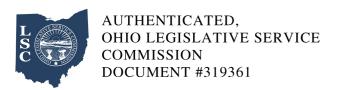# Ohio Administrative Code

Rule 1301:18-10-08 Release of Patient Information.

Effective: December 20, 2024

(A) Pursuant to division (B) of section 3796.08 of the Revised Code and division (C) of section 4729.80 of the Revised Code, records related to registered patients are confidential and are not public records subject to disclosure under section 149.43 of the Revised Code.

(B) Except as authorized under paragraph (C) of this rule, patient records may only be released via written authorization and consent by the patient.

(1) Any consent must be signed by the patient and dated.

(a) If a patient is unable to provide written consent, consent may only be provided by the patient's caregiver or legal guardian.

(2) Any consent for disclosure is valid until rescinded by the patient.

(C) The division of cannabis control may provide information related to registered patients only as follows:

(1) The patient;

(2) The patient's designated caregiver;

(3) The certified physician who issued the recommendation to the patient;

(4) Certified or licensed health care personnel responsible for the care of the patient;

(5) Any state or local law enforcement agency conducting an investigation of a criminal violation of state or federal law;

(6) Any person that the division of cannabis control is legally required to, including upon issuance of a valid subpoena, court order, or other similar document only in a criminal matter or an equivalent juvenile matter; and

(7) A government entity responsible for the licensure, regulation, or discipline of health care professionals.

(D) In an emergency, the division may disclose the registered patient information when it is deemed to be in the best interest of the patient.

(E) Any person that receives patient information pursuant to this rule shall comply with the same requirements regarding confidentiality as those with which the division is mandated to comply, notwithstanding any conflicting provision of the Revised Code or agency procedure that applies when the agency is dealing with other information in its possession.