

DRAFT – Technical Corrections to COMAR 10.62

10.62.01 Definitions

.01 Definitions.

B. Terms Defined.

(24) Medical Cannabis.

(a) “Medical cannabis” means all parts of any plant of the genus cannabis, whether growing or not, including:

(i) – (ii) (text unchanged)

(iii) Any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin including tetrahydrocannabinol (THC) and all other naturally produced [cannabinol] *cannabinoid* derivatives, whether produced directly or indirectly by extraction.

(25) – (44) (text unchanged)

10.62.06 Patient and Caregiver Identification Cards

.01 Patient Identification Cards.

A. (text unchanged)

B. An identification card shall contain:

(1) (text unchanged)

(2) An expiration date:

(a) 2] 3 years from the date the card is issued; [and

(b) Beginning January 1, 2019, 3 years from the date the card is issued];

(3) – (4) (text unchanged)

C – