



## Ohio Administrative Code Rule 3796:6-3-19 Employee training requirements.

Effective: July 11, 2022

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(A) A dispensary designated representative shall establish and oversee a dispensary employee training program.

(B) Each dispensary shall maintain evidence of all training provided for every dispensary employee in its files. Such records are subject to inspection and audit by the state board of pharmacy.

Acceptable forms of evidence are:

(1) Transcripts;

(2) Certificates of completion; or

(3) Other form of documentation which includes:

(a) The participant's name;

(b) Course title;

(c) Course content;

(d) Date(s) of training;

(e) Provider's name(s); and

(f) Signature of the course instructor.

(C) All dispensary employees shall receive foundational training regarding the dispensing of medical marijuana before dispensing any medical marijuana. All dispensary employees with access to confidential patient information and/or the patient registry shall receive foundational training



pursuant to subsection (5) even if not dispensing medical marijuana. Training received in accordance with this paragraph does not qualify as continuing education described in paragraphs (D) and (E) of this rule. Mandatory training for dispensary employees before the employee may begin dispensing medical marijuana includes:

- (1) Relevant training on the drug database established pursuant to section 4729.75 of the Revised Code;
- (2) Relevant training on the inventory tracking system established pursuant to section 3796.07 of the Revised Code;
- (3) Responsible use training, which shall include specific instruction on:
  - (a) Use of the toll-free telephone line established pursuant to section 3796.17 of the Revised Code;  
and
  - (b) Learning to recognize signs of medicine abuse or adverse events in the medical use of marijuana by a patient.
- (4) The proper use of security measures and controls that have been adopted by the dispensary for the prevention of diversion, theft or loss of medical marijuana;
- (5) Confidentiality requirements of a dispensary;
- (6) Instruction on the different forms, methods of administration, and strains of medical marijuana;
- (7) Instruction on qualifying conditions for medical marijuana patients;
- (8) Authorized uses of medical marijuana in the treatment of qualifying conditions;
- (9) Instruction regarding regulatory inspection preparedness and law enforcement interaction;
- (10) Awareness of the legal requirements for maintaining status as a licensed dispensary employee,



including but not limited to the duty to report information to the board; and

(11) Other topics as specified by the state board of pharmacy.

(D) Dispensary employees who dispense medical marijuana shall receive a minimum of sixteen hours of continuing education, on topics described in paragraph (E) of this rule, for each two-year licensing period. Continuing education hours shall not be carried over from one licensing period to another. A dispensary employee who is licensed within six months of a dispensary employee biennial renewal cycle shall be exempt from continuing education requirements.

(E) The designated representative shall be responsible for ensuring that each dispensary key and support employee who dispenses medical marijuana receives continuing education on the following subjects during each biennial licensing period:

(1) Guidelines for providing information to patients and caregivers related to the risks associated with medical marijuana, including possible drug interactions;

(2) Guidelines for providing support to patients related to the patients' symptoms;

(3) Recognizing signs and symptoms of substance abuse;

(4) Guidelines for refusing to provide medical marijuana to an individual who appears to be impaired or abusing medical marijuana;

(5) The safe handling of medical marijuana, including an overview of common industry hazards, current health and safety standards, and dispensary best practices;

(6) Legal updates training pertaining to the Ohio medical marijuana control program; and

(7) Other topics as specified by the state board of pharmacy.

(F) Before any training in paragraphs (C) and (E) of this rule may be provided to dispensary employees for credit, a designated representative shall submit, in a manner determined by the board,



all of the following items to the state board of pharmacy and obtain approval:

- (1) Names and qualifications of the persons responsible for training content;
- (2) The agenda with a detailed time schedule;
- (3) A set of training materials; and
- (4) Any other items requested by the state board of pharmacy.

(G) Before training may be provided to dispensary employees for credit under paragraphs (C)(3)(b), (C)(7), and (E)(1) to (E)(4) of this rule, a designated representative shall submit, in a manner determined by the board, all of the following to the state board of pharmacy:

(1) A signed attestation by the person responsible for training content that the person or persons responsible for the content of the educational materials is a pharmacist licensed under Chapter 4729. of the Revised Code, or any of the following professionals authorized to prescribe under division (I) of section 4729.01 of the Revised Code:

- (a) A clinical nurse specialist or certified nurse practitioner;
- (b) A physician; or
- (c) A physician assistant;

(2) The professional license number of the person or persons identified in paragraph (G)(1) of this rule; and

(3) That the person or persons approve of the content.

(H) All training materials submitted for approval under paragraph (F) of this rule shall be submitted a minimum of sixty days prior to the date of presentation of the intended training. Any representation that the training has been approved for dispensary employee credit is prohibited until such approval



is received by the designated representative who submitted the application for approval.

(I) Training approved for credit by the state board of pharmacy pursuant to paragraphs (F) and (G) of this rule, shall be valid for dispensary employee continuing education credit for remainder of the two-year licensing period in which the continuing education credit will be offered. Training material is valid for two years from the date of approval. Approved training shall be available to any licensed dispensary employee.

(J) Before or at the time of training, each participant shall be provided with course materials in the form of written, electronic, or other format that are of such quality and quantity to indicate that adequate time has been devoted to their preparation and that they will be of value to participants. Any presentation materials, electronic or otherwise, shall be subject to the same criteria as other materials.

(K) Training credit shall not be awarded for breaks or opening or closing remarks. Only time of actual instruction shall count toward a credit hour. Partial hours shall be rounded to the nearest one-quarter of an hour and should be expressed in decimals.

(L) The state board of pharmacy, upon receipt of evidence that any approved training program or training provider is not conforming to the requirements developed pursuant to this rule, may revoke or otherwise limit the scope of the board's prior approval.

(M) An attendee at an out-of-state training may seek post-program approval if such approval is sought within sixty days after the program is presented. An application for out-of-state training shall be made on a completed form, developed in accordance with section 3796.04 of the Revised Code.

(N) A designated representative shall, in cooperation with the individual or individuals described in paragraph (O) of this rule, provide oversight for the development and dissemination of:

(1) Educational materials for patients and caregivers in accordance with paragraphs (C)(6) and (C)(7) of rule 3796:6-3-15 of the Administrative Code;

(2) A system for a patient or caregiver to document the patient's symptoms related to a qualifying



condition that includes:

(a) A logbook, maintained by the patient and/or caregiver, in which the patient or the caregiver may track the use and effects of medical marijuana;

(b) A rating scale for symptoms associated with a qualifying condition;

(c) Guidelines for the patient's self-assessment, or if applicable, assessment of the patient by the caregiver; and

(d) Guidelines for reporting usage and symptoms to the recommending physician and any other treating physicians.

(3) Policies and procedures for refusing to provide medical marijuana to an individual who appears to be impaired or abusing medical marijuana.

(O) A designated representative shall maintain all of the following records regarding the educational materials outlined in paragraph (N) of this rule:

(1) A signed attestation by the person or persons responsible for content described in paragraph (N) of this rule is a pharmacist licensed under Chapter 4729. of the Revised Code, or any of the following professionals authorized to prescribe under division (I) of section 4729.01 of the Revised Code:

(a) A clinical nurse specialist or certified nurse practitioner;

(b) A physician; or

(c) A physician assistant;

(2) The professional license number of the person or persons identified in paragraph (O)(1) of this rule; and



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(3) That the person or persons approve of the content.