R67. Specialized Product Authority Licensing Board.
R67-1. Electronic Verification System and Inventory Control System Registration, Limitations, and Confidentiality.
R67-1-1. Authority and Purpose.
(1) Subsections 26B-4-202(7) and 4-2-103(1)(i) authorize this rule.
(2) This rule establishes medical cannabis initial and renewal registration procedures for a:
(a) caregiver;
(b) guardian;
(c) patient who is a:
(i) Utah resident; or
(ii) nonresident;
(d) pharmacy medical provider (PMP);
(e) recommending medical provider (RMP); and
(f) RMP proxy.

R67-1-2. Definitions.
(1) Terms used in Section 4-41a-102 and 26B-4-201 apply to this rule.
(2) "EVS" means the electronic verification system.
(3) "ICS" means the inventory control system.
(4) "Pharmacy agent" means a medical cannabis pharmacy agent.
(5) "RMP proxy" or "recommending medical provider proxy" means an individual who has been given authority to enter certifications and recommendations for an RMP as described in Subsection 26B-4-202(3).
(6) "Safeguard" means to maintain the confidentiality of the information accessed and not use, release, publish, disclose, or otherwise make available to any other person not authorized to access the information, for any purpose other than those specifically authorized or permitted by applicable law.
(7) "Utah resident" means an individual who has established a domicile in Utah

R67-1-3. System Access Standards.
(1)(a) An individual shall request access to the data in the EVS by completing the procedures listed in Section R67-1-5.
(b) An individual shall request access to the data in the ICS by completing registration as prescribed by the department and Section 4-41a-1106.
(2) The department shall grant limited EVS access according to:
(a) the type of registrant listed in Subsection R67-1-1(2); or
(b) for pharmacy agents, as established in Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis.
(3) The department shall grant access to the extent allowed in:
(a) Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis;
(b) Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies; and
(c) this rule.

R67-1-4. Confidentiality Requirements.
(1) A person authorized to access information in the EVS or ICS shall only access the minimum amount of information necessary to perform an authorized function, as specified in:
(a) Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis;
(b) Title 4, Chapter 41a, Cannabis Production Establishments and Pharmacies; and
(c) this rule.
(2) A person authorized to access information in the EVS or ICS shall safeguard any information stored in the system.
(3) A person authorized to access the EVS and ICS shall safeguard login credentials and not share those credentials with anyone.
(4) A person authorized to access the EVS and ICS who fails to observe the confidentiality requirements of this rule may:
(a) be subject to the penalties listed in Section 26B-4-202; and
(b) lose access to the EVS or ICS.

R67-1-5. EVS Registration Procedures.
(1) The registration procedures established in this section govern the registrations listed in Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis.
(2) Each registrant shall apply using the EVS application or a paper application requested from the department.
(3) The registration shall be closed if it is not completed within six months.
(4) The department shall provide the information described in Subsection 26B-4-213(9):
(a) electronically to each medical cannabis patient, guardian, or caregiver cardholder; and

DRAFT

(b) publicly on the department website.

(5) Each registrant shall maintain a current email and mailing address with the department.

(6)(a) Renewal time periods shall follow the stipulations in Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical Cannabis.

(b) The department shall send renewal notices to a registrant's most recent email in the department's EVS database.

(c)(i) The department shall send a renewal notice to a registrant at least 30 days before the registration expiration date.

(ii) For a nonresident patient registrant, the department shall send a renewal notice at least five days before the expiration date.

(d) A renewal notice shall advise a registrant that registration automatically expires on the expiration date and is no longer valid.

(e) A renewal notice shall include instructions for a registrant to renew registration through the department's website.

(f) If a registration expires, the individual with the expired registration may submit a renewal registration at any time.

(7)(a) The department shall provide written notice of revocation to a registrant who submits an initial or renewal registration if the department determines that the registrant does not meet the requirements.

(b) The department shall send the written notice of revocation to the registrant's most recent email address in the EVS database.

(c) The department may reinstate the registrant's registration if the registrant corrects each deficiency and otherwise meets the registration requirements.

KEY: medical cannabis, medical cannabis pharmacy, inventory control system, electronic verification system
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 4-2-103(1)(i); 26B-4-202(7)

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R67. Specialized Product Authority Licensing Board.
R67-2. Dosing Guidelines and Partial Filling.
R67-2-1. Authority and Purpose.

