



Ohio Medical Marijuana Control Program



The State Board of Pharmacy reviewed and considered the questions submitted during the first of two Question and Answer Periods. Responses to the submitted questions are provided below. In certain circumstances, questions are summarized in order to provide relevant responses to a broader range of Applicants. Some questions remain under consideration and will be answered with responses from the second Q & A Period, which will begin on October 17, 2021 and conclude on October 21, 2021. The Board is providing this guidance to assist Applicants with the completion of an application for a dispensary license. These answers do not constitute legal advice, which should be sought from a licensed legal professional.

First Round Question and Answer Responses

ID	Question	Response
1	We understand that the minimal amount that must be demonstrated per location is \$250,000 for buildout purposes, but if we are submitting more than 5 applications, are we required to demonstrate access to capital in excess of \$1,250,000 (\$250,000 x 5)? In other words, since the most provisional licenses we can theoretically obtain is 5, are we required to demonstrate access to capital in excess of the amount required to build out 5 locations?	The applicant must demonstrate it has adequate liquid assets for all licenses the applicant is willing to accept (subject to license limits, can be no more than five). The total amount of liquid assets must cover all expenses and costs identified in Questions C-2 and C-3 of the application, but the total amount of liquid assets must be no less than \$250,000 per license. (Example: If Applicant will accept 5 licenses, Applicant must have no less than \$1.25 million in liquid assets. If Applicant’s costs identified in Questions C-2 and C-3 will be \$1 million per location, Applicant must have no less than \$5 million in liquid assets.)
2	When demonstrating our capital availability, does every application require a separate bank account?	No. Separate bank accounts are not required for each application.
3	Will the assets tied into crypto currencies count towards the financial requirements, if they are staked with an end date for before the applications will be evaluated?	No. Cryptocurrency is not considered a liquid asset for purposes of RFA II.
4	<p>Is there a threshold or qualifying score in each district that an application must meet during the evaluation process to be awarded a license? If so, how is this score determined?</p> <p>Will there be scoring rubric that the questions will be graded against? If so, what points will be associated with the questions?</p> <p>Are there any bonus points/favorability added for things like?</p> <ul style="list-style-type: none"> - Veteran status - Diversity - Operating in a disadvantaged zone - Etc. 	No. There is not a threshold or qualifying score that applications must meet or a scoring rubric. Review the 2021 Request for Applications and Dispensary Application Instructions for detailed information regarding the drawing and review process.



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ID	Question	Response
5	Are exterior elevations (all sides) of the buildings required for the application be it an existing facility or a proposed new constructed facility?	Exterior elevations are recommended but not required.
6	As stated in the instruction's manual under item (2-K) "survey professionally prepared" is to be submitted. Does this survey have to be prepared by a licensed professional such as an architect or an engineer or a licensed surveyor and sealed by that licensed professional?	Yes. The survey must be completed by a third-party, licensed professional.
7	Will you be allowing more than one applicant to apply on the same parcel? If so, are there limits to the number of applicants?	<p>If more than one applicant identifies the same parcel for a proposed dispensary location, the highest ranked application on the ranked order list from the drawing that is found to be eligible for licensure shall be awarded a provisional dispensary license and any lower-ranked applications identifying the same parcel shall be ineligible for licensure at the identified location.</p> <p>Applications are site-specific and Applicants with any common ownership may not submit more than one application for the same parcel or any adjoining parcels. If the Board determines an Applicant with any common ownership submitted more than one application for the same parcel or any adjoining parcels, all applications submitted by Applicant will be disqualified.</p>
8	In regards to the \$5,000 medical marijuana dispensary application fee, specifically if the fee in whole or in part, is refundable given the State of Ohio Board of Pharmacy is doing a lottery system this time around?	Pursuant to OAC 3796:6-5-01(A)(1) , the application fee is non-refundable.
9	In looking at the preview of the application, a number of questions have a "yes" or "no" answer but no place for a narrative. Can you provide which "yes or no" questions will also require a narrative and what the character or word limits there will be on those answers?	The RFA preview application indicates whether questions require a yes/no response, a text response (with character limitations noted), or a document upload (with file size limitations noted).



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10	<p>If multiple applications are submitted with the intention of only operating one dispensary, and multiple applications are selected through the lottery process, can the company choose to only operate one of those licenses?</p> <p>Submitting 6 Applications and all 6 are Drawn in the Lottery: Can you decline acceptance of an awarded provisional dispensary license that is drawn first in the lottery process to accept a dispensary site/application that is drawn after/after in the lottery ranking, or would you be forfeiting the awarded provisional dispensary licenses?</p>	<p>There is no limit to the total number of applications that may be submitted by any Applicant, except applications are site-specific and applicants with any common ownership may not submit more than one application for the same or adjoining parcels.</p> <p>By submitting more applications than an Applicant is willing to accept or more applications than an Applicant is permitted to be awarded, an Applicant acknowledges that the Board will review applications and award licenses in the district order set forth in Section IV of the 2021 Request for Applications and Dispensary Application Instructions. If ranked high enough to receive more licenses than the Applicant is willing to accept or permitted to receive, the Applicant does not have the discretion to choose which district or license it will be awarded and must be prepared to accept a license at any location(s) where it has applied. Applicants shall not be permitted to forfeit a license in an earlier drawn district or, in a district where multiple licenses are available, drawn earlier in the district drawing, in order to accept a provisional dispensary license in a later drawn district or later in the drawing of a multiple license district.</p>
11	<p>Would the state consider landlords or property owners maintaining a small percentage of gross dispensary revenues, as a lease consideration, as common ownership?</p>	<p>See OAC 3796:6-2-03 for medical marijuana dispensary ownership and ownership requirements and the Dispensary Control and Ownership Interest FAQ.</p>
12	<p>Will the \$5,000 payment be made through the application portal? If not, who is the Payee?</p>	<p>Yes. The application fee must be paid through the portal via credit card (Visa, MasterCard or Discover) or ACH withdrawal.</p>
13	<p>Can we submit the manual fingerprints before the November Application window?</p>	<p>Yes.</p>
14	<p>What is the difference between the requirements for C-3.1 and C-3.1.1? Does C-3.1.1 simply include the additional 4 months after the certificate of operation issuance?</p>	<p>C-3.1 asks for the detailed budget for the period from award of provisional dispensary license to the issuance of the certificate of operation. C-3.1.1 asks for the detailed budget for the period from the issuance of the certificate of operation until not less than four months after receipt of the certificate of operation.</p>
15	<p>Does the entity need to be an Ohio entity? Does one have to be an Ohio resident to apply for the dispensary license?</p>	<p>The Applicant must be registered with the Ohio Secretary of State to conduct business in the State of Ohio.</p>



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ID	Question	Response
16	Do we need an EIN number?	Question A-3.5 is not a required field. Applicants should seek guidance from private legal counsel and/or contact the Internal Revenue Service for guidance as to whether the business must obtain an Employer Identification Number (EIN).
17	Is a specific type of map required for the survey/radius map? For example: a parcel map, google map, etc.	No specific type of map is required. However, the survey must contain all required information, be clearly legible and labeled, and may be divided into 8.5 by 11 inch sections.
18	<p>Section C-2.1 (Business Plan) refers to site plan and states that the plan shall include and clearly identify the following:</p> <p>"an enclosed delivery bay or equally secured delivery area where medical marijuana deliveries will be made pursuant to a standard operating procedure to be approved by the Board."</p> <p>Since most medical marijuana dispensaries will be located in a retail strip center or in a free standing building, what does the Board consider to be an enclosed and/or secure delivery area?</p> <p>Does the equally secured delivery area need to have a roof or can it be enclosed with a locking fence?</p>	<p>Delivery areas will be evaluated individually to ensure each location is sufficiently secured, after provisional dispensary licenses have been awarded. All areas where medical marijuana is delivered shall be secured and monitored with video surveillance. Access shall be limited to necessary licensed processor, cultivator, and dispensary employees. OAC 3796:6-3-06(D).</p>
19	When will an editable version of the Ohio Medical Marijuana Dispensary RFA2/Dispensary Application form be available? I only see the preview on the site.	The application portal will open on November 4, 2021 at 8:00 a.m. and close on November 18, 2021 at 2:00 p.m.
20	When measuring for proximity to sensitive uses for a multi-tenant center which is just one large parcel, is the measurement parcel to parcel like single occupant property or from edge of retail location in multi-tenant parcel to the edge of the parcel of the sensitive use parcel?	Five hundred feet will be measured using the shortest distance between the closest point of the external boundaries of a parcel of real estate having situated on it any facility described in paragraph (B)(2)(k) of OAC 3796:6-2-02 and the external boundaries of the parcel on which the prospective dispensary would be situated. OAC 3796:6-2-02(B)(2)(l) .



