

July 27, 2011

HAND DELIVERED

Hon. Mike Dewine
Ohio Attorney General
State Office Tower
30 E. Broad Street, 17th Floor
Columbus, Ohio 43215

Attorney General Dewine:

Pursuant to R.C. 3519.01, please find enclosed (1) an Initial Petition consisting of 61 part-petitions containing 2,143 signatures of purported qualified Ohio electors, (2) the full text of a proposed amendment to the Ohio Constitution (entitled "The Ohio Alternative Treatment Amendment"), and (3) a proposed summary of the amendment for your examination and certification.

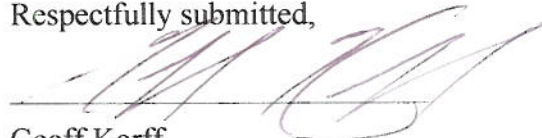
The Committee to Represent the Petitioners requests to be provided with a summary tally sheet that shows the number of signatures submitted to each county board of election for verification and the number of signatures that each county board of election verified.

Please direct all correspondence related to the Petition to the members of the Committee to Represent the Petitioners:

Committee Email: Ballotdrive@gmail.com

Alan Pugh 609 Weller Rd. Elyria, OH 44035	Rob Ryan 9514 Conklin Ave. Blue Ash, OH 45242	Tonya Davis 4524 Croftshire Dr. Kettering, OH 45440	Cher Neuffer 9320 Lodi Rd. Lodi, OH 44254	Geoff Korff 310 E. Euclid Ave. Salem, OH 44460
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Respectfully submitted,



Geoff Korff
Committee Member



Witness

ATTORNEY GENERALS OFFICE

JUL 27 2011

RECEIVED
CONSTITUTIONAL OFFICES

Exhibit A: Text of Proposed Constitutional Amendment, to be added to the Ohio Constitution as a new article.

Full Text of Amendment

Be it resolved by the people of the State of Ohio: That the Constitution of the State of Ohio be amended by adding a new article to read as follows:

ARTICLE (): Alternative Medical Treatment

Section 1: Protections

(A) A patient shall have the right to possess the following:

- (1) 3.5 ounces of usable cannabis.
- (2) 12 cannabis plants if the patient has not specified that a caregiver or safe access center will be allowed to possess the patient's cannabis plants as specified through the department's registry program.

(B) A caregiver shall have the right to possess the following:

- (1) 3.5 ounces of usable cannabis for each patient to whom he or she is connected through the department's registry program.
- (2) 12 cannabis plants for each patient who has specified that the caregiver or a safe access center will be allowed to possess the patient's cannabis plants through the department's registry program.

(C) A visiting patient shall have the right to possess 3.5 ounces of usable cannabis.

(D) A safe access center or a cardholder acting within the limitations of this article shall not be subject to prosecution, face any penalties, or be denied any right or privilege including but not limited to civil penalty or disciplinary action by a court, financial institution, bank, business licensing board, or any entity for the following acts:

- (1) Acquiring cannabis or cannabis plants from a cardholder.
- (2) Providing cannabis or cannabis plants to a (a) cardholder, (b) safe access center, or (c) any institution for the purpose of federally or state approved testing or clinical trials.
- (3) Possession of cannabis that is incidental to medical use but is not usable cannabis or a cannabis plant.

(E) A practitioner shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to civil penalty or disciplinary action by an occupational or professional licensing board or bureau for providing written recommendations to persons diagnosed with a qualifying condition during the course of a bona fide practitioner-patient relationship.

(F) A safe access center or a cardholder may receive compensation for assisting patients with the medical use of cannabis, or, providing cannabis for the purpose of state or federally approved clinical trials or testing. Any such compensation shall not constitute the sale of a controlled substance.

(G) Any cannabis, cannabis paraphernalia, licit property, or interest in licit property that is possessed, owned, or used in connection with the medical use of cannabis as allowed under this article, or acts incidental to such use, shall not be seized or forfeited.

Section 2: Acts Not Authorized, Not Required, Not Prohibited

(A) This article shall not authorize any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for any of the following acts:

- (1) Providing cannabis to a minor or exposing a minor to second hand cannabis smoke.
- (2) Possession of cannabis or otherwise engaging in the medical use of cannabis in a school bus, on the grounds of any school, in any correctional facility, or when doing so would constitute professional negligence or malpractice.
- (3) Smoking cannabis on any form of public transportation or in any public place.
- (4) Operating, navigating, or controlling any motor vehicle, aircraft, or motorboat while under the influence of cannabis, except that a patient or a visiting patient shall not be considered under the influence of

cannabis solely because of the presence of metabolites or components of cannabis that appear insufficient in concentration to cause impairment.

