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Last-Minute Tips for Ohio's Medical Marijuana Processor Applicants

Processor applications for Ohio's medical marijuana industry must be submitted between December 4 and December 15, 2017. With the controversial award of Ohio's cultivators' licenses, savvy would-be processors need to avail themselves of all resources possible to land one of the 40 processor licenses to be issued – especially when submitting a $10,000 non-refundable application fee.

Overall, it is extremely important that your application meets the minimum required scores to even be considered for a provisional license award. Those not meeting this standard will be disqualified, like some prospective level I cultivators were in their application process. Of the 109 applicants for the 12 level I cultivators' licenses, only 36 met the threshold scoring requirement to even be considered for a license. Pay careful attention to all sections **and the instructions**.

The Ohio Medical Marijuana Control Program website is a wealth of knowledge, and will provide answers to many nuanced questions. Of course, most prospective processors are aware of the Q&A document detailing answers to several questions regarding the application process, but prospective licensees will also want to check out the cultivator Q&A documents (session 1 and session 2) and dispensary Q&A documents (session 1 and session 2) to see if any more specific guidance can be gleaned that could be helpful in the processor application.

There is a gold mine of information contained in the scored applications for the cultivators that were just awarded licenses. These applications show prospective applicants exactly what the State of Ohio was looking for when grading an application – both form and substance – which factors need to be considered when putting together a final processor application.

Remember, your operations plan is the most important element of your processor application because it will be given the most weight from a scoring perspective. Your draft responses should show exactly why your processor operations will meet Ohio's legal

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requirements – meaning you should demonstrate how you intend to comply with the law – and should be written in a precise and clean manner.

Frost Brown Todd has consulted on applications in the past and can serve as a valuable last-minute resource on legal questions related to medical marijuana. For more information, please contact a member of our Health Care Innovation Team. You can also visit our Health Law Matters blog for more insight into legal issues impacting the health care industry.

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