

3796:7-2-01

Procedure for patient registration.

- (A) Before medical marijuana may be dispensed to or for, possessed by or for, or administered by or for a prospective patient, the prospective patient must be placed on the registry established by the state board of pharmacy in accordance with section 3796.08 of the Revised Code.
- (B) To qualify for placement on the registry, a prospective patient must:
- (1) Establish and maintain a bona fide physician-patient relationship with a recommending physician who shall submit a complete patient registration submission;
 - (2) Receive a diagnosis or confirmation of a qualifying condition from the recommending physician;
 - (3) Consent to treatment with medical marijuana. If the patient is a minor or individual with a court-appointed legal guardian, the prospective patient's parent or legal representative shall consent to treatment with medical marijuana;
 - (4) Remit to the state board of pharmacy the required fee; and
 - (5) Unless otherwise provided pursuant to a reciprocal agreement under division (A) of section 3796.16 of the Revised Code, be an Ohio resident.
- (C) A physician with whom a prospective patient has a bona fide physician-patient relationship, or, subject to the limitations under section 3796.08 of the Revised Code, the physician's delegate, shall submit the patient registration. For a registration submission, related to a patient who is eighteen years of age or older, to be considered complete, a completed recommendation from a physician, applicable patient registration fee, and the following items must be submitted to the state board of pharmacy in a manner suitable to the board:
- (1) ~~Patient~~ Patient's full name, residential address, telephone number, date of birth, electronic mail address, and qualifying condition(s);
 - (2) Patient's government-issued identification number (such as driver's license number). Patients and caregivers must present a recommending physician with an unexpired ~~United States passport, United States passport card, state-issued driver's license,~~ or other state-issued identification issued by the Ohio bureau of motor vehicles (BMV) or other identification proving Ohio residency as approved by the board of pharmacy;

- (3) Recommending physician's full name (first name and last name);
 - (4) Drug enforcement administration physician identification number and medical license number issued by the state medical board;
 - ~~(5) Recommending physician's certificate to recommend identification number issued by the state medical board;~~
 - ~~(6)~~(5) _____ Date recommendation was issued by the recommending physician;
 - ~~(7)~~(6) Recommending physician's business address, telephone number, and email address;
 - ~~(8)~~(7) _____ Indication whether the recommendation is new or a renewal;
 - ~~(9)~~(8) _____ The following patient attestations:
 - (a) The physician has explained to the individual the possible risks and benefits associated with the use of medical marijuana;
 - (b) The individual consents to treatment with medical marijuana; and
 - (c) The individual agrees to comply with Chapters 2925. and 3796. of the Revised Code and this division.
 - ~~(10)~~(9) _____ An attestation from the recommending physician in accordance with division (A)(2) of section 3796.08 of the Revised Code; and
 - ~~(11)~~(10) _____ Such other information as the state board of pharmacy may reasonably require.
- (D) If a prospective patient is younger than eighteen years of age or has a court-appointed legal guardian, a patient registration submission must be accompanied by a caregiver registration submission in accordance with rule 3796:7-2-03 of the Administrative Code, before it will be considered complete. Patients who become eighteen years of age during the time period in which their registration is valid may apply for a new registration either immediately or in accordance with the renewal process under paragraph (K) of this rule. A submission from a patient that includes all information found in paragraph (C) of this rule, shall be considered complete.
- (E) A complete patient registration submission must be received by the state board of pharmacy within ninety calendar days of the date on which the recommendation was created by the prospective patient's recommending physician. Failure to comply with this requirement will void the recommendation and the person's registration shall be deemed abandoned.

