



## Ohio Revised Code

Section 3796.04 [Repealed effective 10/3/2023 by H.B. 33, 135th General Assembly] Adoption of standards and procedures by board of pharmacy.

Effective: October 9, 2021

Legislation: House Bill 263 - 133rd General Assembly

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(A)(1) Not later than one year after September 8, 2016, the board of pharmacy shall adopt rules establishing standards and procedures for the medical marijuana control program.

(2) All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code.

(B) The rules shall do all of the following:

(1) Establish application procedures and fees for licenses and registrations it issues under this chapter;

(2) Specify both of the following:

(a) The conditions that must be met to be eligible for licensure;

(b) In accordance with section 9.79 of the Revised Code, the criminal offenses for which an applicant will be disqualified from licensure pursuant to that section.

(3) Establish, in accordance with section 3796.05 of the Revised Code, the number of retail dispensary licenses that will be permitted at any one time;

(4) Establish a license or registration renewal schedule, renewal procedures, and renewal fees;

(5) Specify reasons for which a license or registration may be suspended, including without prior hearing, revoked, or not be renewed or issued and the reasons for which a civil penalty may be imposed on a license holder;



- (6) Establish standards under which a license or registration suspension may be lifted;
- (7) Establish procedures for registration of patients and caregivers and requirements that must be met to be eligible for registration;
- (8) Establish training requirements for employees of retail dispensaries;
- (9) Specify if a retail dispensary that is licensed under this chapter and that existed at a location before a school, church, public library, public playground, or public park became established within five hundred feet of the retail dispensary may remain in operation or shall relocate or have its license revoked by the board;
- (10) Specify, by form and tetrahydrocannabinol content, a maximum ninety-day supply of medical marijuana that may be possessed;
- (11) Specify the paraphernalia or other accessories that may be used in the administration to a registered patient of medical marijuana;
- (12) Establish procedures for the issuance of patient or caregiver identification cards;
- (13) Specify the forms of or methods of using medical marijuana that are attractive to children;
- (14) Specify both of the following:
  - (a) Subject to division (B)(14)(b) of this section, the criminal offenses for which a person will be disqualified from employment with a license holder;
  - (b) Which of the criminal offenses specified pursuant to division (B)(14)(a) of this section will not disqualify a person from employment with a license holder if the person was convicted of or pleaded guilty to the offense more than five years before the date the employment begins.
- (15) Establish a program to assist patients who are veterans or indigent in obtaining medical marijuana in accordance with this chapter.



(C) In addition to the rules described in division (B) of this section, the board may adopt any other rules it considers necessary for the program's administration and the implementation and enforcement of this chapter.

(D) When adopting rules under this section, the board shall consider standards and procedures that have been found to be best practices relative to the use and regulation of medical marijuana.