



## Ohio Administrative Code

### Rule 3796:7-2-01 Procedure for patient registration.

Effective: September 8, 2017

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(A) Before medical marijuana may be dispensed to or for, possessed by or for, or administered by or for a prospective patient, the prospective patient must be placed on the registry established by the state board of pharmacy in accordance with section 3796.08 of the Revised Code.

(B) To qualify for placement on the registry, a prospective patient must:

(1) Establish and maintain a bona fide physician-patient relationship with a recommending physician who shall submit a complete patient registration submission;

(2) Receive a diagnosis or confirmation of a qualifying condition from the recommending physician;

(3) Consent to treatment with medical marijuana. If the patient is a minor, the prospective patient's parent or legal representative shall consent to treatment with medical marijuana;

(4) Remit to the state board of pharmacy the required fee; and

(5) Unless otherwise provided pursuant to a reciprocal agreement under division (A) of section 3796.16 of the Revised Code, be an Ohio resident.

(C) A physician with whom a prospective patient has a bona fide physician-patient relationship, or, subject to the limitations under section 3796.08 of the Revised Code, the physician's delegate, shall submit the patient registration. For a registration submission, related to a patient who is eighteen years of age or older, to be considered complete, a completed recommendation from a physician, applicable patient registration fee, and the following items must be submitted to the state board of pharmacy in a manner suitable to the board:

(1) Patient full name, residential address, telephone number, date of birth, electronic mail address, and qualifying condition(s);



- (2) Patients government-issued identification number (such as drivers license number). Patients and caregivers must present a recommending physician with an unexpired United States passport, United States passport card, state-issued drivers license; or other state-issued identification issued by the Ohio bureau of motor vehicles (BMV);
- (3) Recommending physicians full name (first name and last name);
- (4) Drug enforcement administration physician identification number and medical license number issued by the state medical board;
- (5) Recommending physicians certificate to recommend identification number issued by the state medical board;
- (6) Date recommendation was issued by the recommending physician;
- (7) Recommending physicians business address, telephone number, and email address;
- (8) Indication whether the recommendation is new or a renewal;
- (9) The following patient attestations:
  - (a) The physician has explained to the individual the possible risks and benefits associated with the use of medical marijuana;
  - (b) The individual consents to treatment with medical marijuana; and
  - (c) The individual agrees to comply with Chapters 2925. and 3796. of the Revised Code and this division.
- (10) An attestation from the recommending physician in accordance with division (A)(2) of section 3796.08 of the Revised Code; and



(11) Such other information as the state board of pharmacy may reasonably require.

(D) If a prospective patient is younger than eighteen years of age, a patient registration submission must be accompanied by a caregiver registration submission in accordance with rule 3796:7-2-03 of the Administrative Code, before it will be considered complete. Patients who become eighteen years of age during the time period in which their registration is valid may apply for a new registration either immediately or in accordance with the renewal process under paragraph (K) of this rule. A submission from a patient that includes all information found in paragraph (C) of this rule, shall be considered complete.

(E) A complete patient registration submission must be received by the state board of pharmacy within ninety calendar days of the date on which the recommendation was created by the prospective patients recommending physician.

(F) Applications submitted by an applicant diagnosed with a terminal illness shall be approved or denied within ten business days. To qualify for registration as a patient diagnosed with a terminal illness, the prospective patients registration submission shall include with the registration submission, an attestation specifying that the patient has a terminal illness, submitted by the patients recommending physician.

(1) The registration of a patient who is registered as someone who is terminally ill shall be valid from the date of issuance and expire after six months.

(2) If after a period of six months, a patients terminally ill condition continues and the patients recommending physician continues to recommend medical marijuana, the recommending physician shall confirm that patients condition continues to be a terminal illness.

(3) The registration for patients whose terminally ill condition has been confirmed after a period of six months, pursuant to paragraph (F)(2) of this rule, shall expire in accordance with paragraph (I) of this rule.

(G) If a registration submission is determined to be inaccurate or incomplete, the state board of pharmacy shall send the prospective patient notice of the deficiency. If the deficiency is not



corrected within ninety calendar days from the date that the registration was submitted by a physician, the submission shall be considered stale.

(H) Prospective patients must provide proof of Ohio residency to their recommending physician or the physicians delegate during the physicians initiation of the registration submission process. Proof of Ohio residency shall include one of the following:

(1) The prospective patients unexpired Ohio drivers license;

(2) The prospective patients unexpired Ohio identification card issued by the Ohio bureau of motor vehicles (BMV); or

(3) The prospective patients unexpired United States passport or United States passport card.

(I) A patient registration shall be valid from the date of issuance and expire one year later, on the last day of the month it was issued, unless issued pursuant to paragraph (F) of this rule.

(J) The state board of pharmacy shall send a notification to each patient forty-five calendar days before the expiration date on the patients registry identification card.

(K) To maintain a valid patient registration, a patient must annually renew, before the expiration date stated on the patients registry identification, a patient registration, in accordance with this rule. Renewal submissions, fees, and required documentation may be submitted up to thirty calendar days before the registration will expire. Failure to renew a patient registration will result in an automatic suspension.