



Delivery of Non-Self Injectable Drugs

Updated 9.5.2014

Effective September 17, 2014, SB 230 prohibits pharmacists and pharmacy interns from dispensing certain non-self-injectable cancer drugs by delivering them or causing them to be delivered directly to the patient, the patient's representative, or the patient's private residence.

The dispensing prohibition does not apply when the patient's private residence is an institutional or health care facility or, if certain notifications have been provided (see exceptions below), when the patient is a hospice patient or home health agency client.

What types of drugs are prohibited?

The bill generally prohibits a pharmacist or pharmacy intern from dispensing a dangerous drug that will be delivered to the patient, the patient's representative, or the patient's private residence that meets **ALL** of the following criteria:

- (a) Indicated for the treatment of cancer or a cancer-related illness;
- (b) Must be administered intravenously or by subcutaneous injection; and
- (c) Cannot reasonably be self-administered by the patient to whom the drug is prescribed or by an individual assisting the patient with the self-administration.

A pharmacist or pharmacy intern is expected to use their professional judgment to determine if the prescription medication meets the above criteria.

What are the exceptions to SB 230?

A pharmacist or pharmacy intern may dispense a drug described above to the patient's private residence if one of the following circumstances is the case:

- (1) The patient's private residence is a nursing home, residential care facility, rehabilitation facility, or similar institutional facility or health care facility.
- (2) If the patient is an adult and a hospice patient or client of a home health agency, the patient, licensed health professional who prescribed the drug to the patient, or an employee or agent of the prescriber has notified the pharmacist or pharmacy intern that the patient is a hospice patient or client of a home health



agency and an employee or agent of the hospice care program or home health agency will be administering the drug to the patient.

- (3) If the patient is a minor and a hospice patient or client of a home health agency, either of the following has notified the pharmacist or pharmacy intern that the patient is a hospice patient or client of a home health agency and an employee or agent of the hospice care program or home health agency will be administering the drug to the patient: (a) the licensed health professional who prescribed the drug to the patient or an employee or agent of the prescriber or (b) the parent, guardian, or other person who has care or charge of the patient and is authorized to consent to medical treatment on the patient's behalf.

Definitions

"Home Health Agency" is defined as a person or government entity, other than a nursing home, residential care facility, or hospice care program, that has the primary function of providing any of the following services to a patient at a place of residence used as the patient's home: skilled nursing care, physical therapy, speech language pathology, occupational therapy, medical social services, or home health aide services.

"Hospice patient" is defined as a patient, other than a pediatric respite care patient, who has been diagnosed as terminally ill, has an anticipated life expectancy of six months or less, and has voluntarily requested and is receiving care from a person or public agency licensed under this chapter to provide a hospice care program.

"Hospice care program" is defined as a coordinated program of home, outpatient, and inpatient care and services that is operated by a person or public agency and that provides the following care and services to hospice patients, including services as indicated below to hospice patients' families, through a medically directed interdisciplinary team, under interdisciplinary plans of care established pursuant to section 3712.06 of the Revised Code, in order to meet the physical, psychological, social, spiritual, and other special needs that are experienced during the final stages of illness, dying, and bereavement:

- (1) Nursing care by or under the supervision of a registered nurse;
- (2) Physical, occupational, or speech or language therapy, unless waived by the department of health pursuant to rules adopted under division (A) of section 3712.03 of the Revised Code;
- (3) Medical social services by a social worker under the direction of a physician;
- (4) Services of a home health aide;
- (5) Medical supplies, including drugs and biologicals, and the use of medical appliances;
- (6) Physician's services;

- (7) Short-term inpatient care, including both palliative and respite care and procedures;
- (8) Counseling for hospice patients and hospice patients' families;
- (9) Services of volunteers under the direction of the provider of the hospice care program;
- (10) Bereavement services for hospice patients' families.

"Hospice care program" does not include a pediatric respite care program.

More Information

Law Text: http://archives.legislature.state.oh.us/bills.cfm?ID=130_SB_230

Questions

The State of Ohio Board of Pharmacy is committed to ensuring your compliance with this new law change. If you have any questions or need additional assistance, please call 614-466-4143 or email by visiting: <http://www.pharmacy.ohio.gov/Contact.aspx>.