(B) Nothing in this article shall require the following:

- (1) A government medical assistance program or private health insurer to reimburse a person for costs associated with the use of cannabis.
- (2) Any person or establishment in lawful possession of property to allow a guest, client, customer, or other visitor to smoke or cultivate cannabis on or in that property.
- (3) An employer to allow the ingestion of cannabis at a workplace or an employee to work while under the influence of cannabis, except that a patient must demonstrate impaired behavior as a result of cannabis use to be considered under the influence of cannabis.

(C) Nothing in this article shall prohibit a city, township, or village of this state from:

- (1) Prohibiting safe access centers from being physically located within its jurisdiction, except that a zoning ordinance may not obstruct a safe access center agent from delivering usable cannabis to a patient's place of residence.
- (2) Limiting the number of safe access centers that may be physically located within its jurisdiction or enacting ordinances applicable to safe access centers.
- (3) Enacting zoning ordinances limiting the location of a caregiver's cultivation site within its jurisdiction if a safe access center designated to acquire cannabis from cardholders and provide cannabis to cardholders is physically located within five miles of the caregiver's cultivation site.

Section 3: Limits on the Possession of Cannabis Plants

All cannabis plants possessed pursuant to this article must be kept at a location disclosed to the department in an enclosed and locked facility, unless the cannabis plants are being transported because the cardholder possessing the cannabis plants is moving, or the cannabis plants are in the process of being transferred to a cardholder or registered safe access center.

Section 4: Prohibitions for Safe Access Centers

(A) A safe access center shall not:

- (1) Be physically located within 1000 feet of the property line of a preexisting school, place of worship, daycare facility, drug or alcohol rehabilitation facility, boys club, girls club, YMCA, YWCA, or any similar community or recreation center.
- (2) Have more than one cultivation site in Ohio, if any.
- (3) Have more than two physical locations in Ohio.
- (4) Provide more than 3.5 ounces of cannabis to any one patient in any 21 day period, either directly through a safe access center agent or indirectly through a caregiver.
- (5) Allow access to its cultivation site by anyone other than (a) safe access center agents working or volunteering for the safe access center, (b) employees of the department, (c) law enforcement officials.
- (6) Possess more than 96 cannabis plants.
- (7) Knowingly allow cannabis to be smoked or ingested on its property.

Section 5: Requirements for Safe Access Center Agents

(A) A safe access center must report to the verification system the time, date, and amount of cannabis provided to each patient, whether the cannabis was provided directly or indirectly through a caregiver, and verify through the verification system that a patient will not obtain more than 3.5 ounces of usable cannabis from safe access centers in the past 21 days by obtaining usable cannabis from the safe access center.

(B) A safe access center agent must have documentation when transporting cannabis or cannabis plants on behalf of the safe access center specifying the amount of cannabis or cannabis plants being transported, the date of transportation, a contact number to verify that the cannabis is being transported on behalf of the safe access center for which the safe access center agent works or volunteers, and a valid safe access center agent card.

(C) A safe access center agent may not accept employment from, volunteer for, serve as board member for, or be a principle officer of more than one safe access center in the state of Ohio simultaneously.

Section 6: Department Duties and Powers

(A) Within 90 days of the effective date of this article the department shall establish:

- (1) The form and content of registry applications and renewals.
- (2) The manner in which it shall accept applications and renewals for registry cards and registry certificates.
- (3) The manner in which it shall approve or deny applications and renewal for registry cards and registry certificates.
- (4) The manner in which it shall maintain a confidential list of mailing addresses, cultivation site locations, phone numbers, and registry card numbers of persons and entities that have been issued registry cards and registry certificates.
- (5) An internet based verification system available to Ohio law enforcement personnel on a 24 hour basis to ascertain the following information when presented with a registry card or a registry certificate. (a) That a person is a patient or a caregiver, or that an entity is a safe access center. (b) That a cultivation site belongs to a specific cardholder or safe access center. (c) The number of cannabis plants that are permitted at a cultivation site. (d) Which safe access center a safe access center agent is associated with as determined through the department's registry program.
- (6) An internet based verification system allowing safe access center agents on a 24 hour basis to perform the following duties when presented with a registry card. (a) Identify that person is a patient, a caregiver, or a safe access center agent. (b) Determine what amount of usable cannabis the safe access center may legally provide to a specific patient at a specific time. (c) Enter any amount of usable cannabis provided to a patient, either directly or through a caregiver, including the time, date, and amount provided to the patient. (d) Determine which safe access center a safe access center agent is associated with as determined through the department's registry program.
- (7) A procedure for notifying cardholders and safe access centers of (a) the loss of the right to possess a patient's cannabis plants and (b) the revocation of a registry card or a registry certificate.
- (8) Regulations governing the manner in which the department shall consider petitions from the public to add new conditions to the list of qualifying medical conditions set forth in this article, including public notice of an opportunity to comment in public hearings on the petitions.

