



Ohio Administrative Code

Rule 3796:6-2-08 Licensing of medical marijuana dispensary support employees.

Effective: September 8, 2017

(A) Each person seeking to be licensed as a dispensary support employee shall submit a completed dispensary support employee application form in accordance with section 3796.13 of the Revised Code, which can be accessed by visiting www.medicalmarijuana.ohio.gov.

(B) The following must be included with a dispensary support employee license application:

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

(2) The name and license number of the dispensary employing the applicant;

(3) The printed name, license number, and signature of the designated representative for the dispensary employing the applicant;

(4) A copy of the applicant's unexpired driver's 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;

(5) The applicant's full residential address;

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

(7) The applicant's social security number; and

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

(C) Pursuant to section 3796.13 of the Revised Code, prospective dispensary support employees must submit fingerprint impressions to the bureau of criminal identification and investigation



(BCI&I) for a criminal records check of the applicant.

(D) Pursuant to section 4776.02 of the Revised Code, the criminal records check performed by BCI&I shall consist of both a BCI&I criminal records check and a federal bureau of investigation (FBI) criminal records check. BCI&I shall send the results of the BCI&I and FBI criminal records checks directly to the state board of pharmacy.

(E) 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.

(F) 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 3796.13 of the Revised Code and paid the requisite fee to the state board of pharmacy.

(G) 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.

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

(I) Applicants under this rule who meet the requirement of Chapter 3796. of the Revised Code and this division, who do not have a disqualifying offense on their record, and who submit the required fee will be issued a dispensary support employee card.



(J) Except as authorized under paragraph (B) of rule 3796:6-2-09 of the Administrative Code, a dispensary support employee license is non-transferrable and shall expire upon the occurrence of any of the following conditions:

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

(K) At least thirty calendar days before the expiration of a dispensary support employees biennial license, the dispensary identified on the support employees application shall request, on a form in accordance with division section 3796.13 of the Revised Code, the state board of pharmacy renew the support 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.