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ID	Question	Response
21	<p>In jurisdictions which have zoning allowance for medical cannabis retail use but call for a special or condition use permit, is it necessary to actually receive the permit prior to application?</p> <p>With respect to the Notice of Proper Zoning Form, must the Applicant check off “The Applicant has received local zoning approval and was issued a permit” in order to avoid disqualification? Or does proof of compliance with (i) local zoning codes and (ii) any (if they exist) dispensary prohibitions suffice?</p> <p>What specifically beyond the Notice of Proper Zoning Form needs to be provided to demonstrate that it complies with any local ordinances, rules, or regulations adopted by the locality in which the Applicant’s property is located?</p>	<p>The Applicant must submit a completed Notice of Proper Zoning Form and demonstrate: (1) that no moratorium is in effect that would prohibit the applicant from operating a medical marijuana dispensary at the proposed location; (2) confirmation that the proposed dispensary location is in compliance with any local zoning requirements; and (3) if a special use permit is required, the permit has been applied for or cannot yet be applied for at the time of the application submission.</p>
22	<p>Can unencumbered real estate assets that can be sold and converted to cash within thirty days after a request to liquidate such assets be considered as demonstrating liquidity?</p>	<p>No. Real estate assets are not considered liquid assets for purposes of RFA II.</p>
23	<p>Can the OWNER of an applicant (who is a sole member of an LLC) submit bank statements from other unrelated business accounts that is also owned by the same OWNER?</p>	<p>The Board of Pharmacy cannot respond to this question without additional information.</p>
24	<p>Does Question B-3.25 of the Preview Application only apply to the time that the individual was an employee of or affiliated with the entity?</p>	<p>No.</p>
25	<p>We have identified a property which has an inactive church within 500 feet and we will be obtaining a letter from the church confirming in writing that it no longer conducts business at that location. Does this document need to be notarized?</p>	<p>There is no notarization requirement. Applicants may attach any documentation to the requisite survey to demonstrate that the proposed dispensary location is not within 500 feet of a prohibited facility.</p>
26	<p>Is it permissible for a <u>consulting</u> pharmacist to exercise substantial control over two different owners who have five provisional dispensary licenses each, but the <u>consulting</u> pharmacist does not have ownership in either license?</p>	<p>The Board of Pharmacy cannot respond to this question without additional information.</p>



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ID	Question	Response
27	<p>B-1.2 By selecting "Yes," the Applicant understands and attests that it must establish and maintain an escrow account or surety bond in the amount of \$50,000 as a condition precedent to receiving a medical marijuana certificate of operation. OAC 3796:6-2-11 Select 'YES' or 'NO' from a drop-down list</p> <p>I am interpreting this as we need to agree to get this set up prior to the certification of operation but it can be done after a provisional license has been established, is this correct? Or does it have to be established and proof submitted with the application in November?</p>	<p>The escrow account or surety bond does not need to be established until a provisional dispensary license is awarded.</p>
28	<p>Can you share when the drawing will take place to award the licenses?</p>	<p>The drawing will occur after the application period has ended and the Board has reviewed the submitted applications for compliance with the minimum application standards.</p>
29	<p>What effect will RC 3796.10(C) have on RFA II?</p>	<p>A court has deemed RC 3796.10(C) unconstitutional. Therefore, it is void and may not be applied by the Board.</p>
30	<p>What constitutes "Liquid assets"? We have 401ks and other avenues (Heloc loans, stocks, investments) we want to use for our available capital on the application, do we need to cash those out now? Or can we provide the proper documentation of available balances and only cash them out once a provisional license has been obtained?</p>	<p>A 401K is not an acceptable source of funds. There is insufficient information in the rest of this question for the Board to answer. The requirements for liquid capital are found at OAC 3796:6-2-02(B)(4).</p>
31	<p>I wanted to confirm that the RFA was exclusive to Retail Dispensaries only? Are applications open for Vertically Integrated Organizations, to include Retail Dispensaries?</p>	<p>RFA II only applies to medical marijuana dispensaries.</p>
32	<p>Is there any standard wording or minimum requirements for what is included in the "notarized statement" from the owner of the property?</p>	<p>Pursuant to OAC 3796:6-2-02(B)(2)(j), the statement must demonstrate that the property owner will grant a leasehold interest to the Applicant if a provisional dispensary license is awarded to the applicant.</p>
33	<p>In the event that the applicant is awarded a license but the location in the application is no longer available, will the applicant be allowed to select an alternate location (subject to state approvals for that new location)?</p>	<p>No. Applications are site-specific and Applicants are not permitted to select an alternate location. See OAC 3796:6-2-04(O).</p>



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ID	Question	Response
34	In C-4.1 do we need to specifically identify the identities of the individuals that will staff the positions of "Dispensary Key Employees" and/or "Dispensary Support Employees" or just the positions that would be filled? For purposes of C-4.1, if a consultant or employee has not been specifically retained by the Applicant, should the Applicant include a placeholder (such as "security consultant" or "Chief People Officer"), or should the applicant not include these roles at all?	Only the positions must be identified, not the identity of the specific individuals who will fill those roles.
35	Is there an example or template document for what is required for A-4.1 Proposed Organizational Structure? Can it be a picture with charts or an excel spreadsheet? Can it include names of individuals? Should it include the roles of the individuals?	A-4.1 requires an organizational chart (a diagram that shows the structure of an organization and the relationships and relative ranks of its parts and positions) showing all owners, officers, and board members of the Applicant, irrespective of ownership interest. The organizational chart must include the names and respective roles of the individuals.
36	In B-3.6 is "Business-related compensation" referring to current compensation from the LLC applying for the license or all businesses the Prospective Key Employees are in?	B-3.6 refers to the compensation being paid or that will be paid by the Applicant to the Prospective Associated Key Employee.
37	Does the security contractor referenced in C-4.1 need to be union?	No.
38	Is specific redacting of information required or using anonymous names or OK to use company names?	See Trade Secret and/or Infrastructure Form . Applications forms must include correct identifying information for all responses.
39	What documentation specifically is required to satisfy C-5.3 that the Applicant has adequate liquid assets (bank statement, letter from institution, etc.)? How specifically does the applicant demonstrate that an individual's liquid assets are "unconditionally committed" to the use of the Applicant in the event that a dispensary license(s) is awarded (letter from individual, specific wording in a contract, etc.)?	See OAC 3796:6-2-02(B)(4) .
40	C-1.1 - Is submission of a signed Letter of Intent ("LOI") sufficient to represent an "option to lease" under C-1.1? What are the minimum required elements that must be included in an acceptable "option to lease"?	Any letter of intent must conform with OAC 3796:6-2-02(B)(2)(j) .



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ID	Question	Response
41	C-1.1 - Can the "option to lease" agreement be sufficient even if it includes a provision allowing the property owner the right to lease to someone else prior to the license award (where such right is not exercised by the owner and the applicant receives the license and enters a binding lease agreement)?	The Applicant must demonstrate that the property owner will grant a leasehold interest to the applicant if a provisional dispensary license is issued to the applicant. OAC 3796:6-2-02(B)(2)(j) .
42	C-2.1 What renderings of the site if any are required? Interior, exterior, both, neither?	See OAC 3796:6-2-02(B)(7) .
43	C-1.1 Is there a form or further guidance on what will constitute evidence of the "Applicant's clear legal title" to a particular location?	An Applicant must demonstrate there are no disputes of ownership that would prohibit Applicant from opening a dispensary at the identified location if a provisional dispensary license is awarded.
44	What information specifically needs to be shown on the survey of the surrounding area? Is there a standard format or template or example for this?	No specific type of map is required. However, the survey must contain all required information, be clearly legible and labeled, and may be divided into 8.5 by 11 inch sections.
45	If the locality confirms that the church is closed and/or that the facility is not authorized to be used as a church, would this still be considered a prohibited facility? Does a surveyor need to come out and do a recent survey or can a survey provided by the municipality work?	It is the Applicant's responsibility to ensure that the proposed location is not within 500 feet of a prohibited facility.
46	Is a drive thru required in the submission of the RFA II application or is it optional?	No, a drive through window is not required.
47	Are securities and stocks considered liquid assets?	For purposes of RFA II, publicly traded securities and stocks can be considered as liquid assets; however, securities and stock from closely-held corporations will not be considered liquid assets.
48	When it comes to being 500 ft. from prohibited facilities. Does it count if the building within the 500ft limit is associated with a religious organization? Is a nature preserve included in the prohibited entity proximities per 3796.30? What does the state classify a "school" as? K-12? Are daycares included? Can we have a medical dispensary within 500 feet of a Public State University?	The General Assembly has defined "church," "public library," "public park," "public playground" and "school." See R.C. 3796.30(C) . See also OAC 3796:6-2-02(B)(2)(k) .



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ID	Question	Response
49	<p>If an applicant has multiple applications it intends on submitting, does that applicant need to submit electronic fingerprint impressions only once through a WebCheck provider and, in turn, can the applicant use that fingerprint check for all the applications they will be listed on?</p> <p>If so, does that also apply if the applicant is applying under different entities?</p>	<p>Prospective associated key employees (PAKEs) need only submit one set of fingerprints for all applications.</p>
50	<p>Can you submit a signed, notarized statement from the owner of such real property that the owner will grant a leasehold interest to the applicant if a provisional dispensary license is issued to the applicant in lieu of an executed lease?</p> <p>If attaching an executed lease, does a signed, notarized statement from the property owner that the owner will grant a leasehold interest to the Applicant on the proposed site need to be submitted separately or can the executed lease be notarized or can you solely submit an executed lease (not notarized)?</p>	<p>Applicants must provide proof they own or control through a leasehold interest in all real property where marijuana will be dispensed OR a signed, notarized statement from the owner of such real property that the owner will grant a leasehold interest to the applicant if a provisional dispensary license is issued to the applicant. See OAC 3796:6-2-02(B)(2)(j).</p>
51	<p>On the Notice of Proper Zoning Form, if the third box is checked on the second page (No zoning approval was applied for and no permit was received at this time.), is any supporting documentation required?</p>	<p>Applicant would need to attach documentation or evidence (e.g., a letter from a zoning official) establishing there is no medical marijuana dispensary moratorium and no special zoning approval is required for the proposed dispensary location.</p>
52	<p>Are there any current resources that show what the average cost of product is and current mark up to help determine the financial projections? Are there any regulations on pricing such as state minimums or price caps?</p>	<p>The State of Ohio does not regulate the pricing of medical marijuana by dispensaries.</p>
53	<p>What are the requirements for a mantrap?</p>	<p>The mantrap must be a double-door entry and exit system that contains different locks on each door and will not permit a person to pass through the second door until the first door is securely locked.</p>
54	<p>For the financial requirements to show proof of funds are there any more resources for these requirements or examples of what type of accounts are acceptable. For example, is a brokerage account acceptable and a statement showing proof of funds sufficient? If so is there particular language that is needed on such statement? And I would assume a 401k is an example of a source of funds that is not acceptable, correct?</p>	<p>See OAC 3796:6-2-02(B)(4). A 401K is not an acceptable source of funds, for purposes of RFA II.</p>



