

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4729:1-3-02
Rule Type: Amendment
Rule Title/Tagline: Immunization administration.
Agency Name: State Board of Pharmacy
Division: Pharmacists
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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 1/13/2025
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** SB 144 - 135
- Romanchuk
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4729.26, 4729.41
5. **What statute(s) does the rule implement or amplify?** 4729.26, 4729.41
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
 - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

These rules are being proposed in response to the passage of Senate Bill 144 as passed by the 135th Ohio General Assembly.

- 8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Updated the rule to reflect upcoming changes to the statute that permit pharmacists to administer any vaccine to patients 5 years and older. Includes requirement that the importance of well-child visits must be emphasized for any vaccine administered to a patient 18 years and younger as is required by law. Adds BLS training program as offered by the American Safety and Health Institute as a Board-approved program.

- 9. Does the rule incorporate material by reference? Yes**
- 10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

This rule references the Ohio Revised Code and the Ohio Administrative Code. The O.R.C. and O.A.C. are generally available in libraries and on the internet to persons who reasonably can be expected to be affected by the rule. Ohio Revised Code Sections 121.75 and 121.76 exempts these texts from inclusion in this filing.

This also rule references the United States Code (U.S.C). The U.S.C. is generally available in libraries and on the internet to persons who reasonably can be expected to be affected by the rule.

- 11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

- 12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

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Not Applicable.

- 13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

This new requirement may marginally increase the amount of time spent with each patient and may result in some additional administrative costs but is not expected to impact pharmacy operations in any significant manner.

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B).** No
15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C).** No
16. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable.

III. Common Sense Initiative (CSI) Questions

17. **Was this rule filed with the Common Sense Initiative Office?** Yes
18. **Does this rule have an adverse impact on business?** Yes
 - A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business?** No
 - B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms?** Yes

In general, violation of these rules may result in administrative licensure discipline for a licensee. Discipline might include reprimand, suspension of a license, monetary fine and/or revocation of a license.
 - C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes

Requires notification of patient's primary care provider or local health department.
 - D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies?** Yes

This new requirement may marginally increase the amount of time spent with each patient and may result in some additional administrative costs but is not expected to impact pharmacy operations in any significant manner.

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding to this rule?

Not Applicable

B. How many existing regulatory restrictions do you propose removing from this rule?

Not Applicable

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

Not Applicable

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable