



Dispensary Licensee Newsletter - May 2020

IMPORTANT UPDATES

Printer-Friendly Fill Period Calculator

In addition to the other versions of the Patient Fill Period Calculator that are posted on the MMCP website, the Board has uploaded a new printer-friendly PDF version. The new version [can be accessed here](#).

Responsible RestartOhio Requirements

Last week, the Board sent an advisory email to dispensaries regarding the Ohio Department of Health's Stay Safe Ohio Order. This order permits all businesses, except those specifically [listed in the order](#), to reopen or remain open as long as all workplace safety standards are met. A copy of the order may be reviewed [here](#).

The order implements uniform requirements that dispensaries and other Board of Pharmacy licensees and registrants are required to comply with to remain open. The Board has posted more information about complying with this order and the Responsible RestartOhio requirements here: www.pharmacy.ohio.gov/RestartOhio.

Licensees **are strongly advised to review** the [Responsible RestartOhio Requirements](#) that apply to medical marijuana dispensaries.

Failure to comply with the requirements may result in administrative action against the dispensary license and the dispensary's designated representative.

NOTE: These requirements replace all previously issued guidance on how dispensaries are to maintain clean and sanitary conditions during COVID-19.

COMPLIANCE

Returned Products

As a reminder, dispensaries shall notify the state board of pharmacy in writing of any returned or abandoned medical marijuana. This can be accomplished by emailing your agent directly. For further information related to returns and inventory can be found in O.A.C. 3796:6-3-20.

Dispensary Access

The Board has received numerous reports of dispensaries permitting non-patient juveniles into the dispensary department. This regulation has been addressed with the industry in the past and has not changed. In accordance with OAC 3796:6-3-23 a registered patient and/or caregiver is limited to one accompanying individual who shall remain in the waiting area. This restriction applies to all non-patient juveniles who are accompanying an adult. It is at the dispensary's discretion whether an employee will be permitted to supervise a juvenile who is not of age to remain unattended in the dispensary waiting area.

DISPENSARY OPERATIONS

Vaporizing Device Reminder

Oils for vaporization that are sold in a vaporizing device (e.g. vaporizing pen or cartridge) must be capable of meter dosing the product. If the device does not include this functionality, then the medical marijuana product will need to be sold pre-dosed (e.g. syringe, scoop, etc.).

The Board has determined that a battery timing shut-off mechanism is sufficient to meet this requirement. If the product is dosed by the timing shut-off mechanism from the battery, the battery is required to be sold with the cartridge. Processors are permitted to sell multiple cartridges if they are sold with a battery.

A cartridge would be permitted to be sold without a battery if the processor provides confirmation that the cartridge is unique to a certain battery and not compatible with other batteries. (There are some processors that have approved products that do not require the battery to be sold with the cartridge for this reason.)

The approval of a vaporizing device is based upon the information included in the submission, which includes the product's intended use. Devices must include language in the instructions stating: (1) that the device shall not be modified by the purchaser or used with batteries not specifically intended for that device rendering it unable to meter the doses, and (2) that modifying or using this device in a manner not designed or intended may result in grounds for discipline.