

PHARMACY BOARD ISSUE UPDATE

Bill Winsley, Executive Director of the Ohio Board of Pharmacy, met with the Ohio Veterinary Medical Licensing Board members at their March 12, 2008 meeting to discuss several issues. The following is a synopsis of the discussion.

1) Therapeutic Diet Pet Food

Issue: Is therapeutic food for pets considered a prescription medication?

Answer: Therapeutic pet food is not a “dangerous drug” and anyone can sell a drug as long as it is not a dangerous drug. For instance, Mr. Winsley utilized the example of Tylenol. Tylenol is a drug, but it is not a dangerous drug as defined in Ohio law and you do not need a prescription to obtain Tylenol. Therefore, it stands to reason that anyone can sell the Tylenol and not require a prescription. Mr. Winsley could not find any federal regulations that would restrict the selling of therapeutic pet foods without a prescription or that only a veterinarian can supply it.

It would stand to reason that an animal should receive therapeutic diets at the recommendation of the veterinarian, but a valid veterinarian-client-patient relationship is not required in order to obtain the therapeutic pet food.

2) Distributor License

Issue: Are veterinarians now required to obtain an Ohio Terminal Dangerous Drug Distributor License?

Answer: The answer depends on if the veterinary business is incorporated or not. If the veterinary practice is incorporated, then yes, the corporation needs to be licensed as a terminal dangerous drug distributor. Section 4729.51 of the Ohio Revised Code excludes a licensed health professional authorized to prescribe drugs from requiring a distributor license. A corporation is not a licensed health professional. This is not a new requirement and has been in law for approximately ten years.

3) Flushing Small Amounts of Meds

Issue: In light of the recent headlines regarding drug amounts in water supplies, should we be encouraging individuals to flush the remainder of a prescription down the toilet?

Answer: Mr. Winsley responded that if it is just a few pills, it should not cause any harm. The actual pharmaceutical elements in the water supply is not from the drugs being flushed down the toilet, but the amounts excreted from the body as drugs are not completely metabolized by the body.

4) Recycled Drugs

Issue: Is it okay to donate leftover or expired drugs?

Answer: No. It is illegal to recycle drugs. There are exceptions in the law but they are very stringent and do not allow for the drugs to have been in the patient’s control. There is a requirement for guaranteeing the stability of the drug, etc. If a drug is outdated, it is considered adulterated.

You can access the Pharmacy Board’s web site at <http://pharmacy.ohio.gov>.