



Ohio Administrative Code

Rule 3796:6-2-07 Licensing of medical marijuana dispensary associated key employees and dispensary key employees.

Effective: September 8, 2017

(A) An applicant for a dispensary associated key employee license shall submit, with the dispensary license application or renewal application, a completed associated key employee application form in accordance with section 3796.12 of the Revised Code, which can be accessed by visiting www.medicalmarijuana.ohio.gov.

(B) Each person seeking to be licensed as a dispensary key employee shall submit a completed dispensary key employee application form in accordance with section 3796.12 of the Revised Code, which can be accessed by visiting www.medicalmarijuana.ohio.gov.

(C) The following must be included with a dispensary associated key employee or key employee license application:

(1) A head and shoulders photograph captured within the previous six months, which shall be two inches tall by two inches wide;

(2) The name of the dispensary employing the applicant;

(3) A copy of the applicants unexpired drivers license, identification card issued by the Ohio bureau of motor vehicles (BMV) or the equivalent issued by another state, or United States passport or United States passport card;

(4) The applicants full residential address;

(5) A sworn, notarized statement that the applicant has not been convicted of a disqualifying offense in any jurisdiction;

(6) The applicants social security number;



(7) Required fee. Any person applying for an initial associated key employee license, shall pay the required fee no later than thirty days after the award of a provisional license to the dispensary applicant to which the person is associated; and

(8) Any additional information required by the state board of pharmacy in the licensing process.

(D) Pursuant to division (B)(1) of section 3796.12 of the Revised Code, prospective dispensary associated key employees and prospective dispensary key employees must submit fingerprint impressions to the bureau of criminal identification and investigation (BCI&I) for a criminal records check of the applicant.

(E) Pursuant to division (B)(2) of section 3796.12 of the Revised Code, the person subject to the criminal records check shall submit both a BCI&I criminal records check and a federal bureau of investigation (FBI) criminal records check.

(F) BCI&I shall send the results of the BCI&I and FBI criminal records checks directly to the state board of pharmacy. The state board of pharmacy requires that the criminal records check:

(1) Be based on electronic fingerprint impressions that are submitted directly to BCI&I from a WebCheck provider agency located in Ohio. The state board of pharmacy may accept the results of a criminal records check based on ink impressions from a WebCheck provider agency only if readable electronic fingerprint impressions cannot be obtained, or if submission of ink impressions is otherwise authorized by BCI&I.

(2) Results will only be considered valid if the fingerprint impressions were obtained within the twelve-month period immediately preceding the application date.

(G) An applicant may submit fingerprint impressions for a criminal records check any time after he or she has submitted a licensure application on a form in accordance with section 3796.12 of the Revised Code and paid the requisite fee to the state board of pharmacy.

(H) After the board receives the results from both required criminal records checks, the licensing process will proceed. Criminal records check results received by the state board of pharmacy within



three months after the submission of a completed application will not be considered abandoned.

(I) If a dispensary associated key employee or key employee license has lapsed, the applicant shall submit to a criminal records check that meets the criteria prescribed in this rule.

(J) Every applicant for a dispensary associated key employee license shall comply with Chapter 3796. of the Revised Code and this division and be included on the dispensary license application or renewal application. A dispensary wishing to add a dispensary associated key employee who is not included in the dispensary license application or renewal application, or who did not submit with the dispensary application the required items under this rule, shall apply for a change of ownership pursuant to rule 3796:6-2-12 of the Administrative Code and remit the required fee.

(K) Applicants acting in compliance with this rule who meet the requirements of Chapter 3796. of the Revised Code and this division, who do not have a disqualifying offense on their record, and who remit the required fee will be issued the applicable dispensary associated key or dispensary key employee card.

(L) Except as authorized under paragraph (B) of rule 3796:6-2-09 of the Administrative Code, dispensary associated key employee and dispensary key employee licenses are non-transferrable and shall expire upon the occurrence of any of the following conditions:

- (1) At the conclusion of the biennial term indicated on the dispensary certificate of operation;
- (2) When the key employee is no longer employed by the licensed dispensary identified on the key employees application; or
- (3) When the licensed dispensary ceases to maintain its certificate of operation.

(M) Dispensary associated key employees seeking to renew their license shall include all applicable information requested as part of the dispensary renewal application under rule 3796:6-2-10 of the Administrative Code. The following must be included with the renewal application:

- (1) A head and shoulders photograph captured within the previous six months, which shall be two



inches tall by two inches wide;

(2) The applicants full residential address;

(3) A sworn, notarized statement that the applicant has not been convicted of a disqualifying offense in any jurisdiction;

(4) The required fee; and

(5) Any additional information required by the state board of pharmacy in the licensing process.

(N) At least thirty calendar days before the expiration of a dispensary key employees biennial license, the key employee shall request, on a form in accordance with division (B)(2) of section 3796.12 of the Revised Code, the state board of pharmacy renew the key employee license. The following must be included with the renewal application:

(1) A head and shoulders photograph captured within the previous six months;

(2) The applicants full residential address;

(3) A sworn, notarized statement that the applicant has not been convicted of a disqualifying offense in any jurisdiction;

(4) The required fee; and

(5) Any additional information required by the state board of pharmacy in the licensing process.