



Ohio Medical Marijuana Control Program Rule Revisions – July 2017

The Ohio Medical Marijuana Control Program agencies submitted the following changes to program rules that are currently pending before the Joint Committee on Agency Rule Review (JCARR). These changes are in response to public feedback obtained during the Common Sense Initiative (CSI) review and the recent public hearings. The CSI and JCARR reviews followed an initial public comment period that took place after presentation to the Medical Marijuana Advisory Committee. The rules are currently slated to be on the JCARR agenda for Monday, July 31 at 1:30 p.m. More information about program rules can be found online:

<http://medicalmarijuana.ohio.gov/Rules>.

- **Rule 4731-32-03** (State Medical Board of Ohio): Changed to reflect the amended language of Section 3796.08(A)(2)(a) of the Revised Code that occurred in House Bill 49 of the 132nd General Assembly. The rule is revised at paragraphs (C)(4), (D)(2)(f), and (F)(1) to remove any reference to the previous requirement that the recommending physician must advise the patient that the benefits of treatment with medical marijuana outweigh the risks.
- **Rules 3796:6-2-02 and 6-2-04** (State of Ohio Board of Pharmacy): Changed to allow applicants to submit with an application three years of documentation (instead of five years) to establish an applicant's compliance with applicable tax laws.
- **Rule 3796:4-1-08** (Ohio Department of Commerce): Added language to allow the department to refuse renewal of a certificate of operations for a lab that fails to achieve or maintain the required ISO 17025 accreditation.
- **Rule 3796:4-2-01** (Ohio Department of Commerce): Added requirement that labs segregate incoming samples from samples that are being analyzed or prepared for analysis to prevent cross-contamination. Language was added to include equipment maintenance performed by manufacturers or third-parties to the equipment maintenance log. The educational background requirements for a scientific director were expanded to include environmental sciences with chemical and biological sciences.
- **Rule 3796:4-2-04** (Ohio Department of Commerce): Added water activity and CBN to the list of required analyses.
- **Rule 3796:4-2-05** (Ohio Department of Commerce): Loosened the requirement that labs email a pdf of lab results to "upon request of the department." Results are still required to be entered into the Seed to Sale system.
- **Rule 3796:4-2-08** (Ohio Department of Commerce): Carved an exception out of paragraph L to allow for the publication or public release of aggregated data obtained as part of an approved research plan.
- **Rule 3796:3-2-01** (Ohio Department of Commerce): Removed language that would have limited solventless extraction only to the manufacture of edibles. It will now be permitted in the manufacture of any medical marijuana products.