

3796:6-3-22**Prohibitions.**

- (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 coupons except in the case of coupons intended to benefit patients registered as indigent or as a veteran.
- (G) No medical marijuana or medical marijuana products shall be consumed on the premises of a dispensary.
- (H) No food or beverages shall be 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 dispensary shall operate a drive through window (pickup unit).
- (K) No dispensary shall transport medical marijuana or medical marijuana products to residences of patients or caregivers.
- (L) 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.

Effective: 09/08/2017

Five Year Review (FYR) Dates: 09/08/2022

CERTIFIED ELECTRONICALLY

---

Certification

08/14/2017

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3796.04  
Rule Amplifies: 3796.04, 3796.20