



Ohio Administrative Code Rule 3796:6-3-22 Prohibitions.

Effective: September 5, 2022

- (A) No dispensary employee may share office space with, compensate, receive compensation from, or refer patients to a physician holding a certificate to recommend issued by the state medical board under section 4731.30 of the Revised Code.
- (B) A dispensary shall not allow a physician holding a certificate to recommend issued by the state medical board under section 4731.30 of the Revised Code to conduct a physical examination of a patient or any follow up care for purposes of diagnosing or treating a qualifying medical condition at the dispensary.
- (C) No dispensary shall be open or in operation, and no person shall be in the dispensary department, unless a designated representative is actively employed by the dispensary and available for consultation by any dispensary employee. At all other times, the dispensary shall be closed and properly secured, in accordance with standard operating security procedures and in compliance with this division.
- (D) No dispensary shall be left unattended by dispensary employees during hours of operation.
- (E) No dispensary shall sell anything other than authorized medical marijuana, medical marijuana products, medical marijuana devices, and advertising materials authorized pursuant to rule 3796:6-3-24 of the Administrative Code.
- (F) No dispensary shall offer discounts unless the discount is offered in accordance with a written discount policy and:
- (1) The discount is offered to all patients registered as indigent or veteran under Chapter 3796. of the Administrative Code; or
 - (2) The discount is offered equally to all patients or caregivers registered under Chapter 3796. of the



Administrative Code; or

(3) The discount is offered to all patients registered under Chapter 3796. of the Administrative Code also licensed as an employee for a medical marijuana entity under Chapter 3796. of the Administrative Code and:

(a) The employee presents their employee identification card in addition to the identification required under rule 3796:6-3-08(C) of the Administrative Code; and

(b) The discount does not exceed the discount offered in accordance with paragraph (F)(1) of this rule.

(G) No medical marijuana or medical marijuana products shall be consumed on the premises of a dispensary.

(H) No food or beverages shall be offered, furnished, or consumed on the premises of a dispensary, except that complimentary non-alcoholic beverages may be available for patients and caregivers who are at the dispensary. Licensed dispensary employees shall be authorized to consume food and non-alcoholic beverages in designated employee break areas. No medical marijuana shall be accessed, stored, possessed, or administered in designated employee break areas.

(I) A dispensary shall not produce or manufacture medical marijuana or medical marijuana products without being licensed pursuant to this division by the department of commerce.

(J) No medical marijuana shall be sold, dispensed, or distributed to a patient or caregiver via a delivery service or any other manner outside of a dispensary, except that a caregiver may deliver medical marijuana to the caregiver's registered patient.

(K) A dispensary shall not operate if its surveillance equipment is inoperable. If the surveillance equipment is partially inoperable, that matter should be immediately reported to the state board of pharmacy to determine whether the dispensary may continue to operate in any fashion.

(L) A dispensary shall not allow intoxicating liquor or beer as defined in section 4301.01 of the



Revised Code onto its licensed premises.

(M) No dispensary shall change a written discount policy described in this rule unless the board is notified in writing at least ten calendar days prior to the effective date of the change.

(N) Dispensary employees who have an active patient or caregiver registration shall not receive rebates or discounts on medical marijuana products offered by a cultivator, processor, or third-party entity.