



Ohio Administrative Code

Rule 3796:6-3-07 Security, control, and storage of medical marijuana at a dispensary.

Effective: September 8, 2017

(A) Pursuant rule 3796:6-3-05 of the Administrative Code, a designated representative shall provide supervision and control of medical marijuana and medical marijuana products and adequate safeguards to ensure that such items are dispensed in accordance with Chapter 3796. of the Revised Code and this division, by the following procedures:

(1) A licensed dispensary key employee shall provide personal supervision of the medical marijuana and medical marijuana products, order forms, all records relating to the dispensing of medical marijuana and medical marijuana products, unless the state board of pharmacy has issued written approval to a dispensary allowing for the storage of records off-site.

(2) Whenever personal supervision of medical marijuana and medical marijuana products is not provided by a licensed dispensary key employee, physical or electronic security of such items must be provided according to the following requirements:

(a) The dispensary department, restricted access areas and stock of medical marijuana must each be secured by a physical barrier with suitable locks and an electronic barrier to detect entry at a time when licensed dispensary employees are not present. The physical barrier shall be constructed from floor to ceiling to separate the public entry area from the dispensary department. Such a barrier, before being put into use, must be approved by the state board of pharmacy.

(b) A restricted access area within the dispensary department must contain all medical marijuana, and if maintained on the licensed premises, all records relating to the dispensing of medical marijuana, and any other items required to be under personal supervision of a licensed dispensary employee.

(c) A dispensary maintaining records at a location other than the premises licensed by the state board of pharmacy or via a computerized recordkeeping system shall maintain an executed agreement with the company possessing or storing the records authorizing an agent of the state board of pharmacy



access to the records maintained in accordance with this rule within three business days, excluding weekends and holidays. The dispensary is obligated to ensure the board receives the records in the timeframe specified in this rule.

(d) No item, product, record, or equipment that must be accessible to anyone other than a licensed dispensary employee may be stored in restricted access areas.

(e) No medical marijuana may be sold or otherwise dispensed at any time the dispensary department is closed.

(3) Areas designated for the dispensing and storage of medical marijuana shall meet the security requirements in rule 3796:6-3-16 of the Administrative Code. No person may be within the physical confines of the area designated for dispensing or storage of medical marijuana unless under the personal supervision of a licensed dispensary employee.

(B) A dispensary shall store inventory on the licensed premises. All inventory stored on the licensed premises must be secured in restricted access areas and tracked in the inventory tracking system.

(C) A dispensary shall maintain adequate lighting, ventilation, temperature, humidity control, and equipment. Required equipment includes, but is not limited to, adequate personal protective equipment for employees.

(D) Containers storing expired, damaged, deteriorated, misbranded, adulterated or opened medical marijuana shall be separated from other medical marijuana until they are destroyed in accordance with the dispensary's destruction policy. Expired, damaged, deteriorated, misbranded, or adulterated medical marijuana shall not be stored at the licensed dispensary for more than one week.

(E) The dispensary shall be maintained in a clean and orderly condition. It shall be free from infestation by insects, rodents, birds, or pests.

(F) Medical marijuana shall be stored at appropriate temperatures and under appropriate conditions to help ensure that its identity, strength, quality and purity are not adversely affected.