- (F) ~~Applications submitted by an applicant diagnosed with a terminal illness shall be approved or denied within ten business days.~~ To qualify for registration as a patient diagnosed with a terminal illness, the prospective patient's registration submission shall include with the registration submission, an attestation specifying that the patient has a terminal illness, submitted by the patient's recommending physician.
- (1) ~~The registration of a patient who is registered as someone who is terminally ill shall be valid from the date of issuance and expire after six months.~~
 - (2) ~~If after a period of six months, a patient's terminally ill condition continues and the patient's recommending physician continues to recommend medical marijuana, the recommending physician shall confirm that patient's condition continues to be a terminal illness.~~
 - (3) ~~The registration for patients whose terminally ill condition has been confirmed after a period of six months, pursuant to paragraph (F)(2) of this rule, shall expire in accordance with paragraph (I) of this rule.~~
- (G) If a registration submission is determined to be inaccurate or incomplete, the state board of pharmacy shall send the prospective patient notice of the deficiency. If the deficiency is not corrected within ninety calendar days from the date that the registration was submitted by a physician, the submission shall be considered staleabandoned.
- (H) Prospective patients must provide proof of Ohio residency to their recommending physician or the physician's delegate during the physician's initiation of the registration submission process. Proof of Ohio residency shall include one of the following:
- (1) The prospective patient's unexpired Ohio driver's license;
 - (2) The prospective patient's unexpired Ohio identification card issued by the Ohio bureau of motor vehicles (BMV); or
 - (3) ~~The prospective patient's unexpired United States passport or United States passport card.~~ Any other identification proving residency as approved by the board of pharmacy.
- (I) A patient registration shall be valid from the date of issuance and expire one year later, on the last day of the month it was issued, unless issued pursuant to paragraph (F) of this rule.
- (J) The state board of pharmacy shall send a notification to each patient forty-five calendar days before the expiration date on the patient's registry identification card.

(K) To maintain a valid patient registration, a patient must annually renew, before the expiration date stated on the patient's registry identification, a patient registration, in accordance with this rule. Renewal submissions, fees, and required documentation may be submitted up to thirty calendar days before the registration will expire. Failure to renew a patient registration will result in an automatic ~~suspension~~ expiration of the registration card.

3796:7-2-04

Purchase of medical marijuana.

- (A) A patient or caregiver may only purchase medical marijuana pursuant to a valid and active recommendation issued by a physician pursuant to rule 4731-32-03 of the Administrative Code.
- (B) No patient under eighteen years of age shall purchase medical marijuana.
- (C) Patients and caregivers must provide their registry identification card and **photographic** identification before entering the dispensary department. Acceptable **photographic** identification includes:
- (1) An unexpired ~~state~~Ohio driver's license;
 - (2) An unexpired Ohio identification card issued by the Ohio bureau of motor vehicles (BMV); or
 - (3) ~~An unexpired United States passport or United States passport card.~~
- (D) The identification number on the **photographic** identification provided to a dispensary employee must be identical to the identification number included in the patient or caregiver's registration record.
- (E) Before purchasing medical marijuana, patients and caregivers must provide the dispensing employee their registry identification card and **photographic** identification described in paragraph (C) of this rule.
- (F) ~~A patient may purchase any portion of their ninety-day supply at any time except that no patient shall receive more than a ninety-day supply in a ninety-day period.~~ patient's ninety-day recommendation shall be divided into two forty-five-day fill periods, except that the first fill period of a patient's new recommendation shall be forty-six days. A patient may purchase up to a forty-five-day supply or, if applicable a forty-six-day supply for the first fill period of a new recommendation, at any time during a fill period.
- (G) ~~Except as provided in (G)(1) of this rule, a caregiver may obtain no more than a ninety-day~~forty-five day supply of medical marijuana in ~~a ninety-day~~ any forty-five day fill period on behalf of a single patient. ~~A caregiver shall purchase no more than the aggregate amount of medical marijuana authorized for each of the caregiver's patients.~~

- (1) A caregiver may purchase up to a forty-six-day supply in a forty-six-day period on behalf of a single patient during the patient's first fill period of a new recommendation
- (2) A caregiver shall purchase no more than the aggregate amount of medical marijuana authorized for each of the caregiver's patients.

