



Ohio Administrative Code

Rule 3796:5-4-01 Medical marijuana entity loss, theft, and emergency reporting.

Effective: May 6, 2017

(A) If a medical marijuana entity licensed by the department has reason to believe that an actual loss, theft, or diversion of medical marijuana has occurred, the medical marijuana entity shall notify immediately the department and law enforcement. A type 1 key employee of the medical marijuana entity licensed by the department shall provide the notice by submitting a signed statement that details the estimated time, location, and circumstances of the event, including an accurate inventory of the quantity and type of medical marijuana unaccounted for due to diversion or theft. The notice shall be provided no later than twenty-four hours after discovery of the event.

(B) Within ten days of a report submitted under paragraph (A) of this rule, a medical marijuana entity licensed by the department shall do the following:

(1) Review and secure video surveillance footage during the time of the suspected theft or diversion;

(2) Submit a report that contains the following information:

(a) The names and identification numbers of every employee at the facility at the time of the theft or diversion;

(b) The internal measures take to locate the cause of the loss, theft, or diversion; and

(c) The total quantity and type of medical marijuana stolen or otherwise diverted following a subsequent audit of the facility's actual inventory compared to the inventory reported by the inventory tracking system.

(3) Submit to the department a revised plan to secure the facility's inventory and measures that will be taken to prevent future loss, theft, or diversion; and

(4) Identify all the records at the facility and potential evidence outside the facility, including video



surveillance footage, that will be sealed and prevented from being destroyed until a full investigation is conducted by the department and law enforcement, if deemed necessary.

(C) A medical marijuana entity licensed by the department shall notify the department within twenty-four hours and submit a written report within ten days if there is any of the following:

(1) An alarm activation or other event that requires response by public safety personnel occurs;

(2) A breach of security; or

(3) The failure of the security alarm system due to a loss of electrical support or mechanical malfunction.

(D) A medical marijuana entity shall notify the department of any fire or other hazardous materials related incident or any incident requiring an emergency response to the licensed premise within twenty-four hours after the discovery of the incident.

(E) A medical marijuana entity licensed by the department shall maintain and shall make available all documentation related to an occurrence that is reportable pursuant to paragraphs (A) to (C) of this rule.