Participation in the Ohio Medical Marijuana Control Program

Updated 11/7/2019

The State of Ohio Board of Pharmacy adopted the following resolutions regarding licensee and registrant participation in the Ohio Medical Marijuana Control Program and use of medical marijuana:

Licensee and Registrant Participation in the Program - Adopted March 5, 2019

The State of Ohio Board of Pharmacy has received inquiries regarding pharmacist participation in the Ohio Medical Marijuana Control Program authorized under Chapter 3796. of the Ohio Revised Code.

It is the policy of the State of Ohio Board of Pharmacy that a person licensed or registered by the Board will not be subject to professional discipline solely based on participation in any lawful activity authorized under Chapter 3796. of the Revised Code.

The Board recognizes that a licensed pharmacist may engage in the practice of pharmacy outside of a traditional pharmacy setting, such as in a medical marijuana dispensary. The Board reminds all licensed pharmacists that should the practice of pharmacy occur in a setting other than a pharmacy, the licensee remains subject to all relevant regulations in Chapter 4729. of the Ohio Revised Code and agency 4729 of the Ohio Administrative Code.

The Ohio Automated Rx Reporting System (OARRS) may be used by a pharmacist at a dispensary to counsel medical marijuana patients regarding their drug therapy (i.e. possible drug interactions between prescription controlled substances and medical marijuana). A pharmacist using OARRS at a dispensary to review a patient's drug therapy for the purpose of patient counseling, however, is not permitted to use a dispensary employee as a delegate. Dissemination of information contained within OARRS to unauthorized individuals is a violation of Ohio law. Accordingly, the Board cautions against printing patient OARRS reports in a dispensary.

The Board would further like to remind any licensee or registrant that violating any provision of Chapter 3796. or 4729. of the Revised Code or any rule adopted thereunder, may subject the individual to discipline by the Board.

This resolution replaces R-2018-039.

Licensee and Registrant Medical Marijuana Use – Adopted November 6, 2019

The Board hereby finds that an individual licensed or registered under Chapter 4729. of the Ohio Revised Code who engages in the lawful use of medical marijuana, in accordance with Chapter 3796. of the Revised Code and rules adopted thereunder, is not automatically subject to disciplinary action pursuant to Chapter 4729. of the Revised Code.

This resolution does not prohibit the Board from taking disciplinary action against an individual licensed or registered under Chapter 4729. of the Ohio Revised Code if the Board finds the licensee/registrant is impaired physically or mentally to such a degree as to render the individual unfit to carry out their professional duties or the licensee/registrant's medical marijuana use endangers the health, safety or welfare of a patient or client.

This resolution shall not affect an employer's rights pursuant to section 3796.28 of the Ohio Revised Code.