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ID	Question	Response
55	From the example application it doesn't require a background check on potential key employees or stakeholders until a provisional license is awarded. Is that correct or will a background check for these individuals be required for the application?	Background checks at time of application are only required for officers, board members, and owners with at least 10% ownership or voting interest.
56	Is there a statute of limitations of administrative action taken against employees, civil cases against owners and would that penalize or disqualify someone from the application process? Do only cases where judgment has been passed need to be included, or do any pending issues need to be included.	All actions and pending actions must be disclosed.
57	Section D- 2.2 Security and Surveillance: Would an RFID badge reader and a unique code for each employee be considered dual authentication to satisfy the vault access requirement?	Yes.
58	A-1.1 asks for an entity name. Can I apply as an individual without an entity?	See OAC 3796:6-2-02(B)(2)(a)(b)(c) & (d) .
59	May a medical cannabis dispensary applicant's proposed property for application be only drive thru or must there be some space for patients to pick up indoors?	An applicant must have the ability for patients to enter the dispensary for face-to-face interactions. See OAC 3796:6-2-02(B)(7) .
60	A 7 acre lot is attempting to be sub-divided into 1 acre parcels and assigned addresses, and the applicant intends to submit 7 applications for each lot, all ostensibly side-by-side in the same municipality. My question then is whether there is any limitation on this type of activity?	Applications are site-specific and provisional dispensary applicants with any common ownership may not submit more than one application for the same parcel or any adjoining parcels. OAC 3796:6-2-04(C)(1)(a) . If the Board determines an Applicant with any common ownership submitted more than one application for the same parcel or any adjoining parcels, all applications submitted by Applicant will be disqualified.
61	Can one site plan be used and re-used for multiple applications?	Submitted plans must be site-specific. See OAC 3796:6-2-02(B)(7)&(8) .
62	For question C-2.1, Is a man-trap required for the delivery area?	No.
63	For questions A-1.1B, can the business address be a P.O. Box?	Yes.
64	For any question on the application that does not apply, what should applicant indicate (Ex: None; N/A)?	The application notes which questions are mandatory. All mandatory questions must include a response. Optional questions will not require any indication.



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ID	Question	Response
65	For question C-2.1, what is a day storage area with pass-thru windows?	A day storage area is a location outside of the vault where minimal product is stored prior to sale. A day storage area and pass-through windows must be secure and approved prior to use.
66	For question C-2.1, do waste receptacles need to be in a fenced-in area?	All external refuse containers shall be maintained in a locked condition. OAC 3796:6-3-14(C)(6) .
67	For question B-3.21.1 and B-3.22.1: which types of documents is the Board looking to see uploaded here? (Ex: licenses of other marijuana entities)	A list of all marijuana entities in which the individual had or has an ownership or financial interest, including the name and address of all entities.
68	For B-3.23, is there a limit to the scope of civil disclosures? For example, does the Board want to see tort cases, divorce cases, etc. everything? What does the Board mean by civil action – does this include traffic accidents, business disputes, eviction cases?	If there is any doubt about whether a criminal, civil, or administrative action should be reported, individuals should err on the side of caution and disclose the information. If the Board reviews the information and determines it does not apply, it will not be considered as a factor against the Applicant. The Board would rather have the Applicant disclose the information than to discover it as a potential falsification in the Application.
69	For question C-2.1, is the “mantrap at the ingress/egress from the dispensary department” noted in the application different from a mantrap at the entrance of the exterior of the dispensary?	Yes.
70	For question C-5.2, does a letter from a financial institution indicating that the Applicant has sufficient funds satisfy this requirement or is a bank statement required?	No. See OAC 3796:6-2-02(B)(4)(a)(i) .
71	In the application instructions, District SE-9 appears to be missing from the drawing order. When will that district be drawn?	The Board has not allocated any additional licenses to District SE-9. See page 16 of RFA II Presentation . Therefore, no drawing will occur for that district.
72	To comply with question A-3.10, are disclosures required from an individual with less than 10% ownership in applicant if that individual has an ownership interest in, or is otherwise affiliated with another marijuana entity?	No. Applicants are required to submit the disclosures for each Prospective Associated Key Employee in the application (owner or prospective owner, officer or board member or prospective board member of the entity seeking a dispensary license; only owners or prospective owners with at least 10 percent ownership or voting interest must be included in the application as a Prospective Associated Key Employee).
73	Does every disclosure in Section B-3.22 need to be disclosed in this Section A-3.10? In regards to B-3.22 and A-3.10 on MMCP RFA2 Preview, these questions both seem to be asking the same question about marijuana business ownership. Please elaborate on what may be identical and what may be different between these two questions.	Section B-3.22 applies to individuals (PAKEs) while Section A-3.10 applies to the Applicant.



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ID	Question	Response
74	<p>Are you able to provide the following:</p> <ul style="list-style-type: none"> - Geographic concentrations of medicinal cardholders broken down by zip code? - Volume of purchases by either zip code or district? 	<p>See Active Patients by Zip Code (current as of October 12, 2021).</p>
75	<p>With respect to the liquid assets requirement of C-5.5, can applicant issue promissory notes to investors who contributed to the \$250,000 assets required?</p>	<p>This question is under consideration and a response will be provided in the second round of Questions and Answers.</p>
76	<p>What banking options do we have in the state of Ohio for the medical marijuana industry? Are there any regional banks that the board is aware of that allows for the transfer of funds from the profits of this industry?</p>	<p>The Board cannot provide banking advice or recommendations.</p>
77	<p>Question C-2.1 requires a site-specific plan, do security & camera details/features need to be shown on the interior and exterior of the site plan?</p>	<p>Camera details/locations and other security features not specifically identified in C-2.1 do not need to be included in the site-specific plan. Applicants must attest in D-2.2 that they will comply with all security requirements.</p>
78	<p>Will a map drawn to scale by a state-licensed architect be sufficient to show our compliance with minimum setback requirements?</p>	<p>Yes.</p>
79	<p>For question B-3.19, if you do not have any U.S. Identification, which form of verification of identity would you like that individual to submit?</p> <p>For question B-3.19: Does an individual need to submit a passport and a driver's license, or a passport or a driver's license?</p>	<p>An individual who does not have U.S. identification may submit their birth certificate, driver's license, or passport.</p> <p>Individuals must submit EITHER a passport or a driver's license, not both.</p>
80	<p>Is there a place in the application where the Board is expecting to have a list of every owner in applicant, including those with less than 10% interest, so that 100% ownership of applicant is accounted for?</p>	<p>In A-4.1, Applicants must attach an organizational chart showing ALL owners, officers, and board members of the provisional dispensary applicant, irrespective of the amount of ownership interest. However, B-3.1 through B-3.28, only needs to be completed by PAKEs (including owners with at least 10% ownership interest).</p>
81	<p>For a dispensary that has LLCs as partial owners, does the LLC have to fill out the Key Associated Employee Form (Section B of the app)? If yes, who from the LLC that is a partial owner has to fill out the Key Associated Employee form?</p>	<p>See OAC 3796:6-2-03.</p>



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ID	Question	Response
82	For the proposed budget in section C.3.1, will the State audit the licensees to ensure the budget is followed exactly, or will the licensee have flexibility in the actual conduct of their finances? For instance, if the licensee spends less or more than what is budgeted, will there be a penalty?	In requiring submission of a budget, the Board seeks to ensure that the Applicant is actually able to cover the costs to staff, equip, and operate the medical marijuana dispensary. Funds from sources not identified in the application may not be used, absent approval from the Board.
83	With respect to the requirement of a “vault in conformance with CFR 1301.72(a)(3)”, can you provide guidance as to what is meant by “other substantial masonry” that can be utilized instead of reinforced concrete as indicated by that CFR section. For example, do vault walls constructed of steels studs with wire mesh and other construction layers satisfy this requirement?	The Board cannot provide additional guidance on a federal rule. Pursuant to that rule, the walls, floors, and ceilings of which the vault are constructed must be of at least 8 inches of reinforced concrete or other substantial masonry, reinforced vertically and horizontally with 1/2-inch steel rods tied 6 inches on center, or the structural equivalent to such reinforced walls, floors, and ceilings.
84	After reviewing the NE-6 it appears that BOP states there are 3 licenses in that region. We are only aware of 2. One in Mahoning and one in Trumbull I county. Can that be confirmed, corrected or denied? Also, if that is the case, can it be confirmed that there will be 4 new provisional licenses in that region and not 3?	Up to four (4) licenses will be awarded in NE-6 in RFA II.
85	Will multiple drive thru windows be allowed? For example, could someone purchase a bank building and use the multiple pneumatic tubes (1 - 5 lanes) to deliver their various products to customers. Assuming video conferencing per pneumatic station is offered.	The rule regarding drive through windows has not yet been finalized. The Board is still considering drive through window security requirements and will offer a draft rule for public comment, in accordance with Ohio administrative rule-making requirements. Provisional dispensary licensees may work with their assigned agent to ensure adequate security measures are in place prior to any certificate of operation being issued.
86	How does the Board define Liquid Assets?	See OAC 3796:6-2-02(B)(4)(a) (liquid assets shall be unencumbered and capable of being converted to cash within thirty days after a request to liquidate such assets).
87	Does rule 4729:5-21-01 have to be written into a proximity certification letter to be approved?	Applicant must demonstrate that the proposed dispensary is at least 500 feet from all prohibited facilities, including an opioid treatment facility. See OAC 3796:6-2-02(B)(2)(k) .
88	When will the Department provide specific regulations regarding Drive-Thru Window's for a cannabis business?	The rule regarding drive through windows has not yet been finalized. The Board is still considering drive through window security requirements and will offer a draft rule for public comment, in accordance with Ohio administrative rule-making requirements. Provisional dispensary licensees may work with their assigned agent to ensure adequate security measures are in place prior to any certificate of operation being issued.



