



Ohio Administrative Code Rule 1301:18-8-07 Dispensary Patient Confidentiality.

Effective: December 20, 2024

(A) Each dispensary shall ensure the confidentiality of all records related to patient transactions. Except as authorized under paragraph (B) of this rule, patient records may only be released via written authorization and consent by the patient.

(1) Any consent must be signed by the patient and dated.

(a) If a patient is unable to provide written consent, consent may only be provided by the patient's caregiver or legal guardian.

(2) Any consent for disclosure is valid until rescinded by the patient.

(B) A dispensary may release patient records to the following individuals:

(1) The patient;

(2) The patient's designated caregiver;

(3) The certified physician who issued the recommendation to the patient;

(4) Certified or licensed health care personnel responsible for the care of the patient;

(5) Any person that the dispensary is legally required to release the information to, including upon issuance of a valid subpoena, court order, or other similar document only in a criminal matter or an equivalent juvenile matter

(6) An agent who contracts with the dispensary as a "business associate" in accordance with the regulations promulgated by the secretary of the United States department of health and human services pursuant to the federal standards for the privacy of individually identifiable health



information;

(7) If applicable, an agent of a medical insurance company who provides insurance coverage for medical cannabis upon authorization and proof of insurance by the patient or proof by the insurance company for those medications requested; and

(8) The Ohio division of cannabis control.

(C) In an emergency, a dispensary may disclose the recommendation information when it is deemed to be in the best interest of the patient.

(1) A dispensary employee that orally discloses patient information pursuant to an emergency must prepare a written statement outlining the following:

(a) The name of the dispensary employee who disclosed the information;

(b) The patient's name;

(c) The date and time of disclosure;

(d) The nature of the emergency; and

(e) The names of the individuals to whom the information was disclosed.