(1) Subsection 26B-4-231(3) and 4-2-103(1)(i) authorizes this rule.

(2) This rule establishes standards for dosing guidelines and partial filling in a medical cannabis recommendation.

R67-2-2. Definitions.

(1) Terms used in Section 4-41a-102 and 26B-4-201 apply to this rule.

(2) "EVS" means the electronic verification system.

(3) "ICS" means the inventory control system.

(4) "Pharmacy agent" means a medical cannabis pharmacy agent.

R67-2-3. Dosing Guidelines in Medical Cannabis Recommendation.

(1)(a) A recommending medical provider (RMP) may change the dosage form or dosing guidelines for that RMP's patient.

(b) A pharmacy medical provider (PMP) may not change the dosage form or dosing guidelines entered in the EVS by a patient's RMP without approval from the patient's RMP.

(2)(a) If an RMP has not specified the dosage form or dosing guidelines for a patient, a PMP may specify the dosage form and dosing guidelines.

(b) If an RMP does not specify a dosage form and dosing guidelines for a patient, or specifies a dosage form and some or no dosing guidelines for a patient, a PMP may specify the remaining dosing guidelines.

R67-2-4. Partial Filling.

A PMP or pharmacy agent who partially fills a recommendation for a medical cannabis cardholder shall specify in the ICS the:

(1) date of partial fill;

(2) quantity supplied to the cardholder; and

(3) quantity remaining of the recommendation partially filled.

KEY: medical cannabis, medical cannabis dosing guidelines, medical cannabis pharmacy
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 26B-4-231(3); 4-2-103(1)(i)

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R67. Specialized Product Authority Licensing Board.
R67-3. Pharmacy Medical Provider Continuing Education Requirements.
R67-3-1. Authority and Purpose.

(1) Subsection 26B-4-202(7), 26B-4-219(3), and 4-2-103(1)(i) authorizes this rule.

(2) This rule establishes pharmacy medical provider (PMP) continuing education requirements.

R67-3-2. Definitions.

(1) Terms used in Section 4-41a-102 and 26B-4-201 apply to this rule.

(2) "PMP" means a pharmacy medical provider.

R67-3-3. Continuing Education Requirements.

A person registering as a PMP shall complete continuing education:

(1) as outlined in Subsection 26B-4-219(3);

(2) that includes a course containing at least 0.5 hours of education covering current Utah law applicable to the practice of a pharmacy medical provider;

(3) related to cannabis; and

(4) offered from:

(a) the department;

(b) an accredited institution of higher education; or

(c) an organization accredited through:

(i) Accreditation Council for Continuing Medical Education;

(ii) Accreditation Council for Pharmacy Education;

(iii) American Academy of Physician Assistants; or

(iv) American Association of Nurse Practitioners.

KEY: medical cannabis, pharmacy medical providers, marijuana
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 26B-4-207(7); 26B-4-219(3); 4-2-103(1)(i)

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R67. Specialized Product Authority Licensing Board.
R67-4. Expedited Final Review of Compassionate Use Petitions.
R67-4-1. Authority and Purpose.

(1) Subsections 4-2-103(1)(i) and Subsection 4-41a-112(5) authorize this rule.

(2) This rule establishes a process and criteria for a petition to the Compassionate Use Board (board) to qualify for expedited final review and approval or denial by the department.

R67-4-2. Definitions.

(1) Terms used in Section 4-41a-102 and 26B-4-201 apply to this rule.

(2) "RMP" means a recommending medical provider.

R67-4-3. Availability of Expedited Review.

To qualify for expedited review by the department, an individual submitting the petition must:

(1) be diagnosed with a terminal illness;

(2) have a life expectancy of six months or less;

(3) present symptoms not adequately managed with standard therapies that may reasonably be expected to be alleviated by medical cannabis; and

(4) have a recommendation from an RMP who is directly and regularly involved in the individual's medical care.

R67-4-4. Expedited Review Procedure.

(1) Each individual submitting a petition for expedited review by the department shall complete a form available from the department.

(2) The board may not review a petition until the form is complete and any supporting documentation requested by the board is received.

(3) Within five business days after receiving a complete petition for expedited review, the licensing board shall review the petition and either approve or deny the request for expedited review.

(4) If the department approves the petition, the department shall issue a medical cannabis card to the applicant.