Ohio Medical Marijuana Control Program



ID	Question	Response
89	How long will it take the Board to award licenses?	Following the drawing, the Board will review the applications that were ranked high enough on the district drawing lists. The Board will attempt to complete this process as quickly as possible, while ensuring that all applicants awarded a provisional dispensary license are compliant with all application requirements, RC Chapter 3796, and OAC 3796.
90	Does a full background check have to be completed prior to submission of the application? Do the background check results need to be received by the Board by the time of application submission for the dispensary application to not be deemed abandoned/incomplete?	The Board urges individuals to submit fingerprints for BCI and FBI criminal records checks as early as possible, maintain proof of submission, and appear in person at a WebCheck provider to avoid delay. All background check results must be received by the Board before provisional dispensary licenses are awarded.
91	If an address has not been assigned to an undeveloped parcel of land where the applicant proposes the dispensary, will the parcel # suffice as the Address that is required throughout the application?	Yes.
92	How will the drawing/selection of qualified applications be conducted? What is the manner in which the randomized lists are generated for each district? How will this be communicated to the public to ensure complete transparency with respect to the actual drawing/lottery?	The Board may issue additional guidance specifying the drawing procedures that will be used. If such guidance is issued, it will be issued no less than twenty-one (21) calendar days prior to the drawings.
93	For purposes of C-1.1 and O.A.C. 3796:6-02-02(B)(2)(j), does a fully executed Letter of Intent with a 30 day period to negotiate and sign a Purchase Agreement between Seller and Buyer that lists the award of a provisional license as a contingency suffice to meet the “ <u>option to purchase</u> or lease the proposed site and facility” language in C-1.1?	Applicant must provide proof establishing ownership of the real property. See OAC 3796:6-2-02(B)(2)(j) . Transfer of ownership may be contingent upon Applicant’s receipt of a provisional dispensary license but there may be no other contingencies or negotiations required.
94	If an applicant intends to operate under a different name than the legal entity name listed on the application, does the DBA name need to be submitted as part of the application? Are you required to list a trade name under A-1.2? What if you haven’t decided yet?	A-1.2 is an optional question that Applicant should complete if they have an existing DBA.



Ohio Medical Marijuana Control Program



ID	Question	Response
95	<p>Can a single application's proposed location cover multiple parcels of undeveloped land, as long as the applicant can demonstrate they own the parcels that make up the site in that single application?</p> <p>a. Example: Applicant owns parcels 1, 2 and 3 that are side-by-side-by-side and plans to use all three as site plan for the proposed dispensary in just one application.</p> <p>b. To clarify, this would be a single application on multiple smaller parcels so it doesn't run afoul of O.A.C. 3796:6-02-04(C)(1)(a) prohibiting multiple applications on the same parcel or adjoining parcel where there is any shared ownership of applicants.</p>	<p>Yes. Multiple parcels may be used as the site for a single dispensary; however, all parcels must be at least 500 feet from a prohibited facility and opioid treatment facility. 500 feet will be measured using the shortest distance between the closest point of the external boundaries of any parcel having situated on it a prohibited facility or opioid treatment facility and the external boundaries of any parcel having a prospective dispensary situated on it. See OAC 3796:6-2-02(B)(2)(I).</p>
96	<p>Please provide and/or clarify definition of 'common ownership.'</p>	<p>For purposes of OAC 3796:6-2-04(C)(1)(a), applicants with "common ownership" means applicants who have any shared owner.</p>
97	<p>May one person/entity capitalize more than one entity/applicant?</p>	<p>There is no limit to the total number of applications that may be submitted by any Applicant, except applications are site-specific and applicants with any common ownership may not submit more than one application for the same or adjoining parcels. There are, however, limitations on the number of dispensaries that a person may own. OAC 3796:6-2-04(C)(1)(a)</p>
98	<p>Can a letter of intent be submitted alone to fulfill the requirement that shows unconditional commitment of liquid assets from an individual or do the assets of the individual also need to be certified by a CPA or the bank?</p>	<p>If an Applicant is relying on money from an owner, officer, or board member, evidence that the individual has unconditionally committed such money to the use by the provisional dispensary Applicant and account statements from a qualifying institution dated no earlier than 30 days prior to the date the application was submitted. See OAC 3796:6-2-02(B)(4).</p>
99	<p>If the applicant finds a better source of funds after being issued a provisional dispensary license, e.g. applicant finds a loan at a lower interest rate, will the Board be amendable to allowing other funds to be used for the project, as long as those sources are disclosed according to the standards of the Board and the State of Ohio? What would the Board estimate the timeline for approval of a new source of funds to be?</p>	<p>The use of funds from sources not disclosed in the application is prohibited unless the applicant obtains approval from the board. See OAC 3796:6-2-02(B)(4)(b).</p>
100	<p>I am trying to determine the individual with authority to sign on behalf of the local government or zoning office for the Notice of Proper Zoning Form to establish a medical marijuana dispensary in Columbus, Ohio.</p>	<p>This form must be signed by an individual with authority to sign on behalf of the local government or zoning office where the Applicant proposes to locate its dispensary.</p>



Ohio Medical Marijuana Control Program



ID	Question	Response
101	In regards to A-3.6-3.8 on MMCP RFA2 Preview, if applicant is a new business entity and not currently doing business in the State of Ohio, will applicant need to enter: Ohio Unemployment Compensation Account Number, Ohio Department of Taxation Number, or Ohio Workers' Compensation Policy Number, and if we do not need to enter should we leave that answer blank, or write "N/A" or some other phrase?	These questions are not mandatory and may be left blank.
102	In regards to C-4.2 on MMCP RFA2 Preview, we are asked to attach a detailed timeline for hiring and staff training to ensure compliance with rule 3796:6-2-04. This is a long rule with many subsections, what subsections of this rule is the Board referencing in this request?	The Board is referencing subsection OAC 3796:6-2-04(L) .
103	In regards to C-5.2 on MMCP RFA2 Preview, we are asked to disclose: a. Type of capital b. Source of capital c. Name and address of financial institution d. Account number Will this information be kept confidential? Banking is fraught in the medical marijuana industry. Disclosing banking account numbers not only invites fraud, but could cause certain applicants to lose their access to banking. Do we need to file the "Trade Secret and/or Infrastructure Form" to keep our sources of funds confidential?	Applicants need not identify social security numbers or bank account numbers as being confidential on the trade secret and infrastructure form. Under R.C. 149.43(A)(1)(dd) and R.C. 149.45, social security numbers and bank account numbers are not subject to release in a public records request. Under R.C. 149.45, the Board is not permitted to publish social security numbers or bank account numbers on the internet.
104	Can an applicant use an approved line of credit from an established financial institution as an acceptable form of liquid assets for the application?	This question is under consideration and a response will be provided in the second round of Questions and Answers.
105	In regards to A-3.10 on MMCP RFA2 Preview does "Affiliate" or "Affiliated with" include a person who is simply employed by a marijuana business, but does not have the power or right to control, or holds with the power to vote, an ownership interest in a licensed or prospective marijuana business?	"Affiliate" or "affiliated with" means any holding company or institutional investor or any individual, partnership, corporation, association, trust or any other group of individuals, however organized, which directly or indirectly owns, has the power or right to control, or holds with the power to vote, an ownership interest in a licensed or prospective marijuana business.



Ohio Medical Marijuana Control Program



ID	Question	Response
106	In regards to B-3.19 on MMCP RFA2 Preview, will both the front and the back of a State issued Driver’s License be required? Or only the front?	Only the front of the license is required.
107	The instructions state that no more than 66% of available licenses in a dispensary district will be awarded to a single applicant. Does this mean that an Applicant cannot receive two licenses in a district with three available licenses?	Yes.
108	Can we make changes to floor plans or site plans once licensed?	Generally, a licensee must operate in accordance with the representations made in its application. See OAC 3796:6-3-01(A) . However, pursuant to OAC 3796:6-4-10 , a licensee may apply for a variance.
109	For C-2.1A, C3.1, and C3.1.1, How detailed do the budgets need to be? Is there an example? Can we simply write out a dollar amount for total employee costs or do we need to have it broken down by position?	Per OAC 3796:6-2-02(B)(9) , any submitted budget shall include the projected costs to staff, equip, and operate the medical marijuana dispensary for the time periods set forth in rule. Applicant must also provide a site-specific construction or renovation budget. See OAC 3796:6-2-02(B)(8) .
110	Are we required to use an architect licensed in Ohio for the floor plan/construction budget or can it be certified architect from other state that can oversee the entire process and work with local architect as needed?	The architect must be licensed in Ohio.
111	Is an option to acquire ownership contingent on an applicant winning a license included in this definition of common ownership?	Yes.
112	If someone has convertible debt, is that considered common ownership for this section?	This question is under consideration and a response will be provided in the second round of Questions and Answers.
113	Is a royalty agreement considered common ownership for this section?	Generally, no. However, a royalty agreement that is tied to the amounts of revenue or profits from a dispensary may be considered to be <i>de facto</i> ownership
114	How much capital above 250,000k per application do we need to show? If we are in a zone that has 2 licenses, the most we can win is 1. If we turn in two applications to better our odds, do we have to show financial capital for each application or only for the one license that we can win?	The applicant must demonstrate it has adequate liquid assets for all licenses the applicant is willing to accept. The total amount of liquid assets must cover all expenses and costs identified C-5.3, but the total amount of liquid assets must be no less than \$250,000 per license. (Example: If Applicant will accept 3 licenses, Applicant must have no less than \$750,000 in liquid assets. If Applicant’s costs identified in Questions C-2 and C-3 will be \$1 million per location, Applicant must have no less than \$3 million in liquid assets.)



