

5122-26-08 Drug theft in agencies.

(A) The agency shall have a policy on employee drug theft and shall inform all employees concerning this policy.

(B) An employee or volunteer with knowledge of drug theft by an employee or any other person shall report such information to the executive director of the agency. If the executive director of the agency is suspected of drug theft, the employee or volunteer shall notify the department.

(C) Suspected drug theft shall be reported to the Ohio board of pharmacy. For controlled substances, suspected drug theft shall also be reported to the federal drug enforcement administration. For agencies participating in drug services with the Ohio department of mental health central pharmacy and/or pharmacy service center, these offices shall also be notified of suspected drug theft.

(D) The agency shall take all reasonable steps to protect the confidentiality of the information and the identity of the person furnishing the information.

(E) Failure to report information of drug theft shall be considered in determining the eligibility of the employee to continue to work in a secure area where drugs are stored.

(F) If an employee violates the agency's drug theft policies, the agency shall assess the seriousness of the employee's violation, whether the violation has a direct and substantial relationship to that employee's position, the past record of employment, and other relevant factors in determining whether to suspend, transfer, terminate, or take other action against the employee.

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