



## OHIO

### State-Specific Controlled Substance Requirements

**Updated 5/31/23**

<b>Biennial Inventory (DEA):</b>	<p>A physical inventory of all controlled substances on hand must be taken at least every <u>two years</u>. The biennial inventory may be taken on any date, which is within two years of the previous biennial or initial inventory. [<a href="#">21 CFR 1304.11</a>]</p> <p>NOTE:</p> <ul style="list-style-type: none"> <li>• Separate biennial inventories must be completed for schedule II and schedule III-V controlled substances.</li> <li>• Biennials may be conducted more frequently than every two years. As a recommendation, conduct your DEA biennial inventory at the same time you conduct your state biennial inventory.</li> <li>• Biennial inventories must be conducted by the DEA registrant, or their designee who has been granted Power of Attorney, along with an authorized witness.</li> </ul> <p>Biennial inventories must indicate whether they are conducted at the start or close of business.</p>
<b>Annual Inventory (OH):</b>	<p>(B) All controlled substance inventories performed in accordance with this rule shall be conducted on an annual basis. The annual inventory may be taken on any date which is within <u>thirteen months of the previous inventory date</u>. <a href="#">Ohio Admin. Code 4729:5-3-07</a></p>
<b>CE:</b>	<p><u>Veterinarians</u>: Ohio requires veterinarians to complete <u>30 CE hours</u>, every 2 years. Of the required hours, at least twenty hours must be approved medical and directly related to the practice of veterinary medicine. No more than ten hours may be in practice management/professional development.</p> <p><u>RVT's</u>: Registered veterinary technicians must report <u>10 CE hours</u> of continuing education per renewal. Six hours must be approved medical and directly related to the practice of veterinary medicine. No more than four hours may be in practice management/professional development.</p> <p><a href="http://ovmlb.ohio.gov/ce.stm">http://ovmlb.ohio.gov/ce.stm</a></p> <p><b>No current controlled substance CE requirements.</b></p>
<b>Compounding:</b>	<p><u>Compounding</u> is <u>any manipulation</u> of a drug beyond that stipulated on the drug label. Veterinary drugs should only be compounded based on a licensed veterinarian's prescription, and to meet the medical needs of a specific patient. Manipulation might include mixing, diluting, concentrating, flavoring, or changing a drug's dosage form. Examples of compounding include:</p> <ul style="list-style-type: none"> <li>• Mixing two injectable drugs in the same syringe</li> <li>• Creating an oral suspension from crushed tablets or an injectable solution</li> <li>• Adding flavoring to a commercially available drug</li> <li>• Creating a transdermal gel for a drug typically taken through other routes</li> <li>• Mixing two solutions for instilling into the ear</li> </ul> <p><u>Ohio Compounding</u>:          "Compounding" includes the combining, admixing, mixing, diluting, reconstituting, or otherwise altering of a drug or bulk drug substance. (E)          "Controlled substance" has the same meaning as in section 3719.01 of the</p>



