

BUREAU OF MEDICAL CANNABIS REGULATION

PRE-REGULATORY MEETING

DISPENSARY REQUIREMENTS—MEETING SUMMARY

SACRAMENTO

September 20, 2016

Topic 1: Subtypes of Dispensary Licenses

BMCR Thoughts: Establish a subtype of dispensary license that is delivery-only. The delivery-only dispensary license would require a brick and mortar premises but would allow for delivery, non-storefront retail sales to qualified patients and primary caregivers. BMCR and law enforcement would maintain the right to inspect the premises at any time.

COMMENTS:

- Delivery dispensaries should be required to have a brick and mortar facility.
- Should require security for delivery-only dispensaries. Maybe security requirement only applies during vending hours.
- Absolutely should offer a delivery-only license.
- Should require office space and security for delivery-only dispensary. Should not be allowed to operate out of a house.
- A brick and mortar location is required for the safety of vendors.
- Concern about a cap on dispensary licenses placed by the state.
- Fees for delivery-only dispensaries should be less than fees for regular Type 10 dispensaries.

MAIN THEMES:

- License for a delivery-only dispensary is a good idea as long as it has lower fees.

Topic 2: Employee Requirements

BMCR Thoughts: Require licensees to maintain an accurate, up-to-date roster of all employees (i.e. contractors, full-time and part-time employees, delivery employees, etc.) and accompanying information on each employee as part of their records. The information would include data such as the date the employee started, all applicable training, job description, and any employee information maintained by the licensee.

COMMENTS:

- Overall, agreed with the requirements. (repeated twice)
- Employers should be required to conduct background checks on employees.
- Employers should not be required to do background checks on employees. Employers should be able to choose to do them or not.
- Concerns that any training requirements set by the state will not be attainable by all businesses.
- Suggestion that certain trainings be required for dispensary employees. (Similar to food handler

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| <p>certification).</p> <ul style="list-style-type: none"> • Independent contractors should be included in the requirements. |
| <p>MAIN THEMES:</p> <ul style="list-style-type: none"> • Requirement to keep records on employees is reasonable. |

Topic 3: Delivery Requirements: Manifests, Storage

BMCR Thoughts:

1. **Require the following information on all delivery manifests:**
 - a. **Name and license number of dispensary;**
 - b. **Name of primary caregiver or qualified patient who ordered the medical cannabis or medical cannabis products;**
 - c. **Number of units or weight of items being transported;**
 - d. **Strain and product type of medical cannabis and medical cannabis products in shipment;**
 - e. **Unique identifiers of all products in shipment;**
 - f. **Travel route, start and end time; and**
 - g. **All planned stops on travel route.**
2. **All dispensary delivery vehicles shall be equipped with the following:**
 - a. **Refrigeration;**
 - b. **Specialized locking system for storage of medical cannabis and medical cannabis products;**
 - c. **Vehicle alarm system; and**
 - d. **Separation between the people in the vehicle (i.e., drivers and passengers) and the shipment.**

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| <p>COMMENTS:</p> <ul style="list-style-type: none"> • Agreed with the proposed ideas for the manifest and storage requirements. • Refrigeration may not be necessary for all deliveries. Should only be required for perishable items. (repeated once) • Do not like the idea of including travel route, start and end time and planned stops on the manifest. They should be removed. These things often change, and there are safety concerns with stating the routes beforehand. Maybe consider recording the route taken after completion of delivery. • In order to prevent diversion, each package should have a unique bar code or identifier that can be tracked. • Concerns with including patient names on the delivery manifest. • The information on the manifest can easily be obtained from the point of sale system and should not have to be placed on the manifest as well. • Delivery employees should be allowed to carry more than the items that were ordered. Patients may need more at the time of delivery. Patients who require delivery are typically sicker. • Delivery vehicles should have the option to be discreet. (repeated once) • State should require delivery vehicles to be discreet for the safety of delivery staff. |
| <p>QUESTIONS:</p> |

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- Where does track-and-trace end?
- How is delivery treated in the track-and-trace system?

MAIN THEMES:

- Regulations for delivery should allow for some flexibility.

Topic 4: Transaction Limits

BMCR Thoughts: Set the transaction limit for an individual patient within the following range for all dispensaries, based on other states:

1. **2.5 oz per month of usable medical cannabis, regardless of product type;**
2. **5 oz per month of usable medical cannabis, regardless of product type; or,**
3. **Limitations as follows:**
 - a. **24 ounces of dried flower;**
 - b. **16 ounces solid or 72 fluid ounces of liquid medical cannabis product;**
 - c. **16 ounces of cannabinoid concentrate whether sold alone or in an inhalant delivery system;**
 - d. **Five grams of a cannabinoid extract whether sold alone or in an inhalant delivery system;**
 - e. **Four immature medical cannabis plants; and, 50 seeds.**

COMMENTS:

- Any limits may impede a patient’s ability to get access to the medication that they need. (repeated once)
- Transaction limits should be tied to amounts stated in physician’s recommendations.
- There should be no limits at all unless stated by physician’s recommendation.
- Do not believe that the state has the authority to place sales limits on dispensaries. The authority must be in statute.
- Transaction limits may not be effective in combating diversion. Do not like the idea of limits.
- Limits in the Health and Safety Code are guidelines and allow for patients to exceed limits if stated that it is necessary in a physician’s recommendation.
- If there have to be limits, want the limits to be very liberal.
- Four plant limit is too low. This is especially true if dispensaries are expected to sell to growers.
- Do not want a limit on the number of Type 10A licenses a person may obtain.
- Transaction limits harm individuals who travel a great distance to come to a dispensary and are unable to make frequent trips.

MAIN THEMES:

- Transaction limits should be set by physicians.

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