



Ohio Administrative Code

Rule 3796:6-2-10 Medical marijuana dispensary certificate of operation renewal.

Effective: September 8, 2017

(A) Every dispensary certificate of operation issued pursuant to this division shall expire on the date identified on the certificate.

(B) A licensed medical marijuana dispensary shall receive written or electronic notice ninety days before the expiration of its certificate of operation.

(C) Every dispensary issued a certificate of operation pursuant to this division shall submit the following to the state board of pharmacy at least forty-five days prior to the date the existing certificate expires:

(1) A medical marijuana dispensary renewal application;

(2) A roster that includes all the dispensary's dispensary employees names and dispensary employee license number; and

(3) The applicable fees and;

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

(D) If the premises on which the dispensary operates are leased, the renewal application must include an attestation that the premises identified on the application have been leased for the following two-year licensing term and is not subject to any contractual restrictions that would prevent it from operating in compliance with Chapter 3796. of the Revised Code and this division.

(E) If the dispensary is operated in compliance with Chapter 3796. of the Revised Code and this division, and the renewal fee is paid, the state board of pharmacy shall renew the certificate of operation within forty-five days after the renewal application is received. Upon receipt of a renewal application, the state board of pharmacy shall consider:



(1) The dispensary's history of compliance with regulations promulgated under this division of the Administrative Code;

(2) The number and severity of any violations;

(3) The correction of violations, penalties, or other enforcement actions; and

(4) Any additional criteria deemed necessary by the state board of pharmacy.

(F) The state board of pharmacy may deny a dispensary certificate of operation renewal application due to:

(1) Failure to pay the renewal fee;

(2) Poor compliance history;

(3) Criminal violations with a nexus to the dispensary's operation;

(4) Discipline issued for violations of Chapter 3796. of the Revised Code or this division; or

(5) Any additional criteria deemed applicable by the state board of pharmacy.

(G) If a dispensary certificate of operation renewal application is not filed prior to the expiration date of the dispensary's certificate, the certificate shall be suspended for a maximum of thirty days. A dispensary shall not purchase, receive, sell, or dispense any medical marijuana while under a suspended certificate of operation. After thirty days, the certificate will be deemed expired if the dispensary has not successfully renewed the certificate of operation, including the payment of all applicable fees and the state board of pharmacy shall not renew the certificate of operation.

(H) A dispensary shall not purchase, receive, possess, sell, or dispense any medical marijuana without a valid, unexpired certificate of operation issued by the state board of pharmacy. Such activity is unlicensed and may subject the dispensary to discipline under this division.



(I) If a renewal application and all applicable fees are submitted to the board after a suspension period pursuant to paragraph (G) of this rule, the board shall not renew such certificate. A dispensary that allowed its license to lapse and wishes to again operate as a licensed dispensary under Chapter 3796. of the Revised Code and this division shall apply for a license in accordance with rules 3796:6-2-01 and 3796:6-2-02 of the Administrative Code.