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	<p>Revised Code. (F) "Dangerous drug" has the same meaning as in section <a href="#">4729.01 of the Revised Code</a>.</p> <p>(E) A veterinarian may personally furnish up to a <u>seven-day supply</u> of a compounded drug provided in accordance with this rule to a patient when, in their professional judgment, failure to provide the drug would result in potential harm to the patient.</p> <p>(G) Veterinarians shall not:</p> <ol style="list-style-type: none"> <li>(1) Sell a compounded drug to another prescriber;</li> <li>(2) Sell a compounded drug to a pharmacy;</li> <li>(3) Sell a compounded drug to an entity licensed in accordance with division 4729:6 of the Administrative Code; or</li> <li>(4) Return a compounded drug to the supplying pharmacy, unless there is a documented error or recall.</li> </ol> <p>(H) The sale of a compounded drug preparation to a veterinarian or a veterinary clinic or animal shelter licensed as a terminal distributor of dangerous drugs is considered an occasional sale pursuant to rule <a href="#">4729:5-3-09</a> of the Administrative Code. For the purposes of enforcing paragraph (B) of rule <a href="#">4729:5-3-09</a> of the Administrative Code, the limit for nonresident terminal distributors shall be based on the pharmacy's total sales to persons residing in this state. <a href="#">Rule 4729:7-2-05</a></p>
<p><b>Dispensing:</b></p>	<p>"Dispense" means to sell, leave with, give away, dispose of, or deliver.</p> <p>controlled substances may be dispensed upon a prescription issued in accordance with <a href="#">section 3719.06 of the Revised Code</a>. When dispensing controlled substances, a pharmacist shall act in accordance with rules adopted by the state board of pharmacy and in accordance with the following:</p> <p>(1) The prescription shall be retained on file by the owner of the pharmacy in which it is filled for a period of <u>three years</u>, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of Chapter 2925., 3719., or 4729. of the Revised Code.</p> <p>(2) Each oral prescription shall be recorded by the pharmacist and the record shall show the name and address of the patient for whom, or of the owner of the animal for which the controlled substance is dispensed, the full name, address, and registry number under the federal drug abuse control laws of the prescriber, the name of the controlled substance dispensed, the amount dispensed, and the date when dispensed. The record shall be retained on file by the owner of the pharmacy in which it is filled for a period of <u>three years</u>.</p>
<p><b>Diversion Reporting:</b></p>	<p>Theft or significant loss must be reported <b>immediately upon discovery</b> using either of the following methods:</p> <ol style="list-style-type: none"> <li>1. Via the Board's online portal. A guidance document for submitting information through the portal is available here: <a href="http://www.pharmacy.ohio.gov/reportTL">www.pharmacy.ohio.gov/reportTL</a>. (<b>NOTE:</b> While not required to use the online portal for immediate notification, the Board strongly encourages a licensee to utilize this option). OR</li> <li>2. You may call the Board's main line (614.466.4143) and ask to speak with the Compliance and Enforcement Department or your assigned compliance specialist, inspector or agent.</li> </ol>



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	<p>In addition to the initial notification requirements, a licensee is required to submit a detailed report of the theft or significant loss to the Board using the online portal within thirty days following the discovery of such theft or significant loss. This detailed report is similar to the form required by DEA (Form 106) and must be submitted using the online portal.</p> <p>A guidance document for submitting information through the portal is available here: <a href="http://www.pharmacy.ohio.gov/reportTL">www.pharmacy.ohio.gov/reportTL</a></p> <p><b>IMPORTANT:</b> The report must be filed regardless if the dangerous drugs are subsequently recovered and/or the responsible parties are identified and action is taken.</p>
<p><b>Euthanasia:</b></p>	<p>Euthanasia may be performed by licensed veterinarians, certified euthanasia technicians and veterinary technicians under general supervision (see the definition of veterinary supervision below). Euthanasia may be performed by veterinary aides (non-licensed staff) when they are a certified euthanasia technician and a valid VCPR exists (<a href="http://ovmlb.ohio.gov/pubs/permmissible%20activities%20list%20techs%20-%20aides.pdf">http://ovmlb.ohio.gov/pubs/permmissible%20activities%20list%20techs%20-%20aides.pdf</a>).</p>
<p><b>Ohio Automated Rx Reporting System (OARRS):</b></p>	<p>Ohio veterinarians are specifically <b>excluded</b> from the definition of a dispenser and are <b>exempted</b> from the requirement to report to the OARRS.</p>
<p><b>Ohio Veterinary License:</b></p>	<p><u>Veterinarians</u></p> <p>Ohio law requires veterinary practitioners working with controlled substances to have a valid DEA registration and Veterinary license from the Ohio Veterinary Medical Licensing Board.</p> <p><u>Renewal:</u> A license to practice veterinary medicine issued by the Ohio Veterinary Medical Licensing Board <b>expires biennially on the first day of March in even-numbered years.</b></p> <p><a href="#">Online renewal</a></p> <p><u>Fees:</u></p> <ul style="list-style-type: none"> <li>▪ \$155.00 (prior to March 1st)</li> <li>▪ \$225.00 (after March 1st before April 1st)</li> <li>▪ \$450.00 (after April 1st)</li> </ul> <p style="text-align: center;"><b>Veterinary licenses in Ohio renew in even numbered years, and technician registration occurs in odd numbered years</b></p> <p><u>RVTs</u></p> <p>Renewal: A veterinary technician registration issued by the Ohio Veterinary Medical Licensing Board <b>expires biennially on the first day of March in odd-numbered years.</b></p> <p><u>Fees:</u></p> <ul style="list-style-type: none"> <li>▪ \$35.00 (prior to March 1st)</li> <li>▪ \$45.00 (after March 1st before April 1st)</li> <li>▪ \$60.00 (after April 1st)</li> </ul> <p><a href="#">Ohio licensing information and links</a></p>
<p><b>Ownership:</b></p>	<p>Non-veterinary ownership is allowed, but a licensed veterinarian is required to be on the premises permit as the responsible licensee responsible for the clinic.</p>