(5) If the department denies the petition for expedited review, the department shall:

(a) send notice of the denial to the applicant; and

(b) send the petition for compassionate use to the board for review on its regular review schedule.

KEY: medical cannabis, compassionate use board, medical marijuana
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 4-2-103(1)(i); 4-41a-112(5)

DRAFT

R67. Specialized Product Authority Licensing Board.
R67-5. Compassionate Use Board Administrative Hearing Procedure.
R67-5-1. Authority and Purpose.

(1) Section 63G-4-202 and Subsection 4-2-103(1)(i)authorizes this rule.

(2) This rule governs administrative appeals from decisions made by the Compassionate Use Board (board).

R67-5-2. Definitions.

Terms used in this rule are defined in Section 26B-4-201.

R67-5-2. Form of Proceeding.

Adjudicative proceedings brought against the board shall be informal adjudicative proceedings.

R67-5-3. Availability of Hearing.

(1) When the board recommends denial of a petition pursuant to Subsection 4-41a-112(6), the petitioner may request a hearing within 15 calendar days of receipt of the notice of agency action.

(2) A party who fails to request a hearing within 15 calendar days of receipt of the notice of agency action shall have no right to an administrative hearing or judicial review of the agency action, unless the party can demonstrate, by a preponderance of the evidence, that it was virtually impossible or unreasonably burdensome to file the request within 15 calendar days.

R67-5-4. Qualifications for Presiding Officer.

The presiding officers for administrative hearings involving a decision of the board shall be the Specialized Product Authority Licensing Board.

R67-5-5. Settlement Agreements.

Before issuing a final decision and order, the parties may enter into a settlement agreement resolving the entirety, or any part, of the adjudicative proceeding.

KEY: medical cannabis, compassionate use board, medical marijuana
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 63G-4-202; 4-2-103(1)(i)

DRAFT

R67. Specialized Product Authority Licensing Board.
R67-6. Informal Adjudicative Proceedings and Appeals.
R67-6-1. Authority and Purpose.

(1) Subsection 4-41a-201.1(12)(b) and Subsection 4-2-103(1)(i), authorizes this rule.

(2) The purpose of this rule is to establish procedures for informal adjudicative proceedings involving administrative actions of the specialized products division.

(3) This rule shall be interpreted to provide a fair, efficient, and impartial process while protecting the due process rights of affected persons.

R67-6-2. Definitions.

(1) Terms used in Section 4-41a-102 and 26B-4-201 apply to this rule.

(2) "Division" means the specialized products division.

(3) "Division action" means an order, notice, citation, penalty, licensing determination, compliance determination, or other agency action for which administrative review is authorized by law.

(4) "Informal adjudicative proceeding" means a proceeding designated as informal pursuant to Section 63G-4-202 and conducted pursuant to Section 63G-4-203 and this rule.

(5) "Party" has the meaning provided in Section 63G-4-103.

(6) "Presiding officer" means the director of administrative appeals, the specialized product authority licensing board when authorized by statute, or another person designated by the department who is authorized to conduct the proceeding and issue an order.

(7) "Respondent" means a person requesting administrative review of an appealable division action.

(8) "Staff report" means the written summary prepared by division staff describing the agency action, relevant facts, applicable law, evidence, and staff recommendation.

R67-6-3. Commencement of Proceedings.

(1) An agency-initiated proceeding shall commence through issuance of a notice of agency action that complies with Section 63G-4-201.

(2) A person seeking review of an appealable division action shall file a request for agency action using the division's appeal form or another written submission containing substantially the same information.

(3) An appeal shall be filed within 30 calendar days after issuance of the division action being appealed.

(4) An appeal is considered filed on the date it is:

(a) personally delivered to the department;

(b) postmarked, if submitted by United States mail;

(c) received by the department; or

(d) received electronically at an address or electronic filing system designated by the division.

(5) The appeal shall include:

(a) a concise statement explaining the basis for the appeal;

(b) copies of documents the respondent wishes the presiding officer to consider that are not already in the division's possession;

(c) identification of the division action being appealed;

(d) the agency case or reference number;

(e) the date of the division action;

(f) the respondent’s name and contact information;

(g) the respondent’s signature or authorized electronic certification; and

(h) the specific relief requested.

(6) A copy of the division action being appealed shall accompany the appeal when available.

R67-6-4. Administrative Review and Scheduling.