(B) Within 120 days of the effective date of this article, the department shall issue registry cards to applicants who submit an application or renewal including the following.

- (1) An application or renewal fee.
- (2) Proof of Ohio residency.
- (3) The name, mailing address, and date of birth of the applicant.
- (4) Permission from the applicant allowing the department to perform a criminal background check.
- (5) The physical address of the cultivation site where the applicant will cultivate cannabis plants, if any.
- (6) A two inch by two inch photo of the applicant.
- (7) If the application is for a patient registry card, a (a) written recommendation issued by a practitioner within 90 days immediately preceding the date of an application, and a (b) designation as to whether the patient, a caregiver, or a safe access center will be allowed to possess the patient's cannabis plants.
- (8) If the application is for a safe access center agent registry card, a written statement from the safe access center accepting the applicant as a volunteer, employee, principal officer, or board member.

(C) Within 120 days of the effective date of this article, the department shall issue registry certificates to applicants who submit an application or renewal including the following.

- (1) An application fee or renewal fee.
- (2) The legal name of the proposed or existing safe access center.
- (3) The physical address or addresses of the proposed or existing safe access center location or locations, if any, where cannabis will be provided to and acquired from cardholders.
- (4) The physical address of the safe access center's proposed or existing cultivation site, if any.
- (5) The name, mailing address, and date of birth of each principal officer and board member.

(6) Written approval for the location or locations from the city, township, or village zoning department with jurisdiction over the proposed safe access center's location or locations.

(7) Permission from each principal officer and board member allowing the department to perform a criminal background check.

(D) If after the 120 days following the effective date of this article the department fails to:

(1) Govern the manner in which it shall accept applications and renewals for patient registry cards and registry certificates, a written recommendation by a practitioner within past year shall be deemed a valid registry card.

(2) Respond to an application for a patient registry card within 30 days of receipt, a copy of the application along with a written recommendation by a practitioner dated within the past year shall be deemed a valid registry card.

(3) Respond to an application or renewal for a safe access center registry certificate within 30 days of receipt, a copy of the application or renewal along with written approval from the proper local zoning official shall be deemed a valid registry certificate.

(E) The department may do the following:

(1) Confirm a cardholder's status as a patient, caregiver, or safe access center agent, with his or her permission to a landlord, employer, school, medical professional, court, or Ohio law enforcement official.

(2) Inspect a safe access center location.

(3) Enter into contract with a 3rd party to process registry cards.

(4) Suspend or revoke a registry certificate or registry card for (a) serious or multiple acts outside of the limitations or requirements contained within this article, (b) acts prohibited by this article, or (c) acts not authorized by this article.

(5) Revoke a registry card if the cardholder is convicted of a disqualifying offense.

(6) Deny a registry application if (a) the applicant has convicted of a disqualifying offense, (b) the application contains incomplete or inaccurate information, or (c) if the applicant previously had a registry card revoked.

Section 7: Judicial Review

The suspension, revocation, or denial of a registry card or a registry certificate is a final department action subject to judicial review vested in the Franklin County Court of Common Pleas.

Section 8: Registry Fess

(A) The fee for a registry application or renewal shall be as follows:

(1) The fee for a registry card is not refundable and shall be \$150.00, unless the patient can prove financial hardship, in which case the fee shall be \$25.00

(2) The fee for a registry certificate shall be \$1,500.00, and must be refunded within 30 days of denial.