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	<p>(A) A veterinary business facility not vested with a majority controlling interest by one or more currently Ohio licensed veterinarians, must meet the requirements of section <a href="#">4741.28</a> of the Revised Code to obtain a veterinary business facility license in order to provide veterinary medical services in the state of Ohio.  <a href="https://codes.ohio.gov/ohio-administrative-code/rule-4741-2-01">https://codes.ohio.gov/ohio-administrative-code/rule-4741-2-01</a></p>
<p><b>Premises Permit (Business Facility):</b></p>	<p><b>Business Facility Permit</b>  Pursuant to <a href="#">Ohio Revised Code Section 4741.28</a> every veterinary business in Ohio that is either non-veterinarian owned or operating as a 501(c)(3) not-for-profit corporation and not having a majority of licensed veterinarians on its board must have a veterinary business facility permit.  <a href="#">Application for Veterinary Business Facility Permit</a></p> <p><b>Renewal:</b> A business facility permit issued by the Ohio Veterinary Medical Licensing Board <b>expires biennially on the first day of June in odd-numbered years.</b></p> <ul style="list-style-type: none"> <li>▪ A renewal application will be mailed to each business facility location in April in odd-numbered years.</li> <li>▪ The fee to renew a business facility permit is \$300.00.</li> </ul> <p><a href="#">Section 4741-2-01 - General provisions of a veterinary business facility license</a></p> <p><u>The following is required in this application:</u></p> <ul style="list-style-type: none"> <li>• The name and address of the veterinary business facility</li> <li>• The name and address of each licensed veterinarian who is a resident of this state and who will be responsible for the management of the provision of veterinary services at the veterinary business facility</li> <li>• The name and address of the entity that owns, operates, or controls the veterinary business facility and, if the entity is a subsidiary of another entity, the name of its parent entity</li> <li>• Submit a fee: \$300.00. All applications will be charged a \$3.50 transaction fee as well.</li> </ul> <p>Navigate to the new e-License Home Page at <a href="https://elicense.ohio.gov">https://elicense.ohio.gov</a>  Choose the Login / Create an Account option.  Choose the "I DO NOT HAVE A LICENSE" button.</p> <p>Note: You will be prompted to enter your Social Security Number, Date of Birth, a valid email address and create a unique password. You will then select Apply For a New License to access the application for the license you wish to apply for.</p> <p>If you do not meet the requirements within six (6) months of the Board receiving your application, your application will be considered incomplete.</p>
<p><b>Power of Attorney Notarization:</b></p>	<p>Although getting your POA notarized is not technically required in Ohio, it is highly advised.</p>
<p><b>Premises Permit:</b></p>	<p>"A veterinary business facility not vested with a majority controlling interest by one or more currently Ohio licensed veterinarians, must meet the requirements of section 4741.28 of the Revised Code to obtain a veterinary business facility license in order to provide veterinary medical services in the state of Ohio."  <a href="#">Ohio Admin. Code 4741-2-01</a></p>



