



Dispensary Licensee Newsletter - July 2019

Editor's Note: This month we bring you information on a new employee request form, a reminder of the responsibilities of the designated representative, and a change to the Board's accepted payment methods.

- Board of Pharmacy's MMCP Staff

IMPORTANT UPDATES

90-Day Purchase Limit

As a reminder, [Rule 3796:7-2-04\(F\) of the Ohio Administrative Code](#) states:

A patient may purchase any portion of their ninety-day supply at any time except that no patient shall receive more than a ninety-day supply in a ninety-day period.

This rule means that no patient can purchase more than a 90-day supply in a 90-day period. Over-dispensation of medical marijuana to a patient will extend the length of time a patient must wait before being able to purchase again and may result in administrative action against a dispensary and/or a dispensary employee.

Scanner Reminder

It is not a requirement to purchase scanners through Appriss. A dispensary may purchase scanners from any preferred company that sells them, as long as the scanner is compatible with the Patient & Caregiver Registry.

LICENSING

Criminal Conviction Determination Request Form for Medical Marijuana Employees

[Section 9.78 of the Ohio Revised Code](#) allows an individual who has been convicted of a criminal offense to request that the State of Ohio Board of Pharmacy determine whether that conviction disqualifies the individual from obtaining an Associated Key Employee, Key Employee or Support Employee license. To submit for determination, the applicant must complete the required form—which can be found [here](#)— and pay the \$25.00 fee.

Background Check Fee Increase

Effective January 1, 2019, the FBI increased their background check fee by \$1.25. Due to this increase, BCI's fee for FBI background checks will be increased to \$25.25. BCI background checks will remain \$22.00. A quick reference guide on Dispensary Employee Background Checks can be found [here](#).

COMPLIANCE

Designated Representative Responsibilities

The Board has received numerous complaints of prohibited advertising on social media. Upon

further inquiry, it was discovered an employee of a dispensary was involved with the creation of websites and other forms of social media, of which had not been approved as required. It is the responsibility of the Designated Representative to ensure employees are familiar with [Ohio Administrative Code Chapter 3796:6-3](#), and to inform the employee to refrain from posting on social media on behalf of the dispensary.

Dispensary Access Requests

Agents are responsible for approving access to a dispensary. Requests for access must be submitted in writing. Please submit requests in a timely manner to allow for review and response from your compliance agent. Making a request the day-of or one day prior to a visit does not allow the Agent to conduct an appropriate review of the documents received. In order to allow for a visitation of persons otherwise prohibited from being on the premises of a dispensary, submitting a request to access a dispensary one week prior is suggested.

DISPENSARY OPERATIONS

Payment Method Change

Please be aware that the State of Ohio Board of Pharmacy will no longer be accepting American Express or ACH/electronic checks (e-checks) as a method of payment. If you have any questions on acceptable payment methods, please contact the Board's fiscal department.