



Dispensary Licensee Newsletter - April 2019

Editor's Note: This month we bring you notice of the upcoming annual licensee meeting, various compliance reminders, and two licensing forms.

- Board of Pharmacy's MMCP Staff

IMPORTANT UPDATES

Annual Meeting

Please save the date for the Annual Dispensary Licensee Meeting on June 7, 2019. More details will be released in the coming weeks.

Days' Supply Available for Purchase

Since medical marijuana dispensations began, the Board has received many questions regarding the calculation of a patient's remaining days' supply. To find out how much a patient can purchase during a particular visit, please make note of the following numbers:

1. Subtract the days' supply purchased on the current fill from 90;
2. Subtract the days that have passed since the first day of the fill from 90;
3. Subtract the "Purchased in Last 90 Days" number in the patient's purchase summary from 90.

Whichever number is lowest is the days' supply available for purchase. If a patient has exceeded their 90-day purchase limit, they cannot be dispensed medical marijuana.

eLicense System Reminder

For dispensary licensees that may also hold a processor or cultivator license, please email the Ohio Department of Commerce to receive access to the Department's eLicensing system. Requests for access can be sent to MMCPlicensing@com.state.oh.us.

LICENSING

Employee Termination

The Board has received a lot of e-mails regarding employee termination. Please be advised this was discussed in last month's newsletter. The form to report a separated employee can be found [here](#).

Request To Work At More Than One Dispensary

Pursuant to Rule 3796:6-2-09(B) of the Ohio Administrative Code, an employee's license authorizes the employee to work at any dispensary issued a certificate of operation to the same collective owners, as defined under Rule 3796:6-2-03 of the Ohio Administrative Code.

Employees seeking to work for dispensaries under different ownership must apply to have those additional dispensary employers added to their license. The process, however, is streamlined. To work at dispensaries under different ownership, an employee must complete and submit a copy of the form found [here](#) for approval.

COMPLIANCE

Dispensary Access Reminder

As a reminder: pursuant to Rule 3796:6-3-23 of the Ohio Administrative Code:

Except as provided under this division, no person, except a dispensary employee, or a cultivator or processor employee who is delivering medical marijuana, shall be allowed in the dispensary department without an active qualifying patient or caregiver registration issued by the state board of pharmacy. Also, all persons not expressly permitted to be on the premises of a dispensary under this rule, but who have been authorized, in writing, to enter the dispensary by the state board of pharmacy, shall obtain a visitor identification badge from the dispensary, prior to entering the dispensary.

Requests For Food At Dispensaries

Requests have been made to allow for food at the dispensary for patients, caregivers and guests. Rule 3796:6-3-22(H) of the Ohio Administrative Code prohibits food or beverages from being consumed on the premises of a dispensary. A dispensary is only permitted to provide non-alcoholic, complimentary beverages to registered patients and caregivers who are present at the dispensary. Licensed dispensary employees may only consume beverages & food within designated employee break rooms.

Physician Partnerships

In response to questions regarding partnering with local physicians, be aware of the following:

No dispensary employee may share office space with, compensate, receive compensation from, or refer patients to a physician holding a certificate to recommend issued by the state medical board under section 4731.30 of the Revised Code. A dispensary shall not allow a physician holding a certificate to recommend issued by the state medical board under section 4731.30 of the Revised Code to conduct a physical examination of a patient or any follow up care for purposes of diagnosing or treating a qualifying medical condition at the dispensary.

DISPENSARY OPERATIONS

Concentration Ranges

Dispensaries may accept products that are between five percent below and five percent above the THC and CBD concentration levels reported on the label. Products with testing results that are beyond five percent the concentration levels reported on the label are not permitted to be sold and would need to be labeled with the appropriate concentration levels. For further guidance on allowable THC and CBD percent examples and THC and CBD Content examples see the following documents:

- [THC Range](#)
- [Non-Plant Material Target THC Ranges](#)