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<b>Prescriptions:</b>	<p><u>e-prescribing</u>: mandated e-prescribing of all schedule II controlled substances took effect September 23, 2022; however <b>there are exceptions that allow hand written prescriptions for Schedule II as well, including when the prescriber is a licensed veterinarian.</b> <a href="#">Exemption</a></p> <p>(A) A prescription, to be valid, must be issued for a legitimate medical purpose by an individual prescriber acting in the usual course of the prescriber's professional practice. The responsibility for the proper prescribing is upon the prescriber, but a corresponding responsibility rests with the pharmacist who dispenses the prescription. An order purporting to be a prescription issued not in the usual course of bona fide treatment of a patient is not a prescription and the person knowingly dispensing such a purported prescription, as well as the person issuing it, shall be subject to the penalties of law.</p> <p>(B) All outpatient prescriptions issued by a prescriber shall:</p> <ol style="list-style-type: none"><li>(1) Be dated as of and on the day when issued.</li><li>(2) Contain the manually printed, typewritten, or preprinted full name, professional title, and address of the prescriber. The prescriber's address shall include the physical address of the prescriber's practice location.</li><li>(3) Indicate a telephone number where the prescriber can be contacted during normal business hours.</li><li>(4) Indicate the full name and residential address of the patient; or, if the patient is an animal, the last name of the owner, name of animal (if applicable), and species of the animal or animals. The patient or owner's residential address shall include a physical street address.</li><li>(5) Indicate the drug name and strength.</li><li>(6) Indicate the quantity to dispense.</li><li>(7) Indicate the appropriate and explicit directions for use.</li><li>(8) Specify the number of times or the period of time for which the prescription may be refilled. If no such authorization is given, the prescription may not be refilled except in accordance with section 4729.281 of the Revised Code.</li><li>(b) Prescriptions for controlled substance dangerous drugs bearing "PRN," "Ad lib," or other similar prescription refill designation are not considered a valid refill authorization.</li><li>(9) Not authorize any refills for schedule II controlled substances.</li><li>(10) Authorize refills for schedules III and IV controlled substances only as permitted by section 3719.05 of the Revised Code.</li><li>(11) Not authorize a refill beyond one year from the date of issuance for schedule V controlled substances and for dangerous drugs that are not controlled substances.</li><li>(12) Identify the trade name or generic name of the drug(s) in a compounded prescription.</li><li>(13) Not be coded in such a manner that it cannot be dispensed by any pharmacy of the patient's choice.</li><li>(14) For a controlled substance:<ol style="list-style-type: none"><li>(a) Indicate the drug enforcement administration registration number of the prescriber pursuant to 21 CFR 1306.05 (3/31/2010).</li><li>(b) Except for veterinarians licensed pursuant to Chapter 4741. of the Revised Code, indicate either:<ol style="list-style-type: none"><li>(i) The ICD-10-CM medical diagnosis code of the primary disease or condition that the controlled substance is being used to treat. The code shall, at a</li></ol></li></ol></li></ol>
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	<p>minimum, include the first four alphanumeric characters of the ICD-10-CM medical diagnosis code, sometimes referred to as the category and the etiology (ex. M 16.5).</p> <p>(ii) For dentists licensed pursuant to Chapter 4715. of the Revised Code, the Code on Dental Procedures and Nomenclature (CDT Code), as published by the American dental association, of the dental treatment requiring the controlled substance prescription.</p> <p>(15) Except for veterinarians licensed under Chapter 4741. of the Revised Code, for all controlled substances and products containing gabapentin: indicate the prescriber's intended days' supply of the prescription.</p> <p>A licensed veterinarian may prescribe, administer or dispense a drug or biologic only in those cases in which he or she has a valid veterinary-client-patient relationship (VCPR).  <a href="https://codes.ohio.gov/ohio-administrative-code/rule-4741-1-05">https://codes.ohio.gov/ohio-administrative-code/rule-4741-1-05</a></p> <p>(D) All prescriptions issued on paper to a patient by a prescriber shall be:          (1) Manually signed on the day issued by the prescriber in the same manner as the prescriber would sign a check or legal document.          (2) Issued in compliance with rule <a href="#">4729:5-5-05 of the Administrative Code</a>.</p> <p>(E) When forms are used that create multiple copies of a prescription issued to a patient by a prescriber, the original prescription that includes the actual signature of the prescriber must be issued to the patient for dispensing by a pharmacist.  <a href="#">Ohio Admin. Code 4729:5-5-15</a></p>
<p><b>Recordkeeping:</b></p>	<p><u>controlled substance records</u>: must be kept for <b>three years</b> at the place where the controlled substances are located in a readily retrievable manner for inspection.</p> <p><u>patient records</u>: must be kept for <b>three years</b> from the last examination  <a href="https://codes.ohio.gov/ohio-administrative-code/rule-4729-9-14">https://codes.ohio.gov/ohio-administrative-code/rule-4729-9-14</a></p>
<p><b>State Scheduled CS's:</b></p>	<p><u>Schedule III</u></p> <ul style="list-style-type: none"> <li>▪ <b>Xylazine</b> is a schedule III in Ohio as of 3/29/23. <a href="#">Executive Order</a> To help veterinary facilities comply with Ohio Law, a <a href="#">temporary enforcement waiver</a> was put in place giving <b>Ohio veterinary clinics until June 30, 2023 to obtain a Category 3 Terminal Distributor of Dangerous Drugs license, allowing continued ordering of xylazine from a licensed wholesaler. Veterinary clinics that do not obtain a terminal distributor license by June 30, 2023, will not be permitted to continue possessing and using xylazine in Ohio.</b></li> </ul> <p><u>Schedule V</u></p> <ul style="list-style-type: none"> <li>▪ Ephedrine is a schedule V in Ohio and must be reported to OARRS</li> </ul>
<p><b>State CS License:</b></p>	<p>Ohio <b>does not</b> require DEA registrant practitioners to obtain a second state controlled substance license, just a DEA registration and an active Veterinary Medical License to practice in Ohio.</p>
<p><b>Supervision:</b></p>	<p>"<u>Direct veterinary supervision</u>" means a licensed veterinarian is in the immediate area and within audible range, visual range, or both, of a patient and the person administering to the patient.</p>



