

3796:3-2-08

Processor records and reporting requirements.

(A) Each processor shall keep and maintain upon the licensed premises for a five-year period, unless otherwise stated in these rules, true, complete, legible, and current books and records. All required records must be made available for inspection if requested by the department. The following records shall be maintained:

(1) Records relating to the disposal of medical marijuana, medical marijuana products, and waste in accordance with paragraph (E) of this rule and rule 3796:3-2-03 of the Administrative Code;

(2) Records related to the sale of medical marijuana in accordance with paragraph (D) of rule 3796:3-2-04 of the Administrative Code;

(3) Transportation records in accordance with rule 3796:5-3-01 of the Administrative Code;

(4) Records of all samples sent to an independent testing lab and the quality assurance test results;

(5) Security records in accordance with paragraph (B) of rule 3796:3-2-05 of the Administrative Code;

(6) Inventory tracking records and inventory records maintained in the inventory tracking system, as well as records maintained by the facility outside the inventory tracking system, in accordance with rule 3796:3-2-04 of the Administrative Code;

(7) Processing records, which at a minimum shall include:

(a) The form and types of medical marijuana maintained at the facility on a daily basis;

(b) Production records, including extraction, refining, manufacturing, packaging, and labeling;

(8) Financial records in accordance with paragraph (C) of this rule;

(9) Employee records in accordance with paragraph (D) of this rule; and

(10) Records of any theft, loss, or other unaccountability of any medical marijuana as described in rule 3796:5-4-01 of the Administrative Code.

(B) A processor may use an electronic system for the storage and retrieval of records required by this chapter or other records relating to medical marijuana. Any loss of electronically-maintained records shall not be considered a mitigating factor for violations of this rule. A processor shall use a system that:

- (1) Guarantees the confidentiality of the information stored in the system;
- (2) Is capable of providing safeguards against erasures and unauthorized changes in data after the information has been entered and verified by the processor;
- (3) Is capable of placing a litigation hold or enforcing a records retention hold for purposes of conducting an investigation or pursuant to ongoing litigation; and
- (4) Is capable of being reconstructed in the event of a computer malfunction or accident resulting in the destruction of the data bank.

(C) A processor shall maintain financial records, which shall include the following:

- (1) Records that clearly reflect all financial transactions and the financial condition of the business, including contracts for services performed or received that relate to the processor;
- (2) Purchase invoices, bills of lading, manifests, sales records, copies of bills of sale, and any supporting documents, including the items and/or services purchased, from whom the items were purchased, and the date of purchase;
- (3) Bank statements and canceled checks for all accounts relating to the processor, if applicable; and
- (4) Accounting and tax records related to the processor and all investors in the facility.

(D) A processor shall maintain employee records, which shall include the following:

- (1) All records relating to the hiring of employees, including applications, documentation of verification of references, and any other related materials;
- (2) An employee log that includes the following information for every current and former employee:
 - (a) Employee name, address, phone number, and emergency contact information;
 - (b) Registration number and access credential designation;
 - (c) Date of hire and date of separation from employment, if applicable, and the reason for the separation;
 - (d) All training, education, and disciplinary records; and
 - (e) Salary and wages paid to each employee, and any executive

compensation, bonus, benefit, or item of value paid to any individual affiliated with any medical marijuana entity, including members of a non-profit corporation, if any, and

(3) Documentation that each employee has been successfully trained in accordance with the operations plan submitted as part of the processor application and in compliance with paragraph (B)(3)(f) of rule 3796:3-1-02 of the Administrative Code.

(4) Visitor logs maintained in accordance with rule 3796:5-2-01 of the Administrative Code.

(E) Medical marijuana production and disposal records may be stored at the facility and shall include all of the following:

(1) The registered strain or product name, form, and quantity of marijuana involved;

(2) The date of production or removal from production;

(3) The reason for removal from production, if applicable;

(4) A record of all medical marijuana sold, transported, or otherwise disposed of;

(5) The date and time of selling, transporting, or disposing of the medical marijuana; and

(6) If the medical marijuana is destroyed, the processor shall maintain records in accordance with paragraph (D) of rule 3796:3-2-03 of the Administrative Code.

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