Board of Pharmacy

e-News January 2026

Request for Comment: 5-Year Rule Review Packages

Date Issued: 1/12/2026
Comments Due: 2/10/2026

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 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 rule packages:

FYR Drug Distributors (To access the rule text and accompanying business impact analysis, visit the following link: **www.pharmacy.ohio.gov/FYRDistributors**)

- **4729:6-3-02 – Report of theft or significant loss of dangerous drugs, controlled substances, and drug documents. (AMEND)** Provides the requirements for reporting the theft or loss of dangerous drugs by a wholesale distributor of dangerous drugs, manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, and repackager of dangerous drugs. Changes required reporting time from thirty to forty-five days to mirror recent federal changes. Updates CFR incorporation by reference.

FYR Home Medical Equipment (To access the rule text and accompanying business impact analysis, visit the following link: **www.pharmacy.ohio.gov/FYRHME**)

- **4729:11-1-01 – Definitions - home medical equipment. (AMEND)** Definition section for home medical equipment division. Adds wearable cardioverter defibrillators to the definition of “technologically sophisticated medical equipment.”

FYR Pharmacists (To access the rule text and accompanying business impact analysis, visit the following link: **www.pharmacy.ohio.gov/FYRPharmacists**)

- **4729:1-2-04 – Successful completion of the Test of English as a Foreign Language, Internet-based Test. (AMEND)** Provides the passing scores for the Test of English as a Foreign Language, Internet-based Test. Updates the passing scores for writing to twenty-two, speaking to twenty-five, listening to twenty-two, and reading to twenty-one. This reflects national changes by the National Association of Boards of Pharmacy: **https://nabp.pharmacy/programs/foreign-pharmacy/**
- **4729:1-3-04 – Dispensing of overdose reversal drugs by pharmacists. (AMEND)** Specifies the protocols and other requirements under which a pharmacist may dispense naloxone without a prescription. Updates instances of “naloxone” to “overdose reversal drug” as defined in rule 4729-8-02 of the Administrative Code. Updates instances of “physician-established protocol” to “prescriber-established protocol.” Removes training requirements. Adds definition of “prescriber.”
- **4729:1-3-06 – Dispensing of epinephrine autoinjectors by pharmacists. (AMEND)** Specifies the protocols and other requirements under which a pharmacist may dispense

epinephrine without a prescription. Clarifies the epinephrine a pharmacist may dispense is an epinephrine autoinjector or other formulation authorized in chapter 4729. of the Revised Code and removes further instances of “autoinjector” from the rule. Adds definitions for “epinephrine” and “pharmacy affiliated with the pharmacist.”

- **4729:1-3-07 – Dispensing nicotine replacement therapy by pharmacists. (AMEND)** Provides the standards for dispensing nicotine replacement therapy by pharmacists as authorized by HB 110 (134th General Assembly) – ORC 4729.284. Adds a definition for “prescriber” and updates instances of “physician-established protocol” to “prescriber-established protocol.” Makes small grammatical changes.
- **4729:1-6-01 – Definitions - consult agreements. (AMEND)** Establishes the definition section for consult agreement rule chapter. Changes “managing pharmacist” to “collaborating pharmacist” to reflect national terminology. Updates positive identification definition to align with other Board of Pharmacy rules.
- **4729:1-6-02 – Consult agreements. (AMEND)** Establishes the requirements of a consult agreement. Changes “managing pharmacist” to “collaborating pharmacist” to reflect national terminology. Removes allowance that a pharmacist can prescribe controlled substances under a hospital’s DEA registration as it conflicts with federal rules. Clarifies that testing ordered must related specifically to the management of a patient’s drug therapy. Requires pharmacists who prescribe gabapentin to check OARRS.
- **4729:1-6-03 – Standards for managing drug therapy. (AMEND)** Provides the standards of care for a pharmacist under a consult agreement. Expands the ability of the pharmacist to administer controlled substances to treatment opioid use disorder outside of an opioid treatment program. Specifies that all telehealth be conducted in accordance with all applicable federal and state laws and rules. Prohibits the use of consult agreements for the administration of intravenous drugs and for performing cosmetic procedures.

