

3796:4-1-01

**Number of testing laboratory provisional licenses.**

(A) The director of the department of commerce or the director's designee may issue a provisional license to conduct laboratory testing of medical marijuana in accordance with the criteria listed in section 3796.09 of the Revised Code to an institution of higher learning that meets all of the following conditions:

(1) The institution is public, and is located in the state of Ohio; and

(2) The institution has the facilities and resources necessary to conduct testing in accordance with the standards and procedures established in rules adopted by the department under section 3796.03 of the Revised Code.

(B) Beginning on the date that occurs one year after the date on which the department begins accepting applications for licensure under section 3796.09 of the Revised Code, the director or the director's designee may issue a provisional license or certificate of operation to conduct laboratory testing of medical marijuana to a laboratory that is not part of an institution of higher learning as specified in paragraph (A) of this rule, in accordance with the criteria listed in section 3796.09 of the Revised Code and this Division.

(C) In the event additional provisional licenses are deemed necessary, as determined by the director or the director's designee based on the volume of medical marijuana being produced and consumed by patients in the state of Ohio, the department will follow the license application procedures outlined in rule 3796:4-1-02 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under:	119.03
Statutory Authority:	R.C. 3796.03, R.C. 3796.09
Rule Amplifies:	R.C. 3796.03, R.C. 3796.09