

## **SAMPLE/COMPLIMENTARY SUPPLY REQUEST FORM ADDENDUM**

### **State of Ohio Board of Pharmacy Required Notice to Ohio Prescribers**

**Note:** Please review the information below. Pharmaceutical representatives cannot answer questions regarding this information. If you have questions or need further information, please contact the State of Ohio Board of Pharmacy (the "Board") by phone (614.466.4143) or email (<http://www.pharmacy.ohio.gov/contact.aspx>.)

#### **A. When a Prescriber Must Hold a Terminal Distributor of Dangerous Drugs**

- A Terminal Distributor of Dangerous Drugs license allows a business entity to purchase and possess dangerous drugs at a specific address for distribution to patients. Ohio law considers all drugs, non-controlled prescription drugs and controlled substances, to be "dangerous drugs."
- Under Ohio Revised Code § 4729.01(Q), a "Terminal Distributor of Dangerous Drugs" is defined as "person who is engaged in the sale of dangerous drugs at retail, or any person . . . who has possession, custody, or control of dangerous drugs for any purpose . . . and includes pharmacies, hospitals, nursing homes, and laboratories and all other persons who procure dangerous drugs for sale or other distribution by or under the supervision of a pharmacist or licensed health professional authorized to prescribe drugs."
- Ohio Revised Code § 4729.51 states who may lawfully possess, sell, distribute, or deliver dangerous drugs. Pharmaceutical manufacturers, including their agents, cannot provide dangerous drugs to anyone other than an individual health care professional authorized by law to prescribe dangerous drugs in the course of the individual's professional practice or a licensed Terminal Distributor of Dangerous Drugs (most prescribers' practices/businesses).
- The Board has provided a guidance document and is currently located on the Board's Terminal Distributor of Dangerous Drugs Licenses page under the "General Information" header. The Board has also created a short link to the document: [www.pharmacy.ohio.gov/PrescriberTDDD](http://www.pharmacy.ohio.gov/PrescriberTDDD).

#### **B. Exempt Prescribers (for non-controlled prescription drugs only)**

- Prescribers who are exempt must attest that they meet one of the licensing exemptions under Ohio Revised Code § 4729.541. This attestation is included on the sample request form.
- Exemptions include, but are not limited to: **(1)** prescribers who are sole proprietors; **(2)** business practices with a sole shareholder (per Ohio law, group practices with multiple shareholders are not exempt); and **(3)** dentists licensed by the Ohio Dental Board.
- Please see the Board's guidance document (link provided above) for a full description of these exemptions.

#### **C. Prescriber Record Retention Requirements**

- The Board states that YOU must "[e]nsure that all sample/complimentary request forms are maintained for a period of three-years in accordance with the recordkeeping requirements of Chapter 4729-9 of the Ohio Administrative Code."

**Disclaimer:** This Addendum is not offered as, nor should it be construed as legal advice.