

**BUREAU OF MEDICAL CANNABIS REGULATION**

**PRE-REGULATORY MEETING**

**DISPENSARIES—MEETING SUMMARY**

**LOS ANGELES**

**October 4, 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:**

- All dispensaries should be required to have a storefront in order to provide education to patients. Without that aspect, subpar patient care will occur.
- Face to face interaction with patients is important to this business.
- Agree with the concept of a delivery-only license type. The model allows for flexibility for local municipalities that do not want storefronts. These businesses should be subject to the same rules as other license types.
- Do not like the idea of a delivery-only dispensary. It is too difficult for law enforcement to regulate and it is too difficult to track transactions.
- Delivery-only license is a good idea. It allows access to some patients who cannot visit a dispensary. (Repeated twice)
- Concerns regarding the amount of cash delivery employees may be carrying.
- Regulations for all dispensaries should be the same across the board.
- A license type that would allow patients to consume medical cannabis on-site should be considered.

**QUESTIONS:**

- Would the inspection requirements for delivery-only dispensaries be the same as other dispensaries?

**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:**

- Employee record requirements should be specific for each position type at the dispensary. Different positions have different requirements.
- Employee record requirements should be in accordance with state labor laws that apply to all industries instead of creating new rules just for this industry. (Repeated once)
- Employee requirements should follow other industries such as pharmaceuticals and alcohol retail.
- Background checks for employees should not be required by the state. Employers should be allowed to do background/drug checks on their own.
- Owners should be required by the state to do background checks and drug tests.
- Employee files should be maintained for at least one year after the employee leaves.
- Training for dispensary employees should be required and employees should be regularly tested to ensure that they keep up with training requirements.
- Training should be at the option of the employer and not mandated by the state.
- The state should offer training programs for dispensary employees.
- Dispensary employees should be at least 21 years old.

**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 proposed manifest items appear workable. (Repeated twice)
- The rules should allow for a delivery employee to amend their route if needed. (Repeated once)
- OK with the manifest requirements, except including the name of the patient may be a violation of privacy law. Patient name should be replaced with a Patient ID that can be traced back to the individual patient by the dispensary.
- Strain/product type and unique identifier may be duplicative. (Repeated twice)
- The actual travel route taken should not be necessary as it is not important for the state to know

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that information.

- Manifest should require the signature of the patient in order to verify that the delivery was completed.
- GPS tracking should be required on all delivery vehicles. There would be no need to plot the route. (Repeated twice)
- Advertising or signage should not be allowed on delivery vehicles as this may create a safety risk.
- Primary caregivers or other designated individuals should be allowed to sign for patients who may not be able to come to the door.
- Refrigeration should not be required. "Climate control" may be more fitting. (Repeated once)
- Motorcycles should be allowed to be used for making deliveries.
- Specialized locking system for storage and separation between driver and product are essentially the same thing.
- All delivery requirements mandated by the state should be supported with good reasons.
- Some very short deliveries to nearby locations do not require refrigeration.
- Owners should be required to inspect their employee's delivery vehicles to ensure they meet all requirements.
- The rules regarding the separation between driver and product should mimic alcohol regulations.

**QUESTIONS:**

- Who will be inspecting the delivery vehicles?

**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 set should be by transaction rather than weekly/monthly. (Repeated three times)
- Limits should be based on what a customer is allowed to hold as set by existing law. (Repeated twice)
- A maximum limit of cannabinoids a patient is allowed to purchase should be set. A metric should be established to apply the limit to every form that a medical cannabis product might take. (Repeated once)
- The limit of product a patient can purchase through delivery should be lower than the amount they can purchase in a dispensary.
- There should be a limit on the total amount of product that a delivery employee may carry.

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- The limit that a patient can purchase should be set by a physician only.
- Tracking the monthly purchases of a patient is overly burdensome and complex.
- Daily limits are more realistic in terms of tracking when compared to weekly or monthly limits.
- The limit should be set at two ounces per patient per day.
- The state should not regulate limits. The business owner should be responsible for the customer's activity.

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