFECTIVE 6/5/23.</b>  |
| <b>3/16/2020 –</b><br><b>UPDATED</b><br><b>3/26/2020 &amp;</b><br><b>6/8/2020</b> | Authorized pharmacists, pharmacy interns, and pharmacy technicians licensed in other states to work in Ohio pharmacies under certain conditions. This resolution can be accessed <a href="#">here</a> .   | <b>RESCIND EFFECTIVE 8/31/23.</b>   |
| <b>3/20/2020</b>  | Authorized registered pharmacy technicians to stock automated drug storage systems and send and receive copies of non-controlled prescriptions, under certain conditions. Additionally, provides clarification on the positive identification requirements for technicians transferring prescriptions. This resolution can be accessed <a href="#">here</a> . | <b>RESCIND EFFECTIVE 7/5/23.</b><br><br><b>NOTE: REGISTERED TECHNICIANS CAN ALREADY STOCK ADS SYSTEMS UNDER UPDATES TO OAC <a href="#">4729:3-3-03</a>.</b> |

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| <b>3/24/2020 –<br/>UPDATED<br/>6/8/2020 &amp;<br/>8/31/2020</b> | Authorized expedited licensure of drug distributors. This resolution can be accessed <a href="#">here</a> .   | <b>RESCIND EFFECTIVE 11/1/23.</b>   |
| <b>4/7/2020</b>   | Authorized nurses (LPN, RN, APRN) to stock automated drug storage systems within a terminal distributor of dangerous drugs that has an on-site pharmacy under certain conditions. This resolution can be accessed <a href="#">here</a> .            | <b>RESCIND EFFECTIVE 7/5/23.</b>  |
| <b>4/14/2020</b>  | Authorized an Ohio pharmacy to request a temporary waiver to permit a pharmacist to supervise up to five pharmacy technician trainees at one time (up from the current limit of three). This resolution can be accessed <a href="#">here</a> .      | <b>RESCIND EFFECTIVE 7/5/23.</b>  |
| <b>12/14/2020</b>   | Permits registered pharmacy technicians and pharmacy technician trainees to stock automated pharmacy systems and automated drug storage systems at a location licensed as a terminal distributor of dangerous drugs, subject to certain conditions. | <b>RESCIND EFFECTIVE 7/5/23.</b><br><br><b>REPLACED WITH <a href="#">NEW RESOLUTION</a> THAT PERMITS TECHNCIAN TRAINEES TO CONTINUE TO STOCK AUTOMATED PHARMACY</b> |

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|                   |   | <b>SYSTEMS AND AUTOMATED DRUG STORAGE SYSTEMS.</b>  |
| <b>12/14/2020</b> | Authorizes the use of support personnel for packaging shipping containers and to package medications for delivery or sale. This resolution can be accessed <a href="#">here</a> . | <b>RESCIND EFFECTIVE IMMEDIATELY. THIS IS ALREADY PERMITTED UNDER OAC 4729:3-1-01 MADE IN 2022.</b> |

### **Updates to COVID-19 Guidance Due to Changes Under the Federal PREP Act**

With the end of the federal COVID-19 public health emergency (PHE), here is a summary of the changes under the [PREP Act](#) that will impact pharmacy personnel in Ohio effective May 12, 2023:

- **Extending coverage for COVID-19 vaccines, seasonal influenza vaccines, and COVID-19 tests.** PREP Act immunity from liability will be extended through December 2024 to pharmacists, pharmacy interns, and pharmacy technicians to administer COVID-19 and seasonal influenza vaccines (to those individuals three and over, consistent with other requirements) and COVID-19 tests, regardless of any USG agreement or emergency declaration.
- **Ending of coverage for routine childhood vaccinations.** Once there is no emergency in effect, PREP Act coverage will no longer extend to all routine childhood vaccinations by pharmacists, pharmacy interns, and pharmacy technicians.



| Guidance Document  | Change to Guidance Effective May 12, 2023   |
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| Pharmacy Technician Administration of Vaccines             | Effective May 12, 2023, pharmacy technicians are no longer permitted to administer childhood vaccinations under the PREP Act.   |
| Pharmacist and Intern Administration of Childhood Vaccines | <p>This guidance is rescinded effective May 12, 2023.</p> <p>Pharmacists and pharmacy interns are no longer permitted to administer childhood vaccines under the PREP Act.</p> <p>Pharmacists and pharmacy interns may still administer childhood vaccines under Ohio law:</p> <p><a href="http://www.pharmacy.ohio.gov/vaccine">www.pharmacy.ohio.gov/vaccine</a>.</p> |

### **COVID-19 Waivers and Resolutions for Licensees**

#### **IMPORTANT: These waivers are still in effect.**

*To allow for licensees to adjust business operations accordingly, the Ohio Board of Pharmacy shall provide a minimum of 30 days' notice prior to the rescission of any resolutions or waivers issued due to the COVID-19 pandemic. The 30-day notice requirement does not apply to any resolution that is based upon authorization of a federal agency or the Governor of the State of Ohio.*

| Waiver Issue Date | Description  | Expiration of the Guidance  |
|-------------------|--|---|
| <b>3/18/2020</b>  | Authorized home delivery of medications by opioid treatment programs under specific conditions. This resolution can be accessed <a href="#">here</a> . | This guidance, as is authorized by the Drug Enforcement Administration, shall remain in effect until the Secretary of Health and Human Services |

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|  |  | (HHS) rescinds the declared public health emergency.       |
| <b>3/18/2020 –<br/>UPDATED<br/>3/20/2020,<br/>6/8/2020 &amp;<br/>8/31/2020</b> | Authorized the temporary expansion of the maximum days' supply permitted under rules 4729-9-23 and 4729:5-5-18 of the Administrative Code from 31 days to 60 days. This resolution can be accessed <a href="#">here</a> .  | This resolution is in effect until rescinded by the Board. |
| <b>6/16/2023</b>   | Permits pharmacy technician trainees to stock automated pharmacy systems and automated drug storage systems at a location licensed as a terminal distributor of dangerous drugs, subject to certain conditions. This resolution can be accessed <a href="#">here</a> . | This resolution is in effect until rescinded by the Board. |