Ohio Medical Marijuana Control Program



ID	Question	Response
115	<p>Question B-3.24 asks a Prospective Associated Key Employee (PAKE) to list any criminal, civil, or administrative action taken against any marijuana entity that the PAKE is or was previously associated with. This information is not always publicly available, shared with individuals who were previously associated with a medical marijuana entity, or accessible to PAKEs (for instance, if a PAKE previously worked as a low-level dispensary agent, the PAKE may have never been informed of actions taken against her employer in other jurisdictions). This problem raises several questions about item B-3.24:</p> <p>a. If the PAKE does not have access to actions taken against current or previous marijuana entities, how should the PAKE respond to this question?</p> <p>b. If the PAKE is unable to determine whether a marijuana entity they were previously associated with had a criminal, civil, or administrative action taken against them, how should the PAKE answer this question?</p> <p>c. Please clarify what the Board means by the phrase “previously associated with;” i.e., does this phrase include a previous employment (such as a low level dispensary agent), a previous consultant or vendor relationship, a previous ownership interest (and if so, is there a threshold that must be met)?</p>	<p>The individual completing the PAKE form should exercise due diligence in ensuring they know the answers to all required questions. If there is any doubt about whether a criminal, civil, or administrative action should be reported, individuals should err on the side of caution and disclose the information. If the Board reviews the information and determines it does not apply, it will not be considered as a factor against the Applicant. The Board would rather have the Applicant disclose the information than to discover it as a potential falsification in the Application.</p>
116	<p>Many individuals buy and sell low percent equity positions in publicly traded marijuana entities located in both Ohio and other jurisdictions. Accordingly, many owners of dispensary Applicants will likely own less than 10% of publicly-traded stock in other marijuana companies. As it relates to question A-3.10, must an Applicant answer “yes” if the affiliation with other marijuana entities is the fact that an owner of the Applicant owns less than 10% of another publicly-traded marijuana entity?</p>	<p>No.</p>
117	<p>Will dumbwaiters be okay to use instead of a pass through window to move inventory, this is for C-2.1</p>	<p>A day-storage area with a pass-through window(s) is required. See OAC 3796:6-2-02(B)(7)(f).</p>
118	<p>Can/how applicants redact application information other than filling out the trade secret form?</p>	<p>Applications that are submitted may or may not be public records and subject to disclosure under the Ohio Sunshine Laws. Please review the Trade Secret and/or Infrastructure Form.</p>



Ohio Medical Marijuana Control Program



ID	Question	Response
119	If an applicant's proposed parcel for a dispensary is currently undergoing a lot split, must the lot split be completed before submitting an application, or can it occur after submitting an application? If afterwards: (a) how should the applicant document the split; and (b) for purposes of determining distance from prohibited facilities, should the applicant use the current parcel lines or the post-lot split parcel lines?	Any lot split must be completed prior to submission of the application.
120	Question C-2.1 requires applications to provide a site-specific plan showing a mantrap "at any ingress/egress from the dispensary department." Does this requirement include showing a mantrap between the dispensary department and areas restricted to dispensary employees, such as the fulfillment area?	A mantrap is only required at an ingress/egress from the dispensary department accessible by a patient/caregiver.
121	Do prospective associated key employees (PAKE) who are either (a) currently licensed as an associated key employee (AKE); or (b) enrolled in the Ohio Attorney General's retained applicant fingerprint database (Rapback) need to undergo another background check for the application process?	A PAKE who has had background checks provided to the Board of Pharmacy within the last 12 months of the date of the application does not need to undergo additional background checks for the application process.
122	Many Ohio Applicants likely have applied for marijuana business licenses (such as cultivator, processor, dispensary, testing laboratory, delivery, or distribution licenses) in other state licensing rounds, and the requirement to identify each respective application, entity, regulator body, etc., would be unduly burdensome. For purposes of questions B-2.1, B-3.21, B-3.22, B-3.24, and B-3.25, must an Applicant or PAKE disclose instances where marijuana license applications were denied by state regulators as part of a state's regular application process?	Yes.
123	For purposes of C-3.1.1, must an Applicant include payment obligations that are not due until after the 4 month period specified in this question in the Applicant's budget? For example, must an Applicant include lease payments that do not begin until the sixth month after a certificate of operation is issued or inventory payments that are on 90-day payment terms (and thus some would not be due until after the 4 month period has expired)?	No.



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ID	Question	Response
124	Question C-5.3 asks applicants to demonstrate that they have sufficient liquid assets by providing documentation from a financial institution. During the period of time between submission and applications and issuance of licenses, must individuals keep these liquid assets in the documented account? For example, if an applicant provides a checking account statement showing they have the required funds, may these funds be moved from that account so long the account holder provides the necessary funds required by the submitted budget if a license is issued by the Board?	The use of funds from sources not disclosed in the application is prohibited unless the Applicant obtains approval from the board. See OAC 3796:6-2-02(B)(4)(b) . Therefore, Applicant must retain the funds – in the same form identified in the application- for use to fund the dispensary, if a provisional dispensary license is awarded.
125	For purposes of Ohio Admin. Code. 3796:6-2-02(4)(b), does “sources” refer to the individual providing the funds, or the account from which the funds are provided? For example, if John Doe agrees to loan money to an Applicant from a Wright-Patt Credit Union account as part of the application, may the Applicant ultimately use funds from John Doe’s Middlefield Bank account without needing prior Board approval?	This question is under consideration and a response will be provided in the second round of Questions and Answers.
126	Question C-5.3 asks applicants to demonstrate that they have sufficient liquid assets by providing documentation. If an application is using a line of credit to meet their liquid asset requirement, does the board need an account statement showing the funds in the account or is a letter from the lender unconditionally committing the line of credit to the applicant sufficient?	This question is under consideration and a response will be provided in the second round of Questions and Answers.
127	To the extent that RFA I & RFA II are the same or similar, can applicants rely on answers given to questions in RFA I Q&A periods 1 and 2 for RFA II?	No. Only the Q&A associated with RFA II are controlling for RFA II.
128	If the individual is an attorney and provides confidential consulting services under the laws of another state, the disclosure of this list would violate that state’s laws. Is there an exception for a licensed attorney to maintain a confidential list of clients given this question? (B-3.21)	If the answer to B-3.21 is “yes,” a response to B-3.21.1 is mandatory. Attorneys should contact their governing bar association or attorney licensing authority for questions related to attorney/client privilege.



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ID	Question	Response
129	If a Landlord (not Affiliate) has agreed to provide tenant improvements in a Leasehold Agreement as a condition of the Lease but at the final design and decision making direction of the Applicant, does the Applicant have to provide evidence of the Landlord's available capital?	Maybe, depending on the terms of the agreement(s).
130	Question C-5.3 asks applicants to “demonstrate that they have liquid assets to cover the construction or renovation costs identified in Question C-2 of this application.” If an applicant has agreed with their dispensary landlord that the landlord will construct or renovate the proposed dispensary location, does the landlord need to show the landlord has sufficient funds to cover the cost of this construction or renovation? If so, what documentation would the landlord need to provide to demonstrate they have sufficient funds for the construction or renovation?	Maybe, depending on the terms of the agreement(s).
131	C-2.2 - Could you provide examples of evidence to submit? Would a cover letter stating we are in compliance work?	Applicant must attach a completed Notice of Proper Zoning Form and any required attachments.
132	B-2.1 - Is it what is listed in B-2.1 the only thing listed as a qualifying offense? I ask because 3796:6-2-04 states H(1) (1) Submits an application containing one or more associated key employees who has a conviction for, judicial finding of guilt of, or plea of guilty to a disqualifying offense. A dispensary may disassociate with a prospective associated key employee for failure to comply with Chapter 3796. of the Revised Code and this division only upon approval from the state board of pharmacy. Please provide more clarification.	See Disqualifying Offenses for Application for Licensure or Registration .



