



Dispensary Licensee Newsletter - March 2021

IMPORTANT UPDATES

Patient & Caregiver Registration Extension

Per HB 404, patient and caregiver registrations that expire between March 9, 2020 and April 1, 2021, have automatically been extended to July 1, 2021. Patients and caregivers taking advantage of the extension will not receive a new medical marijuana card noting the extended expiration date. The extension **DOES NOT** apply to patient recommendations. Patients must have an active recommendation from their physician in order to purchase medical marijuana. Dispensaries **MUST** honor the HB 404 extension. [Click here](#) for more information.

LICENSING

Dispensary Employee License Renewal

All dispensary employee licenses for associated key employees, key employees, and support employees will be eligible for renewal through July 1, 2021. All renewal applications, materials, and payment must be submitted via eLicense Ohio.

Designated representatives are encouraged to review their employee roster and check the status of their employees' renewal using [the eLicense Ohio website](#). Search for the employee by their name or license number. Once their license is shown, click the carrot on the right side of the entry to see their license's expiration date. An employee who has renewed their license should have an expiration date of 12/4/2022.

If an employee is no longer employed at your dispensary, please submit an [Employee Separation Notification form](#) via the [Compliance Upload portal](#).

COMPLIANCE

Advertising

The Board has received information regarding 4/20 events and advertisements. Dispensaries are reminded to only use templates or other advertisements, which have been previously approved by the Board. Adding additional text or images in reference to 4/20 to previously approved templates is *not* compliant. Furthermore, the reduction of prices is a business decision and can be offered by medical marijuana dispensaries at any time of year. However, the advertisements of such price reductions or any advertisement related to the sale price must also be submitted for approval via the State of Ohio Board of Pharmacy's portal prior to use.

Due to its recreational nature, dispensaries need to refrain from advertising, encouraging, promoting, endorsing, celebrating, or otherwise advertising the date 4/20.

Please review [O.A.C. 3796:6-3-24\(B\)](#) for more information.

Terminal Designation

If a patient has a terminal designation on his or her account, the patient may purchase increased amounts of medical marijuana. Please be sure to check patients' profiles to determine whether terminal status has been designated. The designation is located below the recommendation status and is not very noticeable. (See example below.)

Recommendation Status: **Active**

Expires: **08/19/2021**

Written: **02/20/2021**

Issued: **02/20/2021**

Number of 90-day Refills: **1**

Terminal: **Yes**



Terminal designation means that the days' supply amounts associated with each purchase are different. The system does not do anything automatically – the dispensary employees must make sure they're inputting the correct number of days' supply. For example: typically, you would enter 2.83g of Tier I plant material as a 2-day supply, but under a terminal designation it should be entered as a 1-day supply.

Unexplained Losses

Medical marijuana thefts or unexplained losses must be reported to the Board of Pharmacy in writing irrespective of whether the medical marijuana is recovered and/or the responsible parties are identified, and action taken against them. Written reports must be provided to the Board within 48 hours following the discovery of such theft or loss.

The written report must include:

1. The name, address, and license number of the dispensary;
2. The amount and type of medical marijuana lost or stolen;
3. The circumstances surrounding the loss or theft;
4. The date the loss or theft was discovered;
5. The person who discovered the loss or theft;
6. The person responsible for the loss or theft if known; and
7. Any other information that the reporter believes might be helpful in establishing the cause of the loss or theft.

DISPENSARY OPERATIONS

Advertising Reminders

Pursuant to [OAC 3796:6-3-24](#), images of marijuana leaves and plant material are not permitted in advertising materials, including dispensary menus. Please be sure the point-of-sale vendor does not upload images of flower product when generating product menus.

Not all advertising materials from processors and cultivators are compliant for use at a dispensary. It is recommended that dispensaries submit all materials to the advertising portal or contact the Board of Pharmacy to ensure the materials are compliant even if the cultivator or processor informs the dispensary that the materials were determined to be compliant by Ohio Department of Commerce. Processors and cultivators should not contact the Board of Pharmacy for approvals.

Flavors for Oils or Solids for Vaporization

Pursuant to [section 3796.06\(C\)](#) of the Ohio Revised Code and [3796:8-2-03](#) of the Ohio Administrative Code, any product commonly recognized as appealing to children is prohibited. Strain names are permitted in the name of the Item and Item Brand with the following exception: Product IDs for Oil for Vaporization are not permitted to have flavor. Thus, references in the name to fruit, fruit flavors, cake, cookie, or candy are prohibited because they are considered attractive toward children. Abbreviations are permitted in the name. You may also refer to the strain name in the ingredients or label. Here is an example of compliant language: "This product was extracted from X strain." The name of the strain is permitted on the label as long the font and font size are

consistent with the rest of the information included on the label.