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	<p>"<u>Veterinary supervision</u>" means instruction and directions by a licensed veterinarian on the premises or by a licensed veterinarian who is readily available to communicate with a person requiring supervision.</p> <p>Every action of the registered veterinary technician, as related to the practice of veterinary medicine, must be under the supervision of the licensed veterinarian (<a href="#">OAC 4741-1-01(C)</a>).</p>
<b>Telemedicine:</b>	No existing laws. Where telemedicine occurs is not defined.
<b>VCPR:</b>	<p>VCPR must be established in-person and only applies to one veterinarian.</p> <p>A <u>veterinary-client-patient relationship</u> exists when all of the following conditions have been met:</p> <ul style="list-style-type: none"> <li>A. A veterinarian assumes responsibility for making clinical judgments regarding the health of a patient and the need for medical treatment, medical services, or both for the patient, and the client has agreed to follow the veterinarian's instructions regarding the patient;</li> <li>B. The veterinarian has sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the medical condition of the patient. <b>In order to demonstrate that the veterinarian has sufficient knowledge, the veterinarian shall have seen the patient recently and also shall be acquainted personally with the keeping and care of the patient either by examining the patient or by making medically appropriate and timely visits to the premises where the patient is kept;</b></li> <li>C. The veterinarian is readily available for a follow-up evaluation, or has arranged for emergency coverage, in the event the patient suffers adverse reactions to the treatment regimen or the treatment regimen fails (R.C.§ 4741.04).</li> </ul>

### Information and Resources

**FEDERAL:**

Drug Enforcement Administration, Detroit Division  
 431 Howard Street  
 Detroit, MI 48226  
 Phone: (313) 234-4000

Columbus District Office: (614) 255-4200  
 Cincinnati Resident Office: (513) 684-3671

Federal Law: [www.deadiversion.usdoj.gov](http://www.deadiversion.usdoj.gov)  
 Controlled Substances Act: [21 USC 801 – 904](#)  
 Code of Federal Regulations: [21 CFR Part 1300 – 1399](#)  
 NDC drug: [www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829](http://www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829)  
 Diversion Control Division: <https://www.deadiversion.usdoj.gov/schedules/>



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**STATE:**

Ohio Veterinary Medical Licensing Board

77 S High Street, #16

Columbus, OH 43215

Phone: (614) 644-5281

Website: [www.ovmlb.ohio.gov](http://www.ovmlb.ohio.gov)

Ohio Pharmacy Board website: <http://www.pharmacy.ohio.gov/>