



## Ohio Administrative Code Rule 3796:6-1-01 Definitions.

Effective: September 8, 2017

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(A) Abandoned application means an application for a dispensary provisional license where the applicant fails to complete all application requirements within five calendar days after being notified by the state board of pharmacy, subject to the factors that would otherwise remove the applicant from consideration under Chapter 3796. of the Revised Code or this division. An applicant forfeits all fees associated with an abandoned application. The state board of pharmacy shall not be required to act on any abandoned application and the application may be destroyed by the board staff. If the application is abandoned, the applicant shall be required to reapply for licensure in accordance with Chapter 3796. of the Revised Code and this division, in effect at the time of reapplication.

(B) Business day means any day other than Saturday, Sunday or a holiday recognized by the state of Ohio on which the state board of pharmacy is not open for business.

(C) Designated representative means the dispensary key employee responsible for acting in compliance with rule 3796:6-3-05 of the Administrative Code.

(D) Dispensary department means a building, room or other area under the control of a dispensary and upon the licensed premises with access limited to patients, caregivers, dispensary employees or service professionals conducting business with the dispensary and who are escorted and supervised by a dispensary employee, and other persons authorized by section 3796.05 of the Revised Code and this division.

(E) Dispensary district or district means a geographic region, established by the state board of pharmacy, in accordance with division (B)(3) of section 3796.05 of the Revised Code.

(F) Dispensary employee means an any or all of the following:

(1) Dispensary associated key employee means an owner or prospective owner, officer or board member or prospective board member of the entity seeking a dispensary license.



(2) Dispensary key employee means an administrator or other person responsible for the daily operation of a licensed dispensary.

(3) Dispensary support employee means an employee who works within a dispensary but who does not have authority to make operational decisions.

(G) Place on probation means to take action against a license suspending some or all of the sanctions imposed by the state board of pharmacy against that license. The terms of the probation shall state the period of time covered by the probation and may include other conditions as determined by the state board of pharmacy.

(H) Positive identification means a method of identifying an individual who receives, dispenses, or destroys medical marijuana. A method may not rely solely on the use of a private personal identifier such as a password, but must also include a secure means of identification such as the following:

(1) A manual signature on a hard copy record;

(2) A magnetic card reader;

(3) A barcode reader;

(4) A biometric method;

(5) A proximity badge reader;

(6) A state board of pharmacy-approved system of randomly generated personal questions;

(7) A printout of every transaction that is verified and manually signed within a reasonable period, but no more than forty-eight hours, by the by the responsible individual. The printout must be maintained for three years and made available on request to those individuals authorized by law to review such records; or



(8) Other effective methods for identifying individuals that have been approved by the state board of pharmacy.

(I) Refuse to grant or renew means to deny original or continued licensure for a period of at least twelve months. After twelve months or such period of time as the individual board order may require, an employee or dispensary, or a facility that desires to attain such status by licensure, and whose license the state board of pharmacy has refused to grant or renew, may make application to the board for issuance of a new license in accordance with Chapter 3796. of the Revised Code and this division. An individual who desires to attain employee status by licensure, whose license the state board of pharmacy has refused to grant or renew must meet any requirements established by the board.

(J) Restricted access area means a building, room or other contiguous area under control of a dispensary and upon the licensed premises with access limited to only dispensary employees, where medical marijuana inventory, all records related to the dispensing of medical marijuana and all other items that require the personal supervision of a dispensary key employee are maintained behind a physical barrier with suitable locks and an electronic barrier to detect entry during any time when a dispensary key employee is not present.

(K) Revoke means to take action against a license rendering such license void and such license may not be reissued. "Revoke" is an action that is permanent against the license and licensee.

(L) Suspend means to take action against a license rendering such license without force and effect for a period of time as determined by the state board of pharmacy.