



State of Ohio Board of Pharmacy Dispensary Rules

Overview

As one of three state agencies responsible for developing, implementing and overseeing the Ohio Medical Marijuana Control Program, the Board of Pharmacy is tasked with developing rules that will govern the operation of medical marijuana dispensaries. The primary focus of the rules is to develop a program that ensures: 1) the safety of the public; 2) access to a safe medical product; and 3) scalability to allow the program to respond to changes in demand.

The draft rules presented to the Medical Marijuana Advisory Committee were developed after a thorough review of other state laws, consultation with regulators in other states, and talking with industry experts.

Highlights

Highlights of the rules include:

- **License Quota:** The Board of Pharmacy may issue up to 40 dispensary licenses. The rules permit the Board to issue additional licenses based upon state population, patient population and geographic distribution of dispensary sites to ensure patient access.
- **Certificate of Operation:** A provisional licensee must pass a final inspection within six months of the issuance of a provisional dispensary license.
- **Licensing Fees:** The biennial licensing fee (i.e. once every two years) for a dispensary will be \$80,000. The fee ensures a well-regulated, sustainable program and falls within the fee range set by other states operating medical marijuana programs.
- **Financial Responsibility:** Dispensaries must demonstrate adequate capital to meet facility plans and operational needs.
- **Reporting to OARRS:** Dispensaries will be required to report dispensing information to the Ohio Automated Rx Reporting System in real-time (within 5 minutes of dispensing) to prevent medical marijuana diversion.
- **Dispensary Clinical Director:** Requires each dispensary to have a clinical director that is a licensed pharmacist or licensed prescriber. The clinical director is responsible for training dispensary employees, reviewing dispensing errors and serving as a clinical resource (for example, providing information on drug interactions) for dispensary employees.
- **Employee ID Cards:** All dispensary employees and owners are required to be licensed by the Board. Owners/employees must wear a state-issued medical marijuana owner/employee ID card while on dispensary premises.

- **Security, Control and Storage of Medical Marijuana:** Dispensaries will be required to maintain records and implement specific security measures, including surveillance cameras, to prevent diversion.
- **Patient Education:** Requires dispensaries to have a policy in place for the education of patients and caregivers and establishes medical marijuana-related educational materials that must be made available to patients and caregivers.
- **Inspections and Enforcement:** The Board of Pharmacy has the authority to conduct inspections of dispensaries and bring enforcement actions against dispensaries and licensed employees/owners.

The full text of the rules is available on the Medical Marijuana Control Program website: medicalmarijuana.ohio.gov/rules.

Next Steps

The medical marijuana dispensary rules will follow the standard rule development process. After receiving input from the Medical Marijuana Advisory Committee and the public, the rules will be submitted to the Common Sense Initiative, then the Joint Committee on Agency Rule Review.

The public can comment at several points throughout the rule development process. The first opportunity is December 15th – January 13th. For more information on providing comments, visit: medicalmarijuana.ohio.gov/rules.

For more information on the Medical Marijuana Control Program, including how to sign up for program updates, visit: medicalmarijuana.ohio.gov.