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## Darke County businesses prepare for Ohio's new medical marijuana law

NEWS, TOP STORIES

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Attorney Amy C. Mitchell of Auman, Mahan & Furry in Dayton spoke about medical marijuana laws and the #MeToo movement at a Darke County Chamber of Commerce event.

Kyle Shaner | The Daily Advocate

GREENVILLE – With the Ohio Medical Marijuana Control Program set to become fully operational in September, Darke County businesses are preparing for medical marijuana in the workplace.

More than 25 business leaders attended the Darke County Chamber of Commerce seminar with attorney Amy C. Mitchell of Auman, Mahan & Furry in Dayton. Mitchell discussed medical marijuana and the #MeToo movement during a presentation at the Brethren Retirement Community.

House Bill 523 established the framework for medical marijuana in Ohio in September 2016, and in four months the industry will become fully operational in the Buckeye State, which is prompting business owners to prepare for the new state law.

“We had more contact when the bill originally passed, but employers are now starting to become aware that their employees are potentially going to be coming to work with medical marijuana so they’ve started to ask us to review their policies to make sure that that they’re current,” Mitchell said.

Ohio is one of 29 states that have authorized medical marijuana use, and Missouri could become the 30th later this year. Nine states – not including Ohio – have authorized recreational marijuana use.

However, complicating the issue is that the federal government still classifies marijuana as a Schedule I drug, meaning it remains illegal even if states decline to enforce marijuana laws.

Some physicians have said medical marijuana has health benefits including reducing pain and inflammation, controlling seizures and treating mental illnesses, and have pushed for it to be reclassified as a Schedule 2 drug, which would allow doctors to prescribe it medically.

Despite the growing acceptance across the nation, the Food and Drug Administration has not recognized marijuana for having medicinal properties, and under Attorney General Jeff Sessions the federal government has increased enforcement compared to the Obama administration.

Because the federal government still treats marijuana as an illegal drug, employers can set policies to prohibit its use – even if their state has legalized marijuana use.

Ohio is one of the nation’s most employer-friendly medical marijuana states, Mitchell said. Employers in the state are not required to accommodate use or possession of medical marijuana, and they can enforce drug testing policies and terminate employers in violations of their policies.

Nationwide employers have relaxed their attitudes to marijuana use – both medically and recreationally – in part because of lower unemployment numbers that are making it harder to fill jobs, according to the Associated Press. But locally employers have remained resistant to marijuana, Mitchell said.

“Most employers are concerned,” she said. “I haven’t run into any employers yet that want to allow or make an exception for medical marijuana in the workplace.”

Some employers will need to be more stringent than others in regards to medical marijuana, Mitchell said. The US Department of Transportation has been consistent in anti-marijuana regulations, and employers such as trucking companies thus will have to be stricter in their drug enforcement.

Mitchell recommended employers review their drug policies and consider updating them to reflect the changes to state law.

Mitchell also discussed sexual harassment and the #MeToo movement, which has gained prominence the past two years as more high-profile cases have arisen and people have become more aware of the issue. More than 60 percent of women have been harassed, Mitchell said, so it's an issue for which all businesses must plan.

Mitchell recommended that businesses set policies that will protect employers from liability while creating positive environments for employees.

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