

HB 93 – Pain Management Clinics

In May of 2011, Governor Kasich signed into law Amended Substitute House Bill 93, sponsored by Representatives David E. Burke, R.Ph., and Dr. Terry Johnson, D.O. The focus of the law was to further regulate facilities and prescribers operating as pain management clinics by requiring that the Board of Pharmacy license those clinics. Additionally, the Medical Board was required to adopt rules establishing standards for physician operation of pain management clinics and standards to be followed by physicians who provide care at pain management clinics. The bill also modified the operation of OARRS (Ohio Automated Rx Review System), a drug database administered by the Pharmacy Board that is used to monitor the misuse and diversion of controlled substances and other dangerous drugs.

Specifically for the Nursing Board, the bill enhanced investigative access to OARRS, the ability to share confidential investigatory information more freely with law enforcement and other state agencies, and access to the Ohio Law Enforcement Gateway. The Nursing Board was required to adopt rules to set standards and procedures for Advanced Practice Nurses with prescriptive authority to access the OARRS drug database. The Board promulgated new Rule 4723-9-12, OAC, effective March 19, 2012, to establish circumstances that would trigger a prescriber's request and review of a patient's OARRS report.

From the outset of this legislative initiative, the Board collaborated with legislators, law enforcement and other state boards and agencies in the fight against prescription drug abuse. This commitment by the Board and others is consistent with our mission to actively safeguard the health of the public through the effective regulation of nursing care. The Board will be diligent in ensuring that our licensees are practicing and collaborating with physicians in accordance with the statutory requirements, rules, and standards when prescribing pain medication. It is essential for Advanced Practice Nurses with a certificate to prescribe to be familiar with the laws and rules governing prescribing, including the newly effective laws.

While you as licensed health professionals are responsible for keeping current with your knowledge of laws and rules governing your practice, we want to assist by making information and updates available. The Board suggests that you bookmark the Nursing Board's home page as it contains a wealth of information that may help inform your practice, and that you periodically check our web site, and subscribe to eNews, Twitter, or Facebook for updated information. Please go to our web site at www.nursing.ohio.gov to sign up.

Other topics related to safe prescribing and other regulatory information may be found at www.med.ohio.gov/Center_for_Safe_Prescribing.html, the Center for Safe Prescribing.