



Senator Steve Huffman
Senate General Government Committee
January 17, 2023
Senate Bill 9

Chairman Rulli, Ranking Member DeMora and members of the Senate General Government Committee, thank you for having me here today to present sponsor testimony on Senate Bill 9, which would revise Ohio's medical marijuana law in a manner that is business friendly and patient focused.

Seven years ago in the 131st General Assembly, I sponsored HB 523 which authorized the use of medical marijuana in the state. The bill was the result of immense hard work by medical providers, patients, and industry advocates. As might be expected after seven years, the time has come to make some improvements to the program.

HB 523 largely placed the state's medical marijuana program under the regulatory authority of both the State Board of Pharmacy and the Department of Commerce. The Board of Pharmacy was charged with registering patients and caregivers and licensing medical marijuana retail dispensaries. The Department of Commerce issued licenses to medical marijuana cultivators, processors, and testing laboratories. The State Medical Board issued certificates to physicians seeking to recommend treatments to patients. Today, 323,968 patients have become registered for medical marijuana and only 163,849 have both an active registration and an active recommendation. 656 physicians have been granted certificates to recommend. Medical marijuana also costs Ohio patients about \$222 an ounce which is much higher than a number of surrounding states. This legislation aims to guide the program in a way that is business friendly and creates greater access for patients at a lower cost.

In an effort to streamline rules and regulations, this bill would move regulation of dispensaries from the Board of Pharmacy to the Department of Commerce's newly created Division of Marijuana Control. Essentially, moving the program under the supervision of the Department of Commerce should simplify the compliance process for businesses within the industry. Additionally, the newly created Medical Marijuana Oversight Commission would oversee the Division of Marijuana Control, and the thirteen member board would consist of individuals with medical, law enforcement, academic, labor, patient, or industry backgrounds. The Board of Pharmacy would still be responsible for tracking medical marijuana in the Ohio Automated Rx Reporting System (OARRS). The State Medical Board would continue to issue certifications to

recommend to physicians and retain the ability to add qualifying medical conditions to the program.

The bill would also expand the list of qualifying conditions for medical marijuana to include: autism spectrum disorder, arthritis, migraines, terminal illness, and treatment of any other medical condition determined by a licensed physician. The bill would also expand the methods medical marijuana may be dispensed to include: pills, capsules and suppositories, oral pouches, oral strips, oral or topical sprays, salves, lotions, and inhalation. Patients however would continue to be prohibited from smoking product or home growing on their own. Dispensaries would also be allowed to utilize drive-thru windows and curbside pickup. This particular change will greatly help disabled patients who may have trouble getting out of their vehicle.

The Division of Marijuana Control will also be tasked with determining which criminal offenses would no longer disqualify an applicant from holding a retail dispensary license if the applicant was convicted of or pleaded guilty to the offense more than five years prior to the date their application was filed. The legislation also requires an equity study be conducted, by the department. The study would look at the medical cannabis industry and the medical cannabis market to determine whether there is a compelling interest to implement remedial measures.

This bill is the result of numerous conversations with hard working stakeholders and advocates who have been finding ways to improve the program since its inception. It is my hope that this legislation will bring free market principles to a highly regulated business. I look forward to working with this committee to create a regulatory system which will better suit our state's businesses and better serve its patients.

Thank you for the opportunity to present testimony today. I am happy to answer any questions you may have.