

OHIO EMPLOYERS NEED TO PREPARE FOR STATE'S NEW MEDICAL MARIJUANA LAW, ATTORNEY SAYS

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The article, "Ohio Employers Need to Prepare for State's New Medical Marijuana Law, Attorney Says," featured in *Legal News Line*, discussed how Ohio's new law that legalizes medical marijuana in the state may end up conflicting with federal law, depending on a looming decision about whether to change marijuana's drug status.

Sarah Moore weighed in on the new law.

"It's a law intended to draw from all the best-known practices and to allow for what happened during the implementation stage in other states," she said. "The state was looking for the best way to put a medical marijuana system into place."

One detail about which Ohio lawmakers were sensitive was the creation of that medical marijuana system while still protecting employers in the state, Sarah said. Ohio's new legislation puts in place certain shields and protections for employers and helps preserve drug-free workplaces, she said.

The developers of Ohio's new law also were mindful of 2013 guidelines from the U.S. Department of Justice, she said.

"It's obvious that the Ohio law was written to keep the state off the DOJ's radar," Sarah said. "It's likely that the Ohio law will not be at the top of the list for enforcement issues."

So the Ohio law seems to have employers' concerns, as well as the state's own worries about federal law, sewn up, but it

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Sarah Moore

Of Counsel

[440.740.2145](tel:440.740.2145)

all could come unraveled if marijuana is rescheduled away from Schedule 1, she said.

"That will have a domino effect on all the states, not just Ohio," she said.

Employers need to prepare for both the employer-friendly Ohio medical marijuana law and what may come down from the DEA, Sarah said.

"Employers in Ohio, right now, should update their drug free workplace and zero tolerance policies to address medical marijuana," she said. "That's got to be a priority."

Sarah recommended that policies clearly state whether medical marijuana is prohibited.

"If that's the case, then the policy needs to clear, that its use is a violation of that policy," she said. "And it can be grounds for disciplinary action and that can include termination."

To read the full article, please visit [Legal News Line](#).