(1) Upon receipt of an appeal, division staff shall determine whether:

(a) the action is appealable;

(b) the appeal was timely filed;

(c) the matter is designated for informal adjudication; and

(d) the submission contains sufficient information to identify the action being appealed.

(2) The presiding officer may permit a respondent to correct a deficient filing within seven calendar days.

(3) The presiding officer shall provide the parties with notice of the date, time, location, and method of the hearing.

(4) A hearing may be conducted:

(a) by telephone;

(b) by videoconference;

(c) in person; or

(d) through another method reasonably calculated to provide all parties a meaningful opportunity to participate.

DRAFT

R67-6-5. Failure to Appear.

(1) If a respondent fails to appear or participate after receiving proper notice, the presiding officer may:

(a) dismiss the appeal;

(b) enter an order based upon the available record;

(c) proceed in the respondent's absence; or

(d) take another action authorized by law.

(2) The presiding officer may set aside a dismissal or default for good cause.

R67-6-6. Standard and Scope of Review.

(1) Unless a different standard is established by statute, the presiding officer shall determine whether the division action is supported by the applicable law and the facts contained in the administrative record as determined by the licensing board.

(2) The respondent bears the burden of establishing entitlement to relief from the challenged division action unless applicable law assigns the burden otherwise.

(3) Nothing in this rule alters a burden or standard of proof established by statute.

R67-6-7. Order.

(1) Within ten business days after the proceeding closes, the presiding officer shall issue a signed written order.

(2) The order shall contain:

(a) identification of the proceeding and parties;

(b) notice of any available administrative or judicial review;

(c) the applicable deadline for seeking further review;

(d) the applicable statutes and administrative rules;

(e) the decision;

(f) the disposition of the appeal;

(g) the material facts relied upon; and

(h) the reasons for the decision.

(3) The presiding officer may:

(a) affirm the division action;

(b) modify the division action;

(c) order another remedy authorized by law;

(d) remand the matter to division staff for additional action;

(e) rescind or reduce a penalty when authorized by law; or

(f) reverse the division action.

(4) The order shall be based upon facts appearing in the agency's files and facts presented during the proceeding.

(5) The department shall promptly provide a copy of the order to each party.

R67-6-8. Agency Review.

Agency review shall follow the stipulations of Subsection R51-2-7.

R67-6-9. Judicial Review.

(1) A party may seek judicial review of final agency action as provided by Title 63G, Chapter 4, Part 4, and any applicable program-specific statute.

(2) Licensing decisions are not eligible for judicial review as determined by Chapter 4-41a.

KEY: medical cannabis; appeals
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 4-2-103(1)(i); 4-41a-201.1(12)(b

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R67. Specialized Product Authority Licensing Board.
R67-7. Medical Cannabis Patient Vouchers.
R67-7-1 Authority and Purpose.
(1) This rule is authorized under Subsection 26B-4-248(4).
(2) This rule establishes operating standards and requirements to be followed by a non-profit entity that is awarded a grant to issue patient vouchers.

R67-7-2 Definitions
Terms used in Section 4-41a-102 and 26B-4-201 apply to this rule.
(1) "Fiscal Year" means the time period beginning on July 1 of any given year and ending on June 30 of the subsequent year.
(2) "Non-profit entity" means
(a) an entity incorporated under Title 16, Chapter 6a Utah Revised Nonprofit Corporation Act; and
(b) an entity that does not hold a license or has an ownership interest in a:
(i) medical cannabis pharmacy;
(ii) cannabis processing facility; or
(iii) cannabis cultivation facility.
(3) "Voucher" refers to an allotment given to a patient to use at a medical cannabis pharmacy.

R67-7-3 Awarding the Grant
(1) The department shall evaluate applications using criteria established in the grant solicitation. Consideration is given to entities that are able to clearly demonstrate in their operating plan:
(a) an ability to keep patient information secure;
(b) processes in place to prevent fraud; and
(c) processes in place to comply with department audits.
(2) The department shall award the grant up to a two-year term ending at the conclusion of the fiscal year with an option to extend based on adherence to:
(a) an approved operating plan; and
(b) state law.
(3)(a) The department may grant a maximum of two extensions.
(b) Each extension shall last one fiscal year.
(c) An applicant renewal or extension shall include information that has changed from their original application or approved operating plan.