Ohio Medical Marijuana Control Program



ID	Question	Response
133	B-3.26 Is it only individuals with 10% ownership or more that needs a criminal record check or are there any other requirements? I ask because Section 3796.12 Criminal records check . (B)(1) As part of the application process for a license issued under this chapter, the department of commerce or state board of pharmacy, whichever is issuing the license, shall require each of the following to complete a criminal records check: (a) An administrator or other person responsible for the daily operation of the entity seeking the license; (b) An owner or prospective owner, officer or prospective officer, or board member or prospective board member of the entity seeking the license. Please provide more clarification.	Background checks at time of application are only required for owners or prospective owners with at least 10% ownership or voting interest, officers, and board members. Criminal background checks will be required of additional individuals before the Board can award a certificate of operation.
134	Does the property owner consent form need to indicate that the property is being used for marijuana?	Per OAC 3796:6-2-02(B)(2)(j) , Applicant must provide an executed lease or a or a signed, notarized statement from the owner of such real property that the owner will grant a leasehold interest to the applicant if a provisional dispensary license is issued to the applicant.
135	Are the roles/duties of each position required in the Organizational Chart in the business plan, or can there be a key below that describes each position?	A key is acceptable.
136	Could the issuance of non-voting, preferred equity to Applicant's owners in a ratio that differs from the Applicant's owners' common ownership trigger an impermissible change in ownership under Rule 3796:6-2-12 of the Ohio Administrative Code if the voting, common equity interests remain unchanged from that disclosed on the application?	This could trigger a change of ownership pursuant to OAC 3796:6-2-12 .
137	If Applicant hires a dispensary manager (who is not mentioned in the application) who is responsible for interviewing and hiring employees, will that trigger an impermissible change in ownership under Rule 3796:6-2-12 of the Ohio Administrative Code, if a person mentioned in the application ultimately has final sign off on such hires?	This could trigger a change of ownership pursuant to OAC 3796:6-2-12 .
138	I have been told that groups that already have dispensaries are putting those dispensaries up for sale in order to win additional dispensaries. Is the state going to count dispensaries under contract for sale (but not yet transferred) towards the 5 dispensary cap?	If the change of ownership has not yet been completed and approved by the Board at the time the application is submitted, any currently owned dispensaries will count against the 5 license limit.



Ohio Medical Marijuana Control Program



ID	Question	Response
139	Is a shareholder of a publicly traded cannabis company (e.g. Canadian corporation on the CSE) required to disclose every stock, share, voting right, or investment held? (B-3.22)	Only stock, share, voting right, or investment holdings of at least 10% must be disclosed.
140	Does the applicant require a 10% owner that is either a pharmacist or physician?	No.
141	Is the “designated representative” required to reside in Ohio or be a current Ohio resident? Does the representative have to also be a “Key Employee?” Are there any requirements on hours worked within the dispensary or can the oversight be completed remotely/out of state?	See OAC 3796:6-3-05 .
142	Can we include JUST the last 4 of an account number, rather than full account numbers, for the proof of funds? For security purposes, full account number is a big liability.	No, applicants must provide all requested information. However, under R.C. 149.43(A)(1)(dd) and R.C. 149.45, social security numbers and bank account numbers are not subject to release in a public records request.
143	How many new dispensaries does Cuyahoga County have to be awarded? Will it be less than 7 due to the newly awarded license announced recently?	7 new dispensary licenses have been allocated to NE-2 district. The newly awarded license did not affect this allocation.
144	Will the State of Ohio allow an applicant to choose which location within a district they wish to open (if applicant has multiple locations within the district)?	<p>No. Applicants do not have the discretion to choose which location within a district they wish to open.</p> <p>By submitting more applications than an Applicant is willing to accept or more applications than an Applicant is permitted to be awarded, an Applicant acknowledges that the Board will review applications and award licenses in the district order set forth in Section IV of the 2021 Request for Applications and Dispensary Application Instructions. If ranked high enough to receive more licenses than the Applicant is willing to accept or permitted to receive, the Applicant does not have the discretion to choose which license it will be awarded and must be prepared to accept a license at any location(s) where it has applied. Applicants shall not be permitted to forfeit a license in an earlier drawn district or, in a district where multiple licenses are available, drawn earlier in the district drawing, in order to accept a provisional dispensary license in a later drawn district or later in the drawing of a multiple license district. Additionally, applications are site-specific and an Applicant cannot choose to open at a different location.</p>



Ohio Medical Marijuana Control Program



ID	Question	Response
145	Will a surveyor need to certify the distance from prohibited facilities or can an architect also certify proximity from prohibited locations?	Either a surveyor or an architect may certify the distance between the proposed dispensary and any prohibited locations.
146	Is a site plan required or just a floorplan with the exterior view? Is it required for a new build?	Applicants must provide a site-specific plan for the proposed dispensary location showing the interior and exterior of the proposed facility, drawn to scale with square footage clearly illustrated. It is required for renovated locations as well as new builds.
147	When referencing the section on site specific plans, it lists "plans showing the interior and exterior" – I want to clarify that building elevations are not required, just exterior site plan elements.	Correct.
148	What does the "Permit" box on the Notice of Proper Zoning refer to, the building permit for construction, zoning permit or some other permit and do any of the boxes disqualify an application if checked? There are townships that do not require zoning or building permits and do not issue them; we want to ensure that checking any one of the three boxes will not automatically disqualify an application.	The Applicant must submit a completed Notice of Proper Zoning Form and demonstrate: (1) that no moratorium is in effect that would prohibit the applicant from operating a medical marijuana dispensary at the proposed location; (2) confirmation that the proposed dispensary location is in compliance with any local zoning requirements; and (3) if a special use permit is required, the permit has been applied for or cannot yet be applied for at the time of the application submission.
149	What security requirements will be needed to receive a license?	To receive a certificate of operation, a dispensary must comply with all security requirements in R.C. Chapter 3796 and rules adopted thereunder, and RFA II. The dispensary must also pass final inspection.
150	Please confirm there is no requirement for a descriptive operations plan, e.g. transportation, quality control, etc., to enter the lottery.	Correct.
151	Are applicants permitted to submit more than one diagram for C-2.1, e.g. separating the floor plan from the site plan?	Yes.
152	If applicants are unable to visit WebCheck provider in person in Ohio, will submission of fingerprints using the BCI and FBI fingerprint cards on Nov 4th adversely impact the application?	No. However, the Board urges individuals to submit fingerprints for BCI and FBI criminal records checks as early as possible, maintain proof of submission, and appear in person at a WebCheck provider to avoid delay. All background check results must be received by the Board before provisional dispensary licenses are awarded.
153	Will the Board of Pharmacy engage applicants between Nov 4 and 18 with questions or feedback on their applications (i.e., is there a benefit to submitting on Nov 4 versus Nov 18)?	No.



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ID	Question	Response
154	C-2.1A: Does the construction budget have to use the 50 divisions of construction information found in the Construction Specifications Institute's MasterFormat (2018 version)?	Yes.
155	What is the definition of: Type of Capital What is the definition of: Source of Capital What is the difference between the two? How are they to be filled out on the application?	Applicants must identify the kind of capital (e.g., cash, stock) and where the capital is located (e.g., money market account at XX Bank). Applicants must identify: type of capital, source of capital, the name and address of the financial institution, and the account number for all financial sources used.
156	Is an applicant who successfully draws more licenses than the applicant can legally accept under the five-dispensary ownership limits given any discretion to choose which licenses that the applicant prefers, or does the Board of Pharmacy select the licenses to award the applicant within the limit in the order that they are drawn?	The successful Applicant does not have any discretion to choose which license(s) the Applicant prefers. The licenses will be awarded in the district order in which they are drawn. Once an Applicant has met the license limit (total state limit, limit within district, or limit based on financial resources), no additional licenses will be awarded, and the next eligible Applicant will be considered.
157	Assuming that an individual does not have control, management or influence over a dispensary that currently holds a certificate of operation, if said individual owns, indirectly through a public entity, less than 10% interest in such dispensary, can the individual be awarded up to 5 <i>additional</i> dispensaries in which s/he owns 10% or more? Assuming that an individual does not have control, management or influence over a dispensary that currently holds a certificate of operation, if an individual owns, indirectly through a private entity, less than 10% interest in such dispensary, can the individual be awarded up to 5 <i>additional</i> dispensaries in which s/he owns 10% or more?	Per OAC 3796:6-2-03 , the requirements concerning ownership of medical marijuana dispensaries only apply to a person with an aggregate ownership interest of 10% or more in a dispensary.
158	For purposes of Rule 3796:6-2-02(B)(5)(b)(vii) and RFA2 Preview Question B-3.22, what are the definitions of "ownership interest" and "financial interest"? (i.e., Do the definitions in Rule 3796:1-1-01 apply?)	Only ownership and financial interests of at least 10% must be disclosed.



Ohio Medical Marijuana Control Program



ID	Question	Response
159	Does OAC Rule 3796:6-2-13 "Request to relocate a dispensary" apply to provisional licenses? E.g. If I submit applications for site A and site B, which both satisfy all licensing requirements, and am awarded a provisional license for site A, can I request that the provisional license be relocated to site B?	No.
160	The published MMCP RFA2 is labeled as "Preview". What additional content is expected and when will the final draft be published?	The RFA application period will be open from November 4 th at 8 am to November 18 th at 4pm. The final version of the application will be available at that time. The application is expected to be substantively the same as the preview but the Board may reword one or more questions to make them more clear.
161	In Question A-1.1A that asks "Upload articles of incorporation or other documents here", should we upload documents for both our Holding Company and our License-holding Applicant entity?	The application only requires the articles of incorporation or other documents for the entity that will hold the license.
162	When the Board asks for the full business address in Q A-1.1B, does the Board want the address for the license-holding company (Applicant entity) or its Holding Company or both? Further, if the Applicant-entity is filed in a different state, but filed in Ohio as a foreign entity, should we put our Ohio address?	Include the address for the license-holding company, regardless of where it is located.
163	In question's A-1.7 and A-1.8, may we put the Primary Contact's email and phone, if we do not have a company phone number and email yet?	Yes.
164	Question A-3.10 and A-3.10.1, if Applicant entity is applying for multiple Ohio medical dispensaries, does that qualify as "prospective" and will need to be included here?	No.
165	Should applicants redact PII to avoid disclosure of personal information like SSN or account numbers on the financial documents from being disclosed to the public, or will this happen automatically by the Board after the awards are made if those documents become publicly available? This is a grey area in the request for protection under the Trade Secret or Infrastructure form.	Applicants need not identify social security numbers or bank account numbers as being confidential on the trade secret and infrastructure form. Under R.C. 149.43(A)(1)(dd) and R.C. 149.45, social security numbers and bank account numbers are not subject to release in a public records request. Under R.C. 149.45, the Board is not permitted to publish social security numbers or bank account numbers on the internet.
166	Does "Registered Agent" In Questions A-2.1 through 2.10 mean the Registered Agent for the Business on file?	Yes.