(3) The state of Ohio shall reallocate registry fees generated through the department's registry program in excess of the funds required to administer this article toward the funding of public education, law enforcement, and public safety resources

Section 9: Confidentiality

All information received and records kept by any person or entity for purposes of administering this article are confidential and exempt from the Freedom of Information Act, and are not subject to disclosure to any individual or entity, except as necessary for an authorized employee of the department or an Ohio law enforcement official to perform official duties pursuant to this article, and it shall be a misdemeanor punishable by up to 6 months in jail and a \$5,000 fine for any person to breach the confidentiality of information obtained pursuant to this article.

Section 10: Severability

If any section or subsection of this article is held invalid, the remainder of this article shall not be affected by that holding and shall continue in full force and effect

Section 11: Definitions

For the purpose of this article, the following definitions shall be applied:

"Cannabis Plant" means a living plant of the genus cannabis with a root system at least one inch in length.

"Cardholder" means a patient, a caregiver, or a safe access center agent who (1) possesses a valid registry card and (2) has not been convicted of a disqualifying offense.

"Caregiver" means a person who is (1) at least 21 years of age, (2) has agreed to possess cannabis plants for no more than four patients as determined through the department's registry program, and (3) has been issued a valid caregiver registry card.

"Cultivation site" is the location of the enclosed, locked facility disclosed to the department through the department's registry program at which only one cardholder may cultivate cannabis plants, or, if a safe access center registry certificate has also been issued for the location, at which multiple safe access center agents may cultivate cannabis plants.

"Department" means the Ohio Department of Health or its successor agency.

"Disqualifying offense" means a violent crime that was classified as a felony in the jurisdiction where the person was convicted, or a violation of a state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted, except that an offense (1) for which the sentence, term of probation, incarceration, and supervised release was completed 10 or more years earlier, or, (2) an offense that consisted of conduct for which this article would likely have prevented a conviction, shall not be considered a disqualifying offenses.

"Enclosed and locked facility" means an enclosed area such as a closet, room, greenhouse, or a building equipped with locks or other security devices designed to permit access only by cardholders.

"Medical use" means the acquisition, possession, administration, cultivation in an enclosed and locked facility, delivery, transportation, transfer, transportation, or use of cannabis or paraphernalia relating to the administration of cannabis to treat or alleviate a patient's qualifying medical condition.

"Patient" means a person who has been diagnosed by a practitioner as having a qualifying medical condition and possesses a valid patient registry card.

"Practitioner" means a person who is licensed MD, DO, or other person authorized by law to prescribe drugs to humans in Ohio. If the qualifying patient's qualifying medical condition is post-traumatic stress disorder, the practitioner must be a licensed psychiatrist, psychologist, or psychotherapist.

"Registry certificate" means a document issued by the department identifying a safe access center as approved through the department's registry program.

"Registry card" means a document issued by the department that (1) identifies a person as a patient, a caregiver, or a safe access center agent, (2) displays a picture of the cardholder, (3) displays the cardholder's name, and (4) displays a registry number unique to the cardholder.

"Safe access center" means an entity (1) possessing a valid registry certificate from the department that (2) has agreed to possess no more than 8 patients' cannabis plants as determined through the department's registration process, if any.

"Safe access center agent" means a principal officer, board member, employee, volunteer, or agent of a safe access center who is (1) at least 21 years of age and (2) has been issued a valid safe access center agent registry card.

"Qualifying medical condition" means: (1) a disease, condition, or its treatment that produces one or more of the following: cachexia or wasting syndrome, severe nausea, chronic pain, or severe and persistent

muscle spasms including but not limited to those characteristic of multiple sclerosis. Or, the following diseases and conditions (2)posttraumatic stress disorder, (3)glaucoma, (4)Parkinson's, (5) sickle cell anemia. Or (6)any additional disease or condition added by the department.

"Qualifying patient" means a person who is (1)at least 18 years of age and (2)has been diagnosed with a qualifying medical condition.

"Usable cannabis" means the dried, cured, and usable flowers of the cannabis plant and any mixture or preparation thereof, but does not include: (1)The seeds, stalks, and roots of the plant, (2)the weight of any non-cannabis ingredients combined with usable cannabis, such as ingredients added to prepare a topical administration, food, or drink, (3)cannabis in the process of drying and curing.

"Verification system" means a secure, password-protected, internet based system established and maintained by the department that rejects any connection not sent from an encrypted server and has safeguards against unauthorized use.