R67-7-4 Allocation and Utilization of Funds.
(1) The department shall notify the non-profit entity of available funds by the beginning of each fiscal year.
(2) Funds are made available to the non-profit entity each year by July 30.
(3) Unused funds given to the non-profit entity shall not lapse at the end of the fiscal year but shall remain available for patient vouchers in the next fiscal year.
(4) The individual patient account may not exceed $150.
(5) The non-profit entity shall ensure vouchers can be redeemed:
(a) for medical cannabis products, state transaction fees, or delivery fees;
(b) regardless of sales, discounts, or promotional pricing; and
(c) at any licensed medical cannabis pharmacy within the state of Utah.
(6) The non-profit organization shall maintain grant funds separately from all other organizational funds.

R67-7-5 Reporting Requirements.
(1) Quarterly reports shall be submitted to the department within 30 days of the end of each quarter.
(2) Quarterly reports shall include:
(a) application denials that include:
(i) number of denials;
(ii) appeals filed; and
(iii) appeals granted.
(b) average processing time;
(c) average reimbursement time;
(d) fiscal balance;
(e) number of applications pending;
(f) number of patient applications received;
(g) pharmacies that received vouchers which include:
(i) amount of money each patient used; and

DRAFT

(ii) total amount paid to each pharmacy each month; and
(h) vouchers issued and redeemed per patient; that shall include:
(i) EVS patient ID numbers of all patients given vouchers;
(ii) month of issuance; and
(iii) voucher amount.

R67-7–6 Retention of Records.
(1) The non-profit entity shall retain patient applications, eligibility verifications, and reports for seven years from the time the applicant was last active.
(2)(a) After seven years, the organization shall destroy these records.
(b) The non-profit entity shall report to the department when and how the records were destroyed.

R67-7-7 Operating Plan.
(1) The non-profit entity shall submit an operating plan that meets the requirements described in Section 26B-4-248. Additionally, the plan shall outline the following information.
(a) A description of how and when the funds will be distributed to the pharmacies.
(b)(i) Conflicts of interest between it and all employees, specifically conflicts of interest involving:
(A) independent cannabis testing laboratories;
(B) medical cannabis cultivators;
(C) medical cannabis pharmacies;
(D) medical cannabis processors; or
(E) the department.
(ii) The non-profit entity shall notify the department if a conflict of interest exists, as well as the remedy to ensure it does not hinder the program
(c) Eligibility verification methods:
(i) criteria that the non-profit entity will use to determine how many vouchers a patient receives every year;
(ii) criteria that will be used to determine which patients will receive vouchers;
(iii) how a patient will apply;
(iv) how Medicare and Medicaid enrollment will be verified;
(v) how often eligibility will be verified; and
(vi) procedures for accommodating patients with accessibility requirements.
(d) Governance structure that includes:
(i) an organizational chart;
(ii) articles of incorporation;
(iii) bylaws;
(iv) continuity of operations plan;
(v) list and job titles of responsible individuals; and
(vi) succession and vacancies plan.
(e) Privacy and security:
(i) identifiable health information privacy training plan for staff with access to patient information;
(ii) methods for fraud prevention;
(iii) methods for safeguarding individually identifiable health information; and
(iv) steps for addressing a data loss event.
(f) Procedures for patient and customer access:
(i) ADA accommodations;
(ii) complaint intake procedure;
(iii) customer service standards; and
(iv) multilingual access.
(g) The appeal process for an applicant with a denied or revoked voucher request which shall include:
(i) non-profit's actions for the appeal being upheld or overturned;
(ii) steps for appeal; and
(iii) timeframe for appeal.
(h) Voucher distribution process:
(i) how they will generate and distribute vouchers;
(ii) how pharmacies will verify the validity of vouchers; and
(iii) void procedures.
(2) Any proposed changes to the operating plan shall be communicated to the department for approval before making any changes.

DRAFT

R67-7-8. Denials and Appeals procedure.

If a patient is denied a voucher, the non-profit entity shall provide the patient:

(1) a written notice;

(2) the reason for denial; and

(3) how the patient can appeal the denial.

R67-7-9. Audit procedure.

(1)(a) The department may conduct announced or unannounced audits of the non-profit entity.

(b) The non-profit entity shall allow access to:

(i) financial records;

(ii) invoices;

(iii) patient verification records;

(iv) voucher records; and

(v) any other requested documents.

