



Ohio Administrative Code

Rule 3796:7-2-03 Procedure for caregiver registration.

Effective: September 8, 2017

(A) Medical marijuana may not be possessed by or administered to anyone other than a patient, unless the person is a caregiver who is placed on the registry established by the state board of pharmacy in accordance with section 3796.08 of the Revised Code. A registered caregiver may possess and administer medical marijuana to patients with whom the caregivers registration is associated.

(B) An individual who meets the caregiver eligibility requirements under rule 3796:7-2-02 of the Administrative Code may be registered as a caregiver if the following are submitted to the state board of pharmacy in a manner suitable to the board:

- (1) Identification of a patient who is registered or attempting to register as a patient pursuant to rule 3796:7-2-01 of the Administrative Code and for whom the individual intends to serve as a caregiver;
- (2) Completed caregiver registration submission in accordance with paragraph (C) of this rule; and
- (3) Required fee.

(C) The recommending physician with whom the patient or prospective patient has a bona fide physician-patient relationship, or the physicians delegate, shall submit the caregiver registration. For a registration submission to be considered complete, the applicable caregiver registration fee and the following items must be submitted to the state board of pharmacy in a manner suitable to the board:

- (1) Caregivers full name, caregiver residential address, caregiver telephone number, caregiver date of birth, caregiver electronic mail address;
- (2) Caregivers government-issued identification number (such as drivers license number). Patients and caregivers must present a 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) Associated patient name;
- (4) Associated patient registration number issued by the state board of pharmacy, if available;
- (5) Recommending physicians full name (first name and last name);
- (6) Drug enforcement administration physician identification number;
- (7) Recommending physicians medical license number issued by the state medical board;
- (8) Recommending physicians certificate to recommend identification number issued by the state medical board;
- (9) Date recommendation was issued by the recommending physician;
- (10) Recommending physicians business address, telephone number, and email address;
- (11) Indication whether the recommendation is new or a renewal;
- (12) Such other information as the state board of pharmacy may reasonably require.

(D) All prospective caregivers shall attest to the following:

- (1) The physician has explained to the caregiver the possible risks and benefits associated with the use of medical marijuana;
- (2) The individual agrees to serve as the caregiver for the patient identified on their registry submission;
- (3) The individual agrees to control the dosage and frequency of the use of medical marijuana in accordance with any instruction for use provided by the physician; and



(4) The individual agrees to comply with Chapters 2925. and 3796. of the Revised Code and this division.

(E) A prospective caregiver for a patient younger than eighteen years of age shall be:

(1) An Ohio resident, unless authorized pursuant to a reciprocity agreement established pursuant to section 3796.16 of the Revised Code;

(2) The patients parent or legal representative; and

(3) Shall attest in accordance with paragraph (D) of this rule and to the following:

(a) That the prospective caregiver is the parent or legal representative of the individual under eighteen years of age; and

(b) The parent or legal representative understands the information provided by the physician and knowingly consents to the use of medical marijuana by the individual under eighteen years of age.

(F) To be eligible for an exception under paragraph (F)(2) of rule 3796:7-2-02 of the Administrative Code, a hospice provider shall:

(1) Register as caregivers all employees who will possess or administer medical marijuana in accordance with this rule; and

(2) Notify the state board of pharmacy when a patient with an active medical marijuana registration issued by the board is admitted to hospice pursuant to rule 3701-19-20 of the Administrative Code.

(G) A caregiver registration shall be valid from the date of issuance and expire one year later, on the last day of the month it was issued.

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



(I) To maintain a valid caregiver registration, a caregiver must annually renew, before the expiration date stated on the caregivers registry identification, a caregiver registration submission, in accordance with this rule. Renewal applications, fees, and required documentation may be submitted up to thirty calendar days before the caregiver registration will expire.