"Visiting patient" means a person who (1)has been diagnosed with a qualifying medical condition and (2)has been issued a valid patient registry card, or its equivalent, issued pursuant to the laws of another state, district, territory, commonwealth, insular possession of the United States or country recognized by the United States and is not a resident of Ohio.

"Written recommendation" means a document dated and signed by a practitioner, stating that in the practitioner's professional opinion the patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat the patient's qualifying medical condition.

Section 12: Date of Effect.

This Amendment shall take effect immediately upon its approval by the electors of the state.

Exhibit B: Proposed Summary of Constitutional Amendment

Summary

The Ohio Alternative Treatment Amendment allows practitioners, during the course of a bona fide practitioner-patient relationship, to recommend cannabis to patients as a treatment for a qualifying medical condition. Furthermore, this amendment seeks to protect patients and their providers from penalties or disciplinary action for the medical use of cannabis. For the purposes of this amendment, "Medical use" means the acquisition, possession, administration, cultivation in an enclosed and locked facility, delivery, transportation, transfer, transportation, or use of cannabis or paraphernalia relating to the administration of cannabis to treat or alleviate a patient's qualifying medical condition.

- This amendment does not allow a person to provide cannabis to a minor, a person to expose a minor to second hand cannabis smoke, or a person to smoke cannabis in any public place.
- This amendment shall not authorize any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for possessing cannabis or otherwise engaging in the medical use of cannabis in a school bus, on the grounds of any school, in any correctional facility, or when doing so would constitute professional negligence or malpractice.
- Operating, navigating, or controlling any motor vehicle, aircraft, or motorboat while under the influence of cannabis is not protected under this amendment, except that a patient or a visiting patient shall not be considered under the influence of cannabis solely because of the presence of metabolites or components of cannabis that appear in insufficient concentration to cause impairment.
- Nothing in this amendment shall require a government medical assistance program or a private health insurer to reimburse a person for costs associated with the medical use of cannabis, or require any person or establishment in lawful possession of property to allow a person to smoke or cultivate cannabis on that property.
- An employer is not required to allow an employee to ingest or smoke cannabis at the workplace or work while under the influence of cannabis, except that a patient must demonstrate impaired behavior as a result of cannabis use to be considered under the influence of cannabis.

All cannabis plants cultivated pursuant to this amendment shall be kept in enclosed and locked facilities at locations disclosed to the Ohio Department of Health, herein referred to as "the department." A "cannabis plant" is defined in this amendment as a living plant of the genus cannabis with a root system at least one inch in length. The department shall create and maintain a registry program for all persons and entities it authorizes to engage in the medical use of cannabis, and a verification system designed to assist Ohio law enforcement officials in distinguishing between the medical and non-medical use of cannabis. The state of Ohio shall reallocate registry fees generated through the department's registry program in excess of the funds required to administer this article toward the funding of public education, law enforcement, and public safety resources.

Persons who have been issued a registry card are deemed "cardholders." Cardholders are comprised of the following categories:

(1) "Patient": A person who is at least 18 years of age, has been diagnosed as having a qualifying condition, and possesses a valid patient registry card. Qualifying conditions include glaucoma, posttraumatic stress disorder, sickle cell anemia, Parkinson's, and any condition added by the department following the passage of this amendment. Also included as a qualifying condition is a disease, condition, or treatment of a disease or condition that produces cachexia or wasting syndrome, severe nausea, chronic pain, or severe and persistent muscle spasms including but not limited to those characteristic of multiple sclerosis. This amendment provides a patient with the right to possess up to 3.5 ounces of usable cannabis, and, unless the patient has specified that a caregiver or a safe access center may possess the patient's cannabis plants through the department's registry process, up to 12 cannabis plants. A visiting patient, who may possess 3.5 ounces of usable cannabis, is a person who is not a resident of this state and possesses a valid patient registry card or its equivalent issued by a government not located in this state.

(2) "Caregiver": A person who is at least 21 years of age, has agreed to possess no more than four patient's cannabis plants, and possesses a valid caregiver registry card. Local zoning boards are empowered to enact zoning ordinances limiting the location of a caregiver's cultivation site if a safe access center approved to acquire cannabis from cardholders and provide cannabis to cardholders is physically located within five miles of a caregiver's existing cultivation site.

(3) "Safe Access Center Agent": A person who is at least 21 years of age and works, volunteers, or serves as a board member or a principal owner of a safe access center and possesses a safe access center agent registry card.