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ID	Question	Response
167	If Registered Agent is a Company, do we just fill out the First Name box with the Company Name and write N/A for Middle Name and Last Name?	Yes.
168	How much does previous experience matter? Do larger companies with more experience, contractors, investors, capital, professional parties have an advantage over smaller companies?	There is not a threshold or qualifying score that applications must meet or a scoring rubric, nor is there an advantage for larger companies over smaller companies. Any Applicant that ranks high enough in the drawing and can demonstrate compliance with Chapter 3796 of the Revised Code and the rules adopted thereunder, compliance with RFA II, and that it is not license limited, is eligible for issuance of a provisional dispensary license. See OAC 3796:6-2-04 .
169	Given the restrictions on changing ownership during the first year of operation (Rule 3796:6-2-12; Rule 3796:6-2-12(c)), would it be accurate to say that applicants selected during this RFP period would be unable to franchise a location during the first year of operations if either the franchisor or franchisee is not named in the original application?	Pursuant to OAC 3796:6-2-12(A) , only a dispensary that has engaged in medical marijuana dispensing under a certificate of operation for a continuous twelve-month period is eligible to apply for a change of ownership.
170	Questions C-2.1 and C-2.2 state that the responses "shall be prepared by the contractor or architect for the project." Are applicants prohibited from utilizing a different contractor or architect to complete the project due to normal business reasons, should they be selected in the lottery?	Generally, a licensee must operate in accordance with the representations made in its application. See OAC 3796:6-3-01(A) . However, pursuant to OAC 3796:6-4-10 , a licensee may apply for a variance if needed.
171	Will affirmative responses to questions B-2.1, B-3.21, B-3.23, B-3.24, and/or B-3.25 (assuming such responses do not include a disclosure of a disqualifying offense) disqualify an Applicant from receiving a dispensary license from the Board of Pharmacy?	Affirmative responses to these questions (assuming such responses do not include disclosure of a disqualifying offense) will not automatically disqualify an Applicant from being awarded a provisional dispensary license. Determinations will be made on a case by case basis.
172	Can one landlord enter into contingent leases with more than five applicant entities if the landlord is funding the full build out and construction of the facility but does not have an ownership interest in any of the applicant entities?	Maybe, depending on the terms of the agreements.
173	Can a lender commit funds to more than five applicants, and if so, is the applicant required to demonstrate that the lender has access to sufficient capital that would fund each applicant's proposed operations?	This question is under consideration and a response will be provided in the second round of Questions and Answers.



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ID	Question	Response
174	Can one entity with \$10,000,000 in a bank account conditionally finance 20 different applicant entities without violating the common ownership or common affiliation prohibition in the case that all 20 applicant entities were selected in the lottery?	This question is under consideration and a response will be provided in the second round of Questions and Answers.
175	If a landowner owns a large section of land that is divided into 10 different parcels, could the same applicant entity apply at every other parcel of land so that the parcels are not considered adjacent?	There is no limit to the total number of applications that may be submitted by any Applicant, except applications are site-specific and applicants with any common ownership may not submit more than one application for the same or adjoining parcels.
176	The rules and application state that “Applicants with any common ownership may not submit more than one application for the same parcel or any adjoining parcels.” However, the application instructions also state that in determining whether an Applicant has violated Ohio Adm.Code 3796:6-2-04(C)(1)(a), the Board will examine whether even a single common owner, as defined in Ohio Adm.Code 3796:6-2-03, is identified in multiple applications. (Emphasis added) Ohio Adm.Code 3796:6-2-03 defines an owner as having 10% or more ownership interest. Can an individual own 1% of 10 different applicant entities if that is the only common ownership between the applicant entities or would the 1% common ownership violate Ohio Adm.Code 3796:6-2-04(C)(1)(a)?	For purposes of OAC 3796:6-2-04(C)(1)(a) , applicants with “common ownership” means applicants who have any shared owner.
177	The above Q&A is from RFA 1, since spouses are permitted, according to the above answer provided, to separately own, and more importantly control, up to 5 provisional dispensary licenses, my questions is: YES OR NO , can they both apply separately for the same/identical proposed dispensary address?	Spouses (or other relations) may each control up to five dispensary licenses; however, the spouses (or other relations) may not rely on the same assets for their respective applications. If spouses (or other relations) rely on the same assets for multiple applications for the same or adjoining properties, the Applicants will be considered common owners and all applications submitted by those individuals will be disqualified.
178	Are printouts of online banking records acceptable to demonstrate liquidity and meet the evidence requirements of question C-5.3?	Yes, pursuant to OAC 3796:6-2-02(B)(4)(a)(i) , applications must contain account statements dated no earlier than thirty days prior to the date the application was submitted, from an institution in this state, or any other state in the United States, United States territory, or the District of Columbia.



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ID	Question	Response
179	If I am subleasing my proposed site, do I need to get a signed, notarized statement from the property owner, or from the entity I am subleasing the property from? C-1.1 does not appear to contemplate subleases, and it does not appear that the property owner would be able to give a signed, notarized statement promising to grant a leasehold interest if they are not the entity we are leasing from.	Notwithstanding the terms of a particular lease or sublease, an applicant must submit proof establishing that the provisional dispensary applicant owns or controls through a leasehold interest in all real property where marijuana will be dispensed, or a signed, notarized statement from the owner of such real property that the owner will grant a leasehold interest to the applicant if a provisional dispensary license is issued to the applicant.
180	Are we allowed to lease a property from a company that intends to purchase a viable property and has that property under a current purchase agreement or purchase option at time of submission? At that point what is required for the application, a signed notarized lease from the company that is purchasing the property or intends to purchase the property at time of application submission?	No. For purposes of OAC 3796:6-2-02(B)(2)(j) , "property owner" means the property owner at the time the application was submitted to the Board.
181	Can a vault be on an interior wall that is adjacent to another tenant in a plaza so long as other security requirements are met?	Applicants must submit site-specific plans that include a vault in conformance with C.F.R. 1301.72(a)(3) (6/30/2021) and in a location not visible to the public. OAC 3796:6-2-02(B)(7)(h) .
182	I understand that I cannot apply on adjacent parcels. Can I apply on parcels that are directly across the street from one another? For example, what if a parcel which was indicated as a road or a road was in between 2 properties? Would you be able to apply on both parcels?	Applications are site-specific and provisional dispensary applicants with any common ownership may not submit more than one application for the same parcel or any adjoining parcels. OAC 3796:6-2-04(C)(1)(a) .
183	Q's B-3.21.1 and B-3.22.1, would you like all members' interests on one single PDF or each members' interests on separate single PDFs?	Each PAKE's information for this section must be submitted separately.
184	If a member of Applicant is both an Owner and an Officer, can we select either as a role in section B-3?	Yes.
185	In question C-5.3, Does a Certified Attestation from a CPA meet the requirements of showing sources of capital?	No. See OAC 3796:6-2-02(B)(4)(a)(i)
186	In Questions C-1 related to Site-Specific Plans, if the applicant is proposing a new build from a plot of land, the town may require changes once we submit these plans to the town. If this occurs, may we submit the updated plans to the State along with associated fees?	Generally, a licensee must operate in accordance with the representations made in its application. See OAC 3796:6-3-01(A) . However, pursuant to OAC 3796:6-4-10 , a licensee may apply for a variance.



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ID	Question	Response
187	At what threshold of participation with the Applicant does a 3 rd party vendor need to be disclosed? (Daily operations with the Applicant, dollar value of services from vendor, signed agreement between vendor and Applicant, etc.) Do we need to include ALL 3 rd party vendors on the organizational chart or only those that we have signed agreements with?	Include all third-party vendors or consultants who will be providing services after the certificate of operation has been issued.
188	The first application process included a requirement for a redacted version of portions of the application. The second round of applications does not appear to have this same requirement. Is this correct?	Please refer to Part III of the 2021 Request for Applications and Dispensary Application Instructions
189	What is the definition of an adjoining parcel?	Boundary lines of one parcel that touch those of another parcel.
190	Are entities formed exclusively for this application process considered “doing business in Ohio” as described in A-3.6, A-3.7, and A-3.8?	No.
191	Will an Ohio applicant be considered “affiliated with” other licensed marijuana entities for purposes of Question A-3.10 if one or several of the members of the Ohio applicant limited liability company is employed by a separate entity, but the member of the Ohio applicant LLC does not have direct or indirect ownership, the power or right to control, or an ownership interest in the other licensed marijuana entities?	Yes. “Affiliate” or “affiliated with” means any holding company or institutional investor or any individual, partnership, corporation, association, trust or any other group of individuals, however organized, which directly or indirectly owns, has the power or right to control, or holds with the power to vote, an ownership interest in a licensed or prospective marijuana business.
192	Does is the information required to be prepared by an architect or contractor in questions C-2.1 and C-2.2 have to be stamped or certified by the architect or contractor?	Yes.
193	If an applicant’s application does NOT meet the requirements below, will the applicant be given an opportunity to cure the issue before they are disqualified? <ul style="list-style-type: none"> • Are submitted during the Application Acceptance period with the application fee; • Fully respond to all portions of this application; • Meet the minimum statutory qualifications under Ohio Revised Code section 3796.10; and • Contain all required signatures. 	The Board will not consider an incomplete application. Please review OAC 3796:6-2-02(B) for what constitutes a complete application. Further, any applications, related documents, or fees submitted after 2:00 p.m. ET on Thursday, November 18, 2021 will not be accepted or considered.