FYR Pharmacy Interns (To access the rule text and accompanying business impact analysis, visit the following link: **www.pharmacy.ohio.gov/FYRInterns**)

- **4729:2-2-07 – Successful completion of the Test of English as a Foreign Language, Internet-based Test. (AMEND)** Provides the passing scores for the Test of English as a Foreign Language, Internet-based Test. Updates the passing scores to be twenty-two for writing, twenty-five for speaking, twenty-two for listening, and twenty-one for reading. This reflects national changes by the National Association of Boards of Pharmacy: **https://nabp.pharmacy/programs/foreign-pharmacy/**
- **4729:2-3-04 – Dispensing of overdose reversal drugs by pharmacy interns. (AMEND)** Specifies the protocols under which a pharmacy intern may dispense naloxone without a prescription. Updates instances of “naloxone” to “overdose reversal drug” as defined in rule 4729-8-02 of the Administrative Code. Updates instances of “physician-established protocol” to “prescriber-established protocol.” Removes training requirements.
- **4729:2-3-06 – Dispensing of epinephrine by pharmacy interns. (AMEND)** Specifies the protocols and other requirements under which a pharmacy intern may dispense an epinephrine autoinjector without a prescription. Clarifies that the epinephrine must be an autoinjector or any formulation authorized in chapter 4729. of the Revised Code and removes further instances of “autoinjector” from the rule. Adds definitions for “epinephrine” and “pharmacy affiliated with the pharmacist.”

FYR Pharmacy Technicians (To access the rule text and accompanying business impact analysis, visit the following link: **www.pharmacy.ohio.gov/FYRTechs**)

- **4729:3-3-01 – Pharmacy Technician Trainees. (AMEND)** Establishes the activities pharmacy technician trainees may perform. Adds stocking an automated drug storage system to the list of activities.
- **4729:3-5-01 – Continuing Education – Definitions. (AMEND)** Definitions section for a rule chapter on registered pharmacy technician continuing education requirements. Makes small grammatical changes and updates cross references.

FYR TDDDs (To access the rule text and accompanying business impact analysis, visit the following link: **www.pharmacy.ohio.gov/FYRTDDDs**)

- **4729:5-3-02 – Report of theft or significant loss of dangerous drugs, controlled substances, and drug documents. (AMEND)** Provides the requirements for reporting the theft or loss of dangerous drugs by a terminal distributor of dangerous drugs. Changes required reporting time from thirty to forty-five days to mirror recent changes to the federal rule.

