

Ohio Senate

General Government Committee

March 14, 2023

Opponent Testimony on Senate Bill 9

Good Afternoon, Chairman Rulli, Vice Chair Schuring, Ranking Member DeMora and members of the Senate General Government Committee. My name is Joshua Smith. I graduated from The Ohio State University college of pharmacy and received my license by the state of Ohio to practice pharmacy in 2002. I have been a proponent of the Medical Marijuana program since its inception and believe Ohio has and can further benefit from a measured program where patient demand meets supply.

I co-own Southern Ohio Botanicals, an independent, stand alone dispensary in Pike County, Ohio. I stand before you today to humbly ask for a moment of your time to verbalize my concerns surrounding Senate Bill 9.

Opposition to Senate Bill 9 has been referred to by some as being greedy. Simply put, some advocates for Senate Bill 9 are saying the current medical marijuana businesses in Ohio don't want to share the wealth and control of the market. In our case, it's far from that. I oppose Senate Bill 9 because my team and I put a plan together and took a leap of faith entering a lottery to hopefully be awarded a dispensary license. Our hard work paid off and we are set to open our dispensary soon.

Because medical marijuana is a powerful medication and should be treated as such, Ohio decided to put the regulation enforcement under the board of pharmacy making this process of getting a dispensary license very limited, rigorous, and expensive to obtain.

This limited selection process is one of the reasons why we decided to venture into the industry. We are not a large Multi-State Operator nor do we have unlimited wealth. We are concerned and ambitious citizens that understand what is going on with the dispensary program and have the skill set to run a dispensary the way Ohio requires.

To get to this point, it took a strategy that was based around the guidelines and analytics Ohio provided. One of those guidelines was that Ohio wanted each dispensary to be serving 1250 patients each month before there was consideration of issuing more dispensary licenses. This key piece of information provided to us is part of the basis to our strategy and budget. Allowing further additional licensing at this time will be detrimental for the program especially for small independents like Southern Ohio Botanicals. Senate Bill 9 as it stands will hurt the program by over saturating the market and is not fair to small independent operators like myself. Ultimately, only a handful of businesses will thrive and more importantly survive in Ohio.

Instead of inundating the market with 60 more dispensaries and millions of square feet of cultivation space, Ohio needs smarter regulations. Regardless of the pounds of biomass created, without a larger patient base, Ohio's medical

marijuana program will be suffocated. We are not asking for less regulation, we are asking for smarter regulation. We are asking for regulation that will reform and refine the existing program.

One example of needed reform that needs to be addressed, involves creating prohibitions against the sale of hemp derived Delta 8, 9, and 10 THC, along with other intoxicating cannabinoids currently sold in Ohio outside of the Medical Marijuana Control Program. These potentially harmful, unregulated products are readily available in every city and town in Ohio. Potential patients with qualifying conditions are turning to “gas station gummies” simply because they are cheap and easy to get. Why are these establishments not held to the same standards as us when it’s the same active ingredients being sold?

Current patient counts have been stagnant for several months. Approximately 160,000 patients are utilizing the program. We believe that through smarter and streamlined regulation, greater patient access and education, Ohio’s medical marijuana program can become the gold standard. Imagine the possibilities if our primary care doctors were able to write recommendations “freely” for medical cannabis. The current process is often a barrier to patients because not all doctors are able to write recommendations for medical marijuana.

In closing, Southern Ohio Botanicals was formed from a desire to elevate personal wellness and normalize medical cannabis use in our community. We are a group of local Pike County business people, striving to do right by our

community. Our impact on Southern Ohio and our local community is at the forefront of our mission. I stand here today to hopefully prevent reckless distribution of these dispensary licenses, and additional program bureaucracy through an oversight commission. Thank you again for the opportunity to testify before you today. At this time, I am happy to answer any questions the committee may have.

Thank you for listening.

Joshua Smith