

Executive

PRXCD2 Authority to use instruments that reduce drug poisoning**R.C. 2925.14, 4729.261**

Requires PRX to adopt rules for the approval of types of instruments that demonstrate efficacy in reducing drug poisoning by determining the presence of a specific compound or group of compounds.

Exempts the PRX-approved instruments from the crime of illegal use or possession of drug paraphernalia, in the same manner that fentanyl testing strips are currently exempt.

Prohibits PRX from approving any type of instrument intended to measure the purity of a mixture.

Fiscal effect: Potential decrease in costs to local criminal justice systems to prosecute, adjudicate, and sanction misdemeanor offenders. Minimal increase in administrative expenses for PRX.

PRXCD3 Licensure of out-of-state drug distribution operations**R.C. 4729.52, 4729.54, 4729.551 (repealed), 3719.04, 4729.56, 4729.561**

Requires PRX to license out-of-state business operations involved in the various aspects of the retail and wholesale drug supply chain: terminal distributors, wholesale distributors, manufacturers, outsourcing facilities, third-party logistics providers, and repackagers.

Establishes procedures for issuing nonresident licenses for out-of-state operations, based on the procedures that exist for in-state operations.

Establishes a \$500 fee for an initial or renewed nonresident license for an out-of-state terminal distributor.

Establishes a \$2,000 fee for an initial or renewed nonresident license for an out-of-state wholesale distributor, manufacturer, outsourcing facility, third-party logistics provider, or repackager.

Fiscal effect: Increase in biennial fee revenue of \$500,000 deposited to the Occupational Licensing Fund (Fund 4K90).

PRXCD5 Responsible person designation for retail and wholesale distributors**R.C. 4729.52, 4729.53, 4729.54, 4729.80**

Requires each license holder involved in the retail and wholesale drug supply chain to designate a person to serve in the role of "responsible person."

Requires the responsible person, along with the license holder, to accept responsibility for the operation of the licensed location in accordance with all applicable state and federal laws and rules.

Requires the license holder to have a designated responsible person, at all times, and to notify the Board of the person who is designated and any subsequent changes.

Establishes a \$15 fee, to be assessed by the Board, for any change of responsible person.

Fiscal effect: Increase in annual fee revenue of \$45,000 deposited to the Occupational Licensing Fund (Fund 4K90).

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PRXCD4 Fees for licensure of in-state terminal distributors

R.C. 4729.54

Increases licensing fees that apply to terminal distributors of dangerous drugs, with operations within Ohio:

- (a) from \$320 to \$360 the fee for a Category II license, including a limited license.
- (b) from \$440 to \$460 the fee for a Category III license, including a limited license and a pain management clinic license.
- (c) from \$120 to \$160 the fee for a terminal distributor license that must be obtained by an entity that typically is exempt from licensure, except for the fact that it possesses controlled substances, compounded drugs, or drugs used in compounding.
- (d) from \$120 to \$160 the fee for a terminal distributor license obtained by a veterinary practice.
- (e) from \$120 to \$160 the fee for a terminal distributor license obtained by an emergency medical service organization satellite.

Fiscal effect: Increase in biennial fee revenue of \$90,000 deposited to the Occupational Licensing Fund (Fund 4K90).

PRXCD6 Pharmacy technician registration and fees

R.C. 4729.901, 4729.902, 4729.921

Increases the following fees that apply to pharmacy technicians:

- (a) from \$50 to \$65 the fee for initial registration as a registered pharmacy technician or certified pharmacy technician.
- (b) from \$25 to \$65 per year the fee for the renewal of registration as a registered pharmacy technician or certified pharmacy technician. (By Board rule, the current registration period is two years.)
- (c) from \$25 to \$40 the fee for registration as a pharmacy technician trainee.

Extends to 18 months from one year the time period specified in statute that a pharmacy technician trainee's registration remains valid. (By Board rule, the current time period is already 18 months.)

Fiscal effect: Increase in biennial fee revenue of \$756,000 deposited to the Occupational Licensing Fund (Fund 4K90).

PRXCD1 Cash Transfer from the Medical Marijuana Control Program Fund to the Drug Database Fund

Section: 367.20

Permits the OBM Director to transfer up to \$2,745,500 in each fiscal year from the Medical Marijuana Control Program Fund (Fund 5SY0), used by COM, to the Drug Database Fund (Fund 5SG0), used by PRX at the request of the PRX Director.

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DPSCD40 Representation for sworn officers in criminal complaints**R.C. 109.872**

Allows the Governor or the Governor's designee, at their discretion, to approve legal representation for a sworn employee as described below.

Allows a sworn employee who was involved in a use of force incident that resulted in physical harm or death to another individual to apply for legal representation if the use of force was within the scope of that employee's official duties.

Requires the sworn employee's appointing authority to pay the costs of that representation.

Defines "sworn employee" as:

- (a) Enforcement agents appointed to enforce Ohio's liquor laws and rules regulating the use of supplemental nutrition assistance program (SNAP) benefits (i.e. Ohio Investigative Unit);
- (b) The Superintendent and troopers of the Ohio State Highway Patrol;
- (c) Special police officers of the Ohio State Highway Patrol; and
- (d) Other employees of any department, agency, or board of this state who are under the executive branch and ultimately report to the Governor and are authorized to investigate, execute the laws of the state, protect public safety, or enforce the laws of this state as part of their job duties.

Fiscal effect: Potential increase in costs for a sworn employee's appointing authority if legal representation is requested and approved.