

**BUREAU OF MEDICAL CANNABIS REGULATION**

**PRE-REGULATORY MEETING**

**DISPENSARIES—MEETING SUMMARY**

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**SEPTEMBER 22, 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:**

- There should be a level playing field. All subtypes should have to follow the same rules.
- Concern that a large delivery company will take over the industry.
- Drone deliveries should not be allowed.
- The licensing fees for delivery-only dispensaries should be lower.
- The size requirements for delivery-only dispensaries should be smaller.
- The different security requirements for delivery-only dispensaries should be spelled out.
- There should be a delivery license that is separate from a dispensary license. It would be similar to a transporter license in that the licensee would be able to pick up product from the dispensary and deliver it directly to patients. The licensee would be able to service multiple dispensaries.
- A brick-and-mortar location should not be necessary for a delivery-only dispensary.
- Like the idea of a delivery-only license.
- Patient privacy should be protected during deliveries.
- Delivery is often a target for robberies. Security requirements should be clear.

**QUESTIONS:**

- Will mobile dispensaries be allowed?
- Would a delivery-only dispensary be able to operate out of a home?

**MAIN THEMES:**

- The idea of a delivery-only dispensary license is a good idea.

**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.**

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**COMMENTS:**

- Contractors should not be included. Business owners do not keep that information.
- The definition of employee is covered in law and does not need to be redefined.
- Concerns about the state going through employee records.
- Concerns about the information being provided to the federal government. (repeated once)
- The state should mandate that dispensaries disclose to their employees that their information may be shared, including to the federal government.
- This level of recordkeeping may be unnecessarily burdensome.
- This level of recordkeeping is not burdensome and should be done by all businesses.
- There needs to be a clear definition of the word “employee.”
- Employee records should be the same as requirements in other industries.
- There should be required training for dispensary employees.
- Employees should be required to be at least 18 or 21 years old.

**QUESTIONS:**

- What is the purpose of this recordkeeping? Will it be required for renewal? Will it only be kept internally?
- Will there be specific training requirements?

**MAIN THEMES:**

- Keeping these employee records seems reasonable, but there are concerns about the confidentiality of the information.

**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.**

**COMMENTS:**

- The manifest should be password protected.
- Strain is irrelevant and should be removed. The unique identifier should eliminate the need for listing the strain.

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- Delivery routes and start/end times should be flexible.
- Delivery employees should be allowed to carry extra products while on delivery. Patients may need more products at the time of delivery or additional deliveries can be added while the employee is on the road.
- Plotting the route and start/end time is more realistic if that information is plotted after the delivery. (repeated twice)
- Cash is still primarily used and there should be rules for delivery employees transporting cash.
- Rules should allow for delivery vehicles to be discreet.
- The Bureau should provide guidance to law enforcement on how to deal with dispensary delivery employees.
- Local jurisdictions typically have requirements for storage and refrigeration.
- Concerns about the mandate for refrigeration and the associated expenses.
- Should mandate a communication device for safety of delivery staff.
- A cooler should be sufficient to provide refrigeration.
- A lock box or use of a car's trunk should be sufficient for separation.
- Cash should be kept in a locked box also.
- There should be separate storage for cash and products.
- Do not want to have to affix a box to the vehicle.
- Should mandate a double lock system.
- Refrigeration should be optional and not required by the state.
- More detail is required on the alarm system requirements.
- There is no need to separate the delivery employee from the product.
- Delivery is very different from transportation: more frequent, smaller amounts, shorter trips.

**MAIN THEMES:**

- Start/end time should not be required on the manifest.
- Information about patients and employees should be kept confidential.

**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 a 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:**

- There should be no transaction limits set by the state. (repeated four times)
- Limits should be based on what patients are legally allowed to hold.
- Limits should be by transaction instead of daily, weekly or monthly.

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- Limits should only be determined by a patient's need as determined and documented by a physician. (repeated four times)
- There should be a limit on the amount a delivery employee can carry for security purposes.
- The Bureau should consult with medical professionals in determining maximum limits.
- Business owners should have discretion to do things their way. State may provide suggestions, but should not mandate limits on what a dispensary can sell.

**MAIN THEMES:**

- There should not be any transaction limits set by the state.

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