



Ohio Administrative Code

Rule 3796:6-2-08 Licensing of medical marijuana dispensary support employees.

Effective: February 14, 2022

(A) An applicant for a dispensary support employee license shall:

(1) Comply with all requirements set forth in Chapter 3796. of the Revised Code and the rules adopted thereunder;

(2) Comply with the criminal records check requirements in this rule;

(3) Be twenty-one years of age or older; and

(4) Submit a complete application, in a manner determined by the board, that includes all the following:

(a) The name and license number of the dispensary employing the applicant;

(b) The printed name, license number, and signature of the designated representative of the dispensary employing the applicant;

(c) A copy of the applicant's unexpired driver's license, identification card issued by the Ohio bureau of motor vehicles (BMV) or the equivalent issued by another state, or United States passport or United States passport card, or other identification approved by the board;

(d) An acknowledgment that the applicant has not been convicted of a disqualifying offense in any jurisdiction;

(e) The required fee; and

(f) Any additional information or documentation required by the state board of pharmacy.



(B) Pursuant to section 3796.13 of the Revised Code, dispensary support employee applicants must submit fingerprint impressions to the bureau of criminal investigation (BCI) for a criminal records check of the applicant.

(C) Pursuant to section 4776.02 of the Revised Code, the criminal records check performed by BCI shall consist of both a BCI criminal records check and a federal bureau of investigation (FBI) criminal records check. BCI shall send the results of the BCI and FBI criminal records checks directly to the state board of pharmacy.

(D) The state board of pharmacy requires that the criminal records check:

(1) Be based on electronic fingerprint impressions that are submitted directly to BCI from a "WebCheck" provider agency located in Ohio. The state board of pharmacy may accept the results of a criminal records check based on ink impressions from a "WebCheck" provider agency only if readable electronic fingerprint impressions cannot be obtained, or if submission of ink impressions is otherwise authorized by BCI.

(2) Results will only be considered valid if the fingerprint impressions were obtained within the twelve-month period immediately preceding the application date.

(E) If a dispensary support employee license has expired, the applicant shall submit to a criminal records check that meets the criteria prescribed in this rule.

(F) Applicants under this rule who meet the requirement of Chapter 3796. of the Revised Code and this division, who do not have a conviction for, judicial finding of guilt of, or plea of guilty to a disqualifying offense, and who submit the required fee shall be issued a dispensary support employee license. Any license issued pursuant to this rule shall be effective from the date the license is issued until the expiration date of the first day of July of each odd-numbered year. Initial licenses issued on or after the first day of April of each odd-numbered year shall receive an expiration date of the first day of July of the next odd-numbered year.

(G) Except as authorized under paragraph (B) of rule 3796:6-2-09 of the Administrative Code, a dispensary support employee license is non-transferrable and shall expire upon the occurrence of any



of the following conditions:

- (1) At the conclusion of the biennial term as indicated on the support employee's license;
 - (2) When the support employee is no longer employed by the licensed dispensary identified on the support employee's application; or
 - (3) When the licensed dispensary identified on the support employee's application ceases to maintain its certificate of operation.
- (H) A renewal application for a support employee license shall be submitted no later than the expiration date listed on the employee's biennial license. Renewal applications shall be accepted no earlier than ninety days prior to the expiration date on a date determined by the board's director of licensing.
- (I) A dispensary support employee shall submit a renewal application, in a manner determined by the board, that includes all the following:
- (1) An acknowledgement that the applicant does not have a conviction for, judicial finding of guilt of, or plea of guilty to a disqualifying offense;
 - (2) The required fee; and
 - (3) Any additional information required by the state board of pharmacy in the licensing process.
- (J) A dispensary support employee license is valid until the expiration indicated on the employee's biennial license. A license that is not renewed by the expiration date is expired.
- (K) An individual who fails to renew their license in accordance with this rule is prohibited from engaging in the activities authorized by Chapter 3796. of the Revised Code and Chapter 3796. of the Administrative Code.
- (L) A dispensary support employee with an expired license may apply to reinstate their license in



accordance with this rule.

(M) If any information contained in the application or accompanying documents changes after being submitted to the state board of pharmacy, the applicant shall immediately notify the state board of pharmacy in writing and provide corrected information within fourteen days of the change.