

Title 10
MARYLAND DEPARTMENT OF HEALTH
Subtitle 62 NATALIE M. LAPRADE MEDICAL CANNABIS
COMMISSION

10.62.10 Medical Cannabis Grower Premises

.07 Video Surveillance Requirements.

A.—C. (text unchanged)

D. A surveillance camera shall capture activity at each:

(1) [entrance] *Entrance* to an area where medical cannabis is grown, tested, cured, manufactured, processed or stored; and

(2) *Area where medical cannabis is trimmed, packaged, cured or stored.*

[E. A recording of all images captured by each surveillance camera shall be kept:

(1) At the licensed premises; and

(2) At an off-site location.]

F. The storage of all recordings of security video surveillance shall be:

(1)—(3) (text unchanged)

(4) Retained for a minimum of [30] 90 calendar days.

G. Any recording of security video surveillance shall be made available to the Commission or law enforcement agency for just cause as requested *within 48 hours*.

H. Violation.

(1) *Failure to provide the Commission with any recording of video surveillance is a violation of COMAR 10.62.34.01; and*

(2) *Each day of recording that a licensee fails to provide to the Commission, within the minimum of 90 calendar days that shall be retained, constitutes a separate violation.*

.08 Visitor to a Non-Public Area of the Premises.

A. (text unchanged)

B. A Commission inspector as defined in COMAR 10.62.33.01 is not subject to the visitor requirements established in §A of this regulation.

[B.] C. (text unchanged)

10.62.12 Inventory Control by Grower

.02 Inventory Control System.

A. A licensee shall [use] *enter timely and accurate data into* a perpetual inventory control system that identifies and tracks the licensee's stock of medical cannabis from the time the medical cannabis is propagated from seed or cutting to the time it is delivered to a licensed dispensary, licensed processor or a qualifying patient or caregiver.

B.—C. (text unchanged)

.09 Theft or Diversion.

A. *If the licensee finds evidence of a theft or diversion the licensee shall report the theft or diversion to the Commission and to the Maryland State Police within 1 business day.*

B. *Within 30 business days of discovering the theft or diversion, the licensee shall:*

(1) Complete an investigation;

(2) Amend the licensee's standard operating procedures, if necessary; and

(3) Send a report of the investigation to the Commission.

10.62.21 Medical Cannabis Processor Premises

.06 Video Surveillance Requirements.

A.—C. (text unchanged)

D. A surveillance camera shall capture activity at each:

(1) [entrance] Entrance to an area where medical cannabis is processed, tested, packaged, and stored[.]; and

(2) Area where medical cannabis is processed, packaged, and stored.

[E. A recording of all images captured by each surveillance camera shall be kept at:

- (1) The licensed premises; and
- (2) An off-site location.]

F. Recordings of security video surveillance shall be:

- (1)—(3) (text unchanged)
- (4) Retained for a minimum of [30] 90 calendar days.

G. Any recording of security video surveillance shall be made available to the Commission or law enforcement agency for just cause as requested *within 48 hours*.

H. Violation.

(1) Failure to provide the Commission with any recording of video surveillance is a violation of COMAR 10.62.34.01; and

(2) Each day of recording that a licensee fails to provide to the Commission, within the minimum of 90 calendar days that shall be retained, constitutes a separate violation.

.07 Visitor to the Premises.

A. (text unchanged)

B. A Commission inspector as defined in COMAR 10.62.33.01 is not subject to the visitor requirements established in §A of this regulation.

[B.] C. (text unchanged)

10.62.22 Medical Cannabis Processor Operations

.02 Standard Operating Procedures.

A. A licensee shall:

- (1) (text unchanged)

(2) Create and [use] *enter timely and accurate data into* a perpetual inventory control system that identifies and tracks the licensee's stock of medical cannabis from the time it is delivered or produced to the time it is delivered to another licensee, a licensed grower, or a qualifying patient or caregiver; and

(3) (text unchanged)

B. (text unchanged)

.07 Theft or Diversion.

C. *If the licensee finds evidence of theft or diversion the licensee shall report the theft or diversion to the Commission and the Maryland State Police within 1 business day.*

D. *Within 30 business days of discovering the discrepancy, the licensee shall:*

(1) *Complete an investigation;*

(2) *Amend the licensee's standard operating procedures, if necessary; and*

(3) *Send a report of the investigation to the Commission.*

10.62.27 Licensed Dispensary Premises

.07 Video Surveillance Requirements.

A.—C. (text unchanged)

D. A surveillance camera shall capture activity at each:

(1) [entrance] *Entrance* to an area where medical cannabis is packaged, [tested, processed,] stored or dispensed[.]; and

(2) *Area where medical cannabis is packaged, stored or dispensed.*

[E. A recording of all images captured by each surveillance camera shall be kept at:

(1) The licensed premises; and

(2) An off-site location.]

F. Recordings of security video surveillance shall be:

(1)—(3) (text unchanged)

(4) Retained for a minimum of [30] 90 calendar days.