- **4729:5-3-12 – Protocols and pre-printed orders for medication administration. (AMEND)** Provides the requirements for protocols for medication administration via a protocol or standing order. Adds standing order to the definition of protocol. Adds the administration of contrast and radiopharmaceuticals and glucose to newborns as protocols. Adds positive identification requirement to the protocol description. Updates cross references in the rule.
- **4729:5-3-13 – Temporary removal of dangerous drugs from a licensed location. (AMEND)** Authorizes the temporary removal of dangerous drugs from a licensed location. Updates instances of “naloxone” to “overdose reversal drug” (ORD) as defined in rule 4729-8-02 of the Administrative Code and removes physical storage requirements for ORDs. Adds anesthesiologists to licensees who can temporarily remove the drugs. Reformatted some paragraphs to improve readability.
- **4729:5-3-14 – General security requirements. (AMEND)** Provides general security requirements for terminal distributors of dangerous drugs. Adds requirement that a pharmacy dispensing dangerous drugs cannot operate out of a residence or personal dwelling.
- **4729:5-3-15 – Use of hospital and other institution D.E.A. registrations. (AMEND)** Permits a prescriber of a hospital to utilize the hospital’s DEA registration for the purpose of issuing controlled substance prescriptions. Requires the reporting of DEA registration information to the Board. Rewords rule reference to hospitals or other institutions. Makes small grammatical changes.
- **4729:5-3-16 – Returned drugs. (AMEND)** The rule provides the specific instances where drugs may be returned to a terminal distributor of dangerous drugs. Adds drugs dispensed in error to the exceptions for returning drugs. Updates agency, chapter, and rule references.
- **4729:5-4-02 – Duty to Report. (AMEND)** Requires terminal distributors of dangerous drugs to report errors in dispensing as well as employees who have resigned or been terminated by the pharmacy for recklessness, unprofessional conduct, errors in dispensing, and issues related to substance use disorder or a mental health condition. Adds the receipt of prescriptions that a pharmacist refuses to dispense and the receipt of an illegitimate product to the report list, with specific reporting requirements and reporting timelines. Updates “employer” to “pharmacy” in the reporting requirements.
- **4729:5-5-03 – Filing and storage of prescriptions. (NO CHANGE)** Provides the requirements for filing and storage of prescriptions in an outpatient pharmacy. No changes were made to this rule.
- **4729:5-5-05 – Prescription format requirements. (AMEND)** Sets forth the standard format for outpatient prescriptions. Removed “written” from outpatient prescription. Updates agency, rule, and CFR references. Makes small grammatical changes.
- **4729:5-5-07 – Patient profiles. (AMEND)** Provides the requirements for patient profiles maintained by outpatient pharmacies. Makes a small grammatical change.
- **4729:5-5-08 – Prospective Drug utilization review. (AMEND)** Requires pharmacists dispensing prescriptions to conduct a prospective drug utilization review. Makes a small grammatical change.
- **4729:5-5-09 – Patient counseling. (AMEND)** Provides the requirements for the counseling of patients by pharmacists and pharmacy interns. Makes small grammatical changes.
- **4729:5-5-10 – Manner of processing a prescription. (AMEND)** Provides the requirements for the dispensing of a prescription in an outpatient pharmacy. Updates incorporation by rule reference and adds a provision allowing for the partial filling of schedule II controlled substances in accordance with federal regulations.
- **4729:5-5-11 – Prescription transfers. (NEW) (RESCIND CURRENT)** Sets forth the requirements for when a pharmacist or pharmacy intern may transfer a prescription to another pharmacy. This rule is being rescinded and replaced with a new rule that reflects the requirements set forth in federal regulations by the Drug Enforcement Administration. Requires the transfer happen in no later than three business days.
- **4729:5-5-12 – Partial dispensing of schedule II of controlled substances. (RESCIND)** Authorizes outpatient pharmacies to partially dispense schedule II controlled substances. This rule is being rescinded and its content added to OAC 4729:5-5-10.
- **4729:5-5-13 – Serial numbering of prescriptions. (NO CHANGE)** Requires outpatient prescriptions to be serially numbered. No changes were made to this rule.
- **4729:5-5-16 – Pharmacist modifications to a prescription. (AMEND)** Provides the requirements allowing a pharmacist to make modifications to a prescription. Allows a

pharmacist to modify a drug's prescription to include a drug delivery device in accordance with Ohio law. Updates rule references.