(c) If a non-profit entity is audited by someone other than the department, the non-profit entity shall provide the report findings to the department.

R67-7-9 Grant termination.

(1) The department may terminate a non-profit entity's contract for the following reasons:

(a) failure to maintain nonprofit status;

(b) favoritism;

(c) fraud;

(d) insolvency;

(e) misuse of funds;

(f) repeated reporting failures;

(g) security violations; or

(h) any other reason determined by the department to be detrimental to the program or patients

(2) A 90-day notice is required if the non-profit entity cannot fulfill the requirements and would like to terminate the grant, unless the non-profit entity is no longer able to operate due to unforeseen circumstances, in which case it shall notify the department as soon as possible.

(3) Any remaining funds will be returned to the department within 30 days of the grant termination.

KEY: medical cannabis, medical marijuana
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 26B-4-248(4)

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R67. Specialized Product Authority Licensing Board.
R67-8. Application Review Process.
R67-8-1. Authority and Purpose.

(1) Subsections 4-41a-201(2)(a)(ii) and 4-41a-1206(10) authorize this rule.

(2) The purpose of this rule is to establish a process for a medical cannabis production establishment, pharmacy, or courier to apply to receive a license from the specialized product authority licensing board.

R67-8-2. Definitions.

(1) Terms used in Section 4-41a-102 and 26B-4-201 apply to this rule.

(2) "Applicant" means a medical cannabis pharmacy, medical cannabis cultivator, closed door medical cannabis pharmacy, medical cannabis courier, a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory submitting an initial or renewal application.

R67-8-3. Application Process.

(1) The licensing board shall consider a license application only after an applicant meets the following conditions:

(a) submits a complete application, including documents and supplemental materials required on the department's application checklist;

(b) pays the required application fee; and

(c) a department official conducts a review as described in Section R67-8-4.

(2) The department shall forward the application information and a recommendation to the licensing board to aid in the license determination.

(3) The licensing board will follow the process outlined in Subsection 4-41a-201.1(6) in considering the application.

(4) Before issuing a license, the department shall inspect the proposed premises to determine if the applicant complies with state laws and rules.

R67-8-4. Licensing Board Review-Licenses with Limited Availability.

(1) If the department solicits applications for a limited number of licenses, the licensing board shall score complete applications that meet the requirements of Subsection R67-8-3(1) and Section R67-8-4.

(2)(a) The licensing board shall issue licenses according to those applicants with the highest score, depending on how many licenses are available.

(b) The licensing board may change an application score before or after a presentation from applicants.

(3) The licensing board may consider the following factors in determining whether to issue grant cannabis production establishment licenses:

(a) the applicant's ability to be compliant within their operating plan;

(b) the applicant's anticipated pricing structure;

(c) the applicant's experience in the medical cannabis industry;

(d) the timeline under which each phase of the applicant's business will be operational;

(e) other factors determined by the department or the licensing board; and

(f) the factors required under Title 4, Chapter 41a, Part 2 Cannabis Production Establishment, and Title 4, Chapter 41a, Part 10 Medical Cannabis Pharmacy License.

(4) In addition to the factors listed in Subsection 4-41a-1206(7), the licensing board shall approve locations for closed-door medical cannabis pharmacies based on:

(a) patient needs;

(b) the applicant's anticipated pricing structure;

(c) the applicant's operating plan; and

(d) the existence of a policy allowing the Pharmacist in Charge (PIC) to determine pharmacy inventory.

(5) The licensing board may conduct face-to-face interviews with an applicant if needed, to determine the best qualified applicant for the licenses that will be issued.

(6) If the licensing board discussion necessitates changing an applicant's initial score, the licensing board shall document the reason for the change.

R67-8-5. Public Hearing.

(1) The licensing board shall make licensing determinations during a public hearing where each application is considered.

(2) The licensing board shall allow prospective applicants to make a presentation at the public hearing in which their application is considered.

(3) The licensing board shall notify the prospective applicant a minimum of ten business days before the public hearing where their application is being considered.

(4) The licensing board may limit the time available for presentations by the applicants.

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KEY: cannabis, cannabis production, licensing, cannabis production establishment, pharmacy licensing
Date of Last Change:
Authorizing, and Implemented or Interpreted Law: 4-41a-201(2)(a)(ii); 4-41a-1206(10)

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