G. Any recording of security video surveillance shall be made available to the Commission or law enforcement agency for just cause as requested *within 48 hours*.

H. Violation.

(1) Failure to provide the Commission with any recording of video surveillance is a violation of COMAR 10.62.34.01; and

(2) Each day of recording that a licensee fails to provide to the Commission, within the minimum of 90 calendar days that shall be retained, constitutes a separate violation.

.09 Visitor to a Non-Public Area of the Premises.

A. (text unchanged)

B. A Commission inspector as defined in COMAR 10.62.33.01 is not subject to the visitor requirements established in §A of this regulation.

[B.] C. (text unchanged)

10.62.28 Licensed Dispensary Operations

.02 Standard Operating Procedure.

A. A licensee shall:

(1) (text unchanged)

(2) Create and [use] *enter timely and accurate data into* a perpetual inventory control system that identifies and tracks the licensee's stock of medical cannabis from the time it is delivered or produced to the time it is delivered to another licensee, a licensed grower, or a qualifying patient or caregiver; and

(3) (text unchanged)

B. (text unchanged)

.05 Equipment Sanitation, Accuracy and Maintenance Logs.

A. (text unchanged)

B. Pursuant to the approved standard operating procedure, the licensee shall require that:

(1) Automatic, mechanical, or electronic equipment is routinely calibrated and [periodically] checked *at least once each month* to ensure proper performance; and

(2) Any scale, balance, or other measurement device is routinely calibrated and [periodically] checked *at least once each month* to ensure accuracy.

C. (text unchanged)

.06 Theft or Diversion.

A. *If the licensee finds evidence of theft or diversion the licensee shall report the theft or diversion to the Commission and the Maryland State Police within 1 business day.*

B. *Within 30 business days of discovering the theft or diversion, the licensee shall:*

(1) *Complete an investigation;*

(2) *Amend the licensee's standard operating procedures, if necessary; and*

(3) *Send a report of the investigation to the Commission.*

10.62.30 Dispensing Medical Cannabis

.03 Procedure for Dispensing Medical Cannabis.

A. A registered dispensary agent shall dispense medical cannabis only *from the service area* to a qualifying patient or caregiver who has presented a government-issued identification card.

B. Before any distribution of medical cannabis, a dispensary agent shall query the Commission data network *using a unique log-in that identifies the registered dispensary agent* and verify that:

(1)—(3) (text unchanged)

C.—G. (text unchanged)

.04 Delivery of Medical Cannabis to a Qualifying Patient or Caregiver.

A. A qualifying patient or caregiver shall [first telephone] *contact* a registered dispensary to request the delivery of medical cannabis:

(1)—(2) text unchanged

B. During [the telephone conversation] *any interaction* with the qualifying patient or caregiver, a registered dispensary agent may provide information on:

(1)—(3) (text unchanged)

C.—D. (text unchanged)

E. Only a qualified patient or caregiver, *or a medical facility where the qualifying patient is receiving in-patient treatment*, may accept delivery of medical cannabis.

F. [Only a registered dispensary agent may deliver medical cannabis.] *A licensee or registrant may only deliver medical cannabis to a private home or residence, or a medical facility where the qualifying patient is receiving in-patient treatment.*

.06 Dispensing Controls.

A. In cases of delivery, at the point of delivery a qualified patient or caregiver shall display identification to the delivering [dispensary] *registered* agent.

B. (text unchanged)

C. The [dispensary] *registered* agent and the qualifying patient or caregiver shall each retain a copy of the receipt.

D. (text unchanged)

E. *A registered dispensary agent may not dispense medical cannabis to themselves.*

.10 Product Returned for Destruction

A licensee shall:

A. *Accept and record the return of any medical cannabis from a qualifying patient or a caregiver; and*

B. *Destroy the returned medical cannabis.*

10.62.33 Inspection

.04 Announced and Unannounced Inspections.

A.—C. (text unchanged)

D. *During an inspection, a material misstatement, omission, misrepresentation, or untruth by the licensee or registrant, or a registered agent or employee may result in:*

(1) *The imposition of a civil fine;*

(2) *Suspension of a license or registration; or*

(3) *Revocation of a license or registration.*

.06 Action Upon Findings in Inspection.

In the event that an inspector has reasonable suspicion of an operational failure or of conditions that create a likelihood of diversion, contamination, or a risk to the public health:

A.—C. (text unchanged)

D. In the course of an inspection or any investigation, a licensee, registrant, agent, or employee shall comply with a Commission request for the licensee, registrant, agent, or employee to:

(1) *Appear for a sworn statement; or*

(2) *Submit specified records, files or similar information.*

.08 Report of Inspection.

A. An inspector shall:

(1) Prepare a report of:

(a) (text unchanged)

(b) Any [suggestions or] demands for corrective action;

(2)—(3) (text unchanged)

B. If an inspection report contains a [suggestion or] demand for corrective action, within 10 business days from the delivery of the report, the inspected entity shall:

(1) Respond in writing to every [suggestion or] demand for corrective action; and

(2) (text unchanged)

C. (text unchanged)