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ID	Question	Response
194	If a city signed the required zoning form for the application and the property is later found to be within a buffer zone, will this property be disqualified? We have hired a professional to assist us with buffers, and along with the city verification, is that sufficient due diligence in relation to property zoning.	A dispensary location that is less than 500 feet from a prohibited location will not be awarded a provisional dispensary license. Zoning officials are not responsible for determining if a property complies with the 500 foot requirement.
195	Is there a list of cities with medical marijuana ordinances and/or bans?	No.
196	If an Applicant enters into an arrangement with a property owner to provide to the property owner 1% of revenue, does this make the property owner, either a corporate entity or individual, an "owner" and subject the administrative requirements concerning owners, including the limit of owning no more than 5 dispensaries?	See OAC 3796:6-2-03 for medical marijuana dispensary ownership and ownership requirements and the Dispensary Control and Ownership Interest FAQ .
197	The Notice of Proper Zoning Form, where there is no related zoning ordinance, states "If Applicant checks this box, Applicant must also include a professionally prepared survey which demonstrates that the Applicant is not in violation of restrictions pertaining to prohibited facilities and is not located within 500 feet of a community addiction services provider as defined under section 5119.01 of the Revised Code." This seems to imply that if there is a zoning ordinance in place that no survey is required. Yet C-2.3 of the Application unconditionally requires a professionally prepared survey. Seeking resolution of the conflict here. A professionally prepared survey IS required per C-2.3 no matter whether there is or is not a zoning ordinance in place. The distinction would be that if there is no ordinance the professionally prepared survey should also be included with the Notice of Proper Zoning form, in addition to uploading in response to C-2.3?	To respond to C-2.3, all applicants must provide a professionally prepared survey of the area surrounding the proposed facility that establishes the facility is at least 500 feet from a prohibited facility, pursuant to R.C. 3796.30, or an opioid treatment program as defined in rule 4729:5-21-01 of the Administrative Code.
198	Does Rule 3796:6-2-02(B)(7) require an applicant's dispensary location to have a parking lot, or to only identify where parking is available to patients/patrons in relation to the dispensary location?	Applicants without an owned parking lot may demonstrate that parking is available at a nearby parking lot or that there is sufficient street parking nearby.



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ID	Question	Response
199	<p>Page 6 of the Request for Applications and Dispensary Application Instructions (under “C. <u>Drawing Process</u>”) states, in pertinent part: “Applications shall be automatically disqualified if the Applicant violates Ohio Adm.Code 3796:6-2-04(C)(1)(a) and submits multiple applications for the same or adjoining parcels. Such a violation shall result in the disqualification of ALL applications related to that parcel and/or adjoining parcels and these applications will not be included in the drawing for that district.” Does this mean that all applications related to that parcel and/or adjoining parcels will be disqualified <i>even if</i> several applications are unrelated to the applicant that violated the rule?</p>	<p>If the Board determines an Applicant with any common ownership submitted more than one application for the same parcel or any adjoining parcels, all applications submitted by that Applicant will be disqualified.</p>
200	<p>Will there be an option to attach a document for the various Operations Plan sections and Patient Care Plan?</p>	<p>No. Neither an Operations Plan nor a Patient Care Plan is required to be submitted with an application.</p>
201	<p>Can a cultivator and a dispensary be located on the same property?</p>	<p>The Board does not prohibit a dispensary from being located on the same property as a cultivator.</p>
202	<p>Should there be questions from the Board about our application, following submission (triggering the 10 days), will those be communicated via email or mail?</p>	<p>The Board may establish contact by telephone, email, or postal mail, using the contact information submitted on the application in response to Questions A-2.1 through A-2.10.</p>
203	<p>Is a non-US citizen permitted to be any of the following: (i) owner with greater than 10% ownership in Applicant, (ii) owner with less than 10% ownership in Applicant, (iii) Prospective Associated Key Employee, and/or a (iv) capital provider / pledger. Does this change if the non-US citizen is a US Permanent Resident?</p>	<p>Yes.</p>
204	<p>Please explain further what “procedure to be approved by the Board” entails for a secured delivery area. Do standard operating procedures need to be included as part of the application or does that only need to be approved during the PDL phase to receive a COO?</p>	<p>Standard operating procedures related to the secured delivery area may be reviewed and approved by the Board after the Applicant has been awarded a provisional dispensary license.</p>



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ID	Question	Response
205	<p>If an applicant’s application does NOT meet the requirements below, will the applicant be disqualified prior to the lottery being conducted or after the lottery?</p> <ul style="list-style-type: none"> • Are submitted during the Application Acceptance period with the application fee; • Fully respond to all portions of this application; • Meet the minimum statutory qualifications under Ohio Revised Code section 3796.10; and • Contain all required signatures. 	<p>Other than disqualifications for violations of OAC 3796:6-2-04(C)(1)(a), application evaluations will occur after the drawing.</p>
206	<p>According to Section 3796:6-2-02(B)(4) of the Ohio Revised Code in order to open a dispensary, you must have initial working capital of \$250,000.00, which has to be "unencumbered and convertible to cash within 30 days." Our question is, if I am the owner of the business and I solicit funds from private investors that then get deposited into a bank account either in my name or under the businesses name which I own, can I then guarantee the investors a rate of return on their investment conditioned upon the business being profitable with an understanding that there is no guarantee to return the initial investment or any rate of return on the investment if the business is not profitable, would this be in compliance with this Section of the Ohio Revised Code?</p>	<p>This question is under consideration and a response will be provided in the second round of Questions and Answers.</p>
207	<p>Is there a limit on the number of applicants one can act as the primary contact or registered agent on? Can an attorney be on multiple applications in this role? Does the person have to be a member of the Company or can we use our attorney?</p>	<p>There is no limit to the number of applications on which an individual can act as the primary contact or registered agent. An attorney may be listed as the primary contact and/or registered agent.</p>



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ID	Question	Response
208	What is the difference between dispensary department and restricted access area and waiting area?	<p>Pursuant to OAC 3796:6-1-01(D), "dispensary department" means a building, room or other area under the control of a dispensary and upon the licensed premises with access limited to patients, caregivers, dispensary employees or service professionals conducting business with the dispensary and who are escorted and supervised by a dispensary employee, and other persons authorized by section 3796.05 of the Revised Code and this division.</p> <p>Pursuant to OAC 3796:6-1-01(J), "restricted access area" means a building, room or other contiguous area under control of a dispensary and upon the licensed premises with access limited to only dispensary employees, where medical marijuana inventory, all records related to the dispensing of medical marijuana and all other items that require the personal supervision of a dispensary key employee are maintained behind a physical barrier with suitable locks and an electronic barrier to detect entry during any time when a dispensary key employee is not present.</p> <p>A waiting area is an area in a dispensary that is not in the dispensary department or any other restricted access area, that may be accessed by individuals not listed above.</p>
209	<p>Is it permissible for a consultant that's solely advising, coaching, and assisting an Applicant with their Application to have a flat rate contingency award fee due only in the event of the issuance of a Certificate of Operation to that Applicant so long as the contingency award is not a share of profits?</p> <p>Can a consultant solely advising, coaching, and assisting an Applicant with their Application in RFA2 also submit their own application for RFA2?</p>	<p>Yes.</p> <p>Yes.</p>
210	Are electronic fingerprints printouts for BCI and FBI from any Non-WebCheck provider outside of Ohio acceptable?	No.
211	What if one of the prints on the card is not acceptable, will the board give us time to resubmit or it makes the application not viable?	Yes. However, the Board urges individuals to submit fingerprints for BCI and FBI criminal records checks as early as possible, maintain proof of submission, and appear in person at a WebCheck provider to avoid delay. All background check results must be received by the Board before provisional dispensary licenses are awarded.



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ID	Question	Response
212	From OAC 3793.30 (C), "Public park" means a park established by the state or a political subdivision of the state including a county, township, municipal corporation, or park district. "If a governing body classifies something as a trail or towpath, does this mean it is not a prohibited area? In short is there a difference between a towpath/rails to trails path and a park according to the Board of Pharmacy?"	Any questions about whether a certain "park" has been established by a state or political subdivision should be directed to the state or political subdivision where the park, trail, or towpath in question is located.
213	Do out of state applicants need to submit both BCI and FBI cards? If yes, where can out of state applicants get BCI cards? If we are required to print them, can you provide guidance on the card stock needed?	See 2021 Request for Applications and Dispensary Application Instructions at page 5 for information pertaining to manual/inked fingerprint cards, including where to print the required cards.
214	Must an applicant disclose a vendor relationship on the application if the vendor is entitled to a simple, flat success fee in the event a provisional dispensary license is awarded by the Board?	Include all third-party vendors or consultants who will be providing services after the certificate of operation has been issued.
215	For purposes of C-4.1, must an applicant disclose third-party legal counsel or CPA firms? Must an applicant disclose consultants providing advice and recommendations to an Applicant solely during the application period?	No.
216	How does being a current medical marijuana card holder in OH factor into ownership interest? Being key employees?	Being a current patient or key employee alone does not impact an individual's ownership interest.
217	Are multi-tenant buildings that are split commercial-retail, i.e. apartments over a store front, allowable for dispensary operations as long as security guidelines are met?	Dispensaries may be located in multi-tenant buildings.