- **4729:5-5-17 – Drugs repackaged or relabeled by a pharmacy. (NO CHANGE)** Provides the labeling and recordkeeping requirements for drugs that are repackaged or relabeled by a pharmacy. Requires compliance with federal repackaging standards established by the FDA. No changes were made to this rule.
- **4729:5-5-22 – Return to stock in an outpatient pharmacy. (AMEND)** Establishes the standards and procedures for return to stock in a pharmacy. Adds relabeling as an exception for removing a label on a container. Allows a pharmacy to return drugs to stock if the drugs were dispensed to a TDDD under common ownership with the pharmacy. Updates agency and rule references. Makes small grammatical changes.
- **4729:5-5-23 – Security, control, and storage of dangerous drugs in an outpatient pharmacy. (AMEND)** Provides security, control, and storage requirements for dangerous drugs maintained by an outpatient pharmacy. Adds examples for biannual and daily observations. Allows a TDDD to keep unopened bottled water in refrigerators that store dangerous drugs to maintain consistent temperatures. Makes small grammatical changes.
- **4729:5-5-24 – Drug inventory records and other record keeping provisions. (AMEND)** Provides the requirements for the drug inventory records at an outpatient pharmacy. Adds requirement of a transaction statement in accordance with Section 582 of the FD&C Act. Makes small grammatical changes.

Comments on the proposed rules will be accepted until close of business on **February 10, 2026**. Please send all comments to the following email address: **rulecomments@pharmacy.ohio.gov**.

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

The Board is Offering Free Fentanyl Test Strips, Naloxone Brochures, and Now Xylazine Test Strips to All Ohio Licensees

The Ohio Board of Pharmacy continues to offer to all licensees no-cost fentanyl test strips and educational handouts in partnership with the Office of Governor Mike DeWine, RecoveryOhio, the Ohio Department of Mental Health and Addiction Services, and the Ohio Department of Health. Each licensee can request up to two boxes of fentanyl strips per order (100 strips per box), and the Board's educational handouts are also available in English and Spanish (100 handouts per pack). Strips will be available until supplies last and may be reordered by the same location if running low.

Additionally, effective October 1, 2025, **OAC 4729-8-02** makes test strips and reagent kits that test for xylazine legal to distribute in Ohio. For a limited time until grant funds are exhausted, licensees can order xylazine test strips through the Board of Pharmacy as well.

Orders for fentanyl test strips, xylazine test strips, and handouts must be placed online using the following link: **www.pharmacy.ohio.gov/FTSorder**.

In addition to test strips, licensees may request naloxone overdose and recognition brochures while supplies last. Use the following link to order: **www.pharmacy.ohio.gov/nalbrochure**.

DUE TO GRANT FUNDING RESTRICTIONS, WE ARE ONLY ABLE TO OFFER STRIPS TO LICENSEES LOCATED IN THE STATE OF OHIO.

Request for Comment: Mitragynine and Mitragynine-Related Compounds

Date Issued: 1/7/2026

Comments Due: 1/28/2026

This information is being provided pursuant to the requirements of Senate Bill 2 of the 129th General Assembly, which require state agencies, including the 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:

- **4729:9-1-01.1 – Mitragynine-Related Compounds (NEW)** This proposed rule classifies kratom-related compounds as Schedule I controlled substances. To review the rule and for instructions on how to provide comment, visit: **www.pharmacy.ohio.gov/mitragyninecompounds**.

- **4729:9-1-01.2 – Mitragynine (NEW)** This proposed rule classifies the primary compound in kratom as a Schedule I controlled substance. To review the rule and for instructions on how to provide comment, visit: **www.pharmacy.ohio.gov/mitragynine**.

Due to the volume of comments expected, we ask that all rule comments be submitted via the Board's online comment form. Instructions on how to submit comments are included in the links above.

As a reminder, a copy of your comments will be shared with the Commons Sense Initiative.

Comments on the proposed rule will be accepted until close of business on **January 28, 2026**.

Webinar: Ohio Automated Rx Reporting System (OARRS) Transition to ASAP 5.0 and Technical Updates

For Pharmacy Software Vendors, Veterans Administration Pharmacy Data Reporters, Pharmacy Management, EHR/EMR Data Reporting Staff, and Prescribers Who Personally Furnish Reportable Medications to Patients

NOTE: This presentation is intended for data reporting staff. No pharmacy continuing education will be offered.

Dates:
- Thursday, January 29th - 10am-11am or 1:30pm-2:30pm
- Friday, January 30th - 12pm-1pm

Location: Virtual

Registration: To register, please use this **link** and provide your name, email, and select the webinar date.

