



## Ohio Administrative Code Rule 3796:6-3-23 Dispensary access.

Effective: September 8, 2017

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(A) Except as provided under this division, no person, except a dispensary employee, or a cultivator or processor employee who is delivering medical marijuana, shall be allowed in the dispensary department without an active qualifying patient or caregiver registration issued by the state board of pharmacy.

(B) In addition to authorized dispensary employees, cultivator employees, and processor employees, the following may be granted access to a dispensary so long as presence is maintained in the dispensary visitor log and obtain a visitor identification badge from the dispensary, prior to entering the dispensary:

- (1) One individual accompanying each patient or caregiver who shall remain in the waiting area. Such visitors shall remain under supervision of a dispensary employee while on dispensary premises;
- (2) Third party service personnel, such as technicians, utility workers, and employee representatives, may access portions of the premises that do not contain medical marijuana without prior written notice, provided that such visitors are entered in the visitor log and are accompanied at all times by a dispensary employee. Such visitors may only enter non-restricted areas, such as employee break rooms or restrooms, and may not have access to areas containing medical marijuana without prior approval or in the event of an emergency in accordance with paragraph (C) of this rule; and
- (3) Local, state or federal law enforcement or government officials if necessary to perform civil or administrative governmental duties.

(C) Upon prior written request, the state board of pharmacy may authorize persons who are otherwise prohibited from being on dispensary premises, temporary access to a dispensary.

(1) All persons not expressly permitted to be on the premises of a dispensary under this rule, but who have been authorized, in writing, to enter the dispensary by the state board of pharmacy, shall obtain



a visitor identification badge from the dispensary, prior to entering the dispensary.

(2) A dispensary employee shall escort and supervise such visitors at all times that the visitor is on dispensary premises. Visitors shall visibly display the visitor identification badge at all times that the visitor is on dispensary premises and shall return the visitor identification badge to a dispensary employee upon exiting the dispensary.

(3) All visitors shall log in and out. The dispensary shall maintain the visitor log, which shall include the date, time and purpose of the visit and which shall be available to the state board of pharmacy.

(4) If an emergency requires the presence of a visitor and makes it impracticable for the dispensary to obtain a waiver pursuant to this section, the dispensary shall provide written notice to the state board of pharmacy as soon as practicable after the onset of the emergency. Such notice shall include the name and company affiliation of the visitor, the purpose of the visit, and the date and time of the visit. The dispensary shall monitor and maintain a log of such visit.

(D) No medical marijuana shall be sold, dispensed, or distributed to a patient or caregiver via a delivery service or any other manner outside of a dispensary, except that a caregiver may deliver medical marijuana to the caregivers qualified patient.