Entities that have been issued a registry certificate by the department are deemed "safe access centers." A safe access center may possess no more than 8 patients' cannabis plants, if any. With the welfare of Ohio's citizens in mind, specific limitations have been placed on the rights afforded to safe access centers and safe access center agents within this amendment.

Limitations on safe access centers: In an effort to avoid the placement of safe access centers in socially unacceptable areas, all safe access centers must obtain written approval from the appropriate local zoning official prior to obtaining a registry certificate, and safe access centers may not be physically located within 1000 feet of the property line of a preexisting school, place of worship, daycare facility, drug or alcohol rehabilitation facility, boys club, girls club, YMCA, YWCA, recreation center, or any similar community center. In an effort to regulate the use of safe access centers, a patient may not obtain more than 3.5 ounces of cannabis from safe access centers in any 21 day period. To ensure compliance with this restriction, all safe access center agents are required to report the amount of cannabis provided to a patient including whether the cannabis was provided directly or through a caregiver, and confirm the amount of cannabis a patient is allowed to obtain through the department's verification system. A safe access center shall not knowingly allow cannabis to be ingested or smoked on its property, may not have more than two physical locations in the state of Ohio, and may have only one cultivation site which may contain up to 8 patients' cannabis plants.

Limitations on safe access center agents: A safe access center agent may not be simultaneously associated with more than one safe access center in the state of Ohio, and must carry documentation when transporting cannabis or cannabis plants on behalf of the safe access center specifying the amount of cannabis or cannabis plants being transported, the date of transportation, a contact number to verify that the cannabis is being transported on behalf of the safe access center for which the safe access center agent works or volunteers, and a valid safe access center agent registry card.

General protections: A safe access center or a cardholder acting pursuant to this amendment shall not be subject to prosecution, forfeiture, be penalized in any manner, be denied any right or privilege, including but not limited to civil penalty or disciplinary action by a court, financial institution, licensing board, or entity for acquiring cannabis or cannabis plants from a cardholder, providing cannabis or cannabis plants to a cardholder or to any institution for the purpose of federally or state approved clinical trials or testing, or for possession of cannabis that is incidental to medical use but is not usable cannabis, such as: (1)cannabis seeds, stalks, and roots; (2)the weight of any non-cannabis ingredients combined with usable cannabis, such as ingredients added to prepare a topical administration, food, or drink; or (3)cannabis that is in the process of drying and curing. A safe access center or a cardholder may receive compensation for assisting a patient with the medical use of cannabis, and such compensation shall not constitute the sale of a controlled substance.

Confidentiality: All information received and records kept by any person or entity for the purpose of administering this amendment are confidential and exempt from the Freedom of Information Act, and are not subject to disclosure to any individual or entity, except as necessary for authorized employees of the department or an Ohio law enforcement official to perform official duties pursuant to this amendment, and it shall be a misdemeanor punishable by up to 6 months in jail and a \$5,000 fine for any person to breach the confidentiality of information obtained pursuant to this amendment. However, an employee of the department shall confirm a cardholder's status as a patient, caregiver, or safe access center agent, with his or her permission to a landlord, employer, school, medical professional, court, or Ohio law enforcement official.

The department: The department is required to perform duties to administer this amendment in a timely fashion, including but not limited to creating verification systems accessible to Ohio law enforcement and

safe access centers on a 24 hour basis, accepting or denying applications and renewals in a timely fashion, and establishing regulations governing the manner in which it shall consider petitions from the public to add qualifying medical conditions. The department may contract with a 3rd party to process registry cards.

If after the 120 days following the effective date of this amendment the department fails to: (1) govern the manner in which it shall accept applications and renewals for patient registry cards, a written recommendation by a practitioner within past 12 months shall be deemed a valid patient registry card, or (2) respond to an application for a patient registry card within 30 days of receipt, the registry card shall be deemed granted, and a copy of the application or renewal along with a written recommendation dated within a year shall be deemed a valid patient registry card, or (3) fails to respond to an application or renewal for a registry certificate within 30 days of receipt, a copy of the application along with written approval from the proper local zoning official will be deemed a valid registry certificate.

The department shall suspend or revoke a safe access center registry certificate or registry card for serious or multiple act outside of the limitations and requirements contained within this amendment, or for acts prohibited by this amendment, and may deny an application or renewal that does not meet the requirements put forth in this amendment such as a satisfactory criminal background check. All department actions are considered final, and subject to judicial review vested in the Franklin County Court of Common Pleas.