What topics will be covered?
- Overview of changes coming with American Society for Automation in Pharmacy (ASAP) 5.0
- Requirements for Provider Authorization and OARRS account verification best practices
- Data quality and submission guidelines
- Related legislative and regulatory updates

The webinar will also feature an open question and answer session.

Who should attend?

- Reporting entities/individuals involved in data submissions to the Ohio Board of Pharmacy (OBP) such as:
    - EHR/EMR staff
    - Pharmacy software vendors staff
    - IT personnel who manage pharmacy data systems
    - Pharmacy management
    - Office associates involved in reporting to OBP

The Ohio ASAP 5.0 Data Submission Guide will be available prior to the start of the webinar at **https://www.pharmacy.ohio.gov/OARRS/**.

Fourth Temporary Extension of COVID-19 Telemedicine Flexibilities for Prescription of Controlled Medications

With the December 31, 2025 expiration date of the Third Temporary Rule quickly approaching, DEA, jointly with HHS, is now issuing a fourth temporary extension ("Fourth Temporary Rule") to prevent what has been commonly referred to as the "telemedicine cliff:" the reinstatement of the pre-pandemic restrictions imposed by the CSA, which could potentially and abruptly limit patients' access to care until promulgation of a final set of regulations. Collaterally, the extension will provide time for DEA to promulgate a final set of regulations, to ensure a smooth transition for patients and providers that have come to rely on the availability of telemedicine to prescribe controlled substances to patients for whom they have never had an in-person medical evaluation, and allow sufficient time for providers to come into compliance with any new DEA registration, recordkeeping, or security requirements eventually adopted in a final set of regulations.

For more information, visit: **https://www.federalregister.gov/documents/2025/12/31/2025-24123/fourth-temporary-extension-of-covid-19-telemedicine-flexibilities-for-prescription-of-controlled**

Reminder: Update to Pharmacist Drug Administration Rule - Effective 1/7/2026

Section **4729.45** of the Revised Code and recent updates to rule **4729:1-3-03** of the Administrative Code (effective 1/7/2026) authorize a pharmacist to administer, by subcutaneous or intramuscular injection, any of the following dangerous drugs as long as the drug that is to be administered has been prescribed by a physician, certified nurse-midwife, clinical nurse specialist, or certified nurse practitioner; is administered in accordance with a prescriber-authorized protocol; and the individual to whom the drug was prescribed has an ongoing physician-patient or nurse-patient relationship with the physician or nurse:

- An addiction treatment drug administered in a long-acting or extended-release form, which may include any medication indicated for relapse prevention. **NOTE:** This includes the administration of controlled substances (e.g., buprenorphine) used to treat addiction in a long-acting or extended-release form.
- An antipsychotic drug administered in a long-acting or extended-release form.
- A human immunodeficiency virus treatment or prevention drug administered in a longacting or extended-release form.
- Hydroxyprogesterone caproate for pregnant women.
- Medroxyprogesterone acetate for non-pregnant women.
- Cobalamin (including the administration of cyanocobalamin, hydroxocobalamin, or any other FDA-approved B12 injection).
- Antibiotics.
- Denosumab or romosozumab.
- Methotrexate for non-emergent conditions.
- Heparin, low molecular weight heparin, and factor Xa inhibitors.

For questions regarding pharmacist administration of injectable medications, review the frequently asked questions document at: **www.pharmacy.ohio.gov/administration**. If you need additional information, the most expedient way to have your questions answered will be to e-mail the Board office by visiting: **http://www.pharmacy.ohio.gov/contact.aspx**.

Reminder: Electronic Positive Identification Requirements Effective January 15, 2027

Effective January 15, 2027, amendments to **OAC 4729:5-5-04** will require, with limited exceptions, that all **Ohio outpatient pharmacies** adopt electronic positive identification as part of the pharmacy's record keeping system. This means that once effective, the rule will not permit the use of hardcopy records and manual signatures to capture positive identification except for the following:

- Compounding and the dispensation of compounded drugs; and
- Ancillary services as defined in rule **4729:5-5-02.1** of the Administrative Code.

IMPORTANT: This change does not impact institutional pharmacies (except those that operate outpatient pharmacies), non-resident pharmacies, and other terminal distributors (EMS, clinics, OTPs, etc.).

To review the upcoming amendments to the rule, visit: **www.pharmacy.ohio.gov/positiveIDchange**.

Waiver Request Process

A waiver of the requirement for electronic positive identification may be granted by the Board upon written request of an outpatient pharmacy. All requests must be submitted in writing using this form: **www.pharmacy.ohio.gov/waiver**.

NOTE: The Board reserves the right to request additional information and documentation to render a decision as to whether to grant a waiver. Waivers will be granted on a limited basis and requests that do not include all the required information will not be reviewed by Board staff.

Substance Abuse and Mental Health Resources for Healthcare Professionals

The healthcare profession is not immune to substance use disorders and mental health conditions. Such medical conditions impair a healthcare professional's competency, ability, and judgement. Substance use disorders and/or mental health conditions that are left untreated may not only cause a healthcare professional to risk their career but may also endanger the life of a patient.

These medical conditions can be effectively treated, and it is possible for healthcare professionals that are in treatment or recovery to return to practice.

The Ohio Board of Pharmacy encourages all healthcare professionals who may be struggling with a substance use disorder or mental health condition to seek help. Our rules encourage you to seek help if you need it, with no fear of reprisal or repercussions. Specifically, the Board's **duty to report rules** do not require reporting to the Board if a licensee voluntarily seeks treatment for a mental health condition or substance use disorder.

For more information about the available substance abuse and mental health resources for healthcare professionals, visit: **www.pharmacy.ohio.gov/Recovery**.

Be Vigilant - Watch Out for Scammers!

BOARD STAFF DO NOT ASK FOR MONEY OVER THE PHONE OR VIA EMAIL TO RESOLVE PENDING INVESTIGATIONS. WHEN IN DOUBT, PLEASE CONTACT THE BOARD IF YOU BELIEVE YOU ARE THE TARGET OF A SCAM.

The Ohio Board of Pharmacy continues to learn that licensees are being targeted by scammers who claim to work for various governmental agencies (Board of Pharmacy, DEA, FBI, Department of Justice, etc.) to obtain money from the target. The Board strongly encourages licensees to be alert to avoid scammers.

Scammers may try to initiate contact via phone calls, emails, faxes, and letters purporting to originate from various state and federal agencies that include allegations of drug trafficking and threats of suspension against the target's license.

Board of Pharmacy investigators will not ask for fine payment or personal/sensitive information over the phone and will never contact licensees via fax. As a reminder, administrative fines issued by the Board are not paid via gift cards or cryptocurrency. If the Board of Pharmacy is conducting an investigation and that individual faces action against their license, they will receive an official notice of opportunity for a hearing either via certified mail, personal service, or electronic registered mail.

If you are contacted by a scammer, please report this information using the Board's online complaint form: **www.pharmacy.ohio.gov/complaint**. Additionally, reports should be made to your local law enforcement agency.

If you receive any suspicious calls or correspondence purporting to be from the Board of Pharmacy, we encourage you to call (614-466-4143) or email (**contact@pharmacy.ohio.gov**) the Board to confirm its legitimacy.

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988 SUICIDE & CRISIS LIFELINE Ohio

People call, text, and chat the 988 Lifeline to talk about a lot of emotional needs—not just thoughts of suicide. Whatever your reason, the #988Lifeline is there to help. There is hope.

Ohio Board of Pharmacy
Mike DeWine, *Governor* | **Steven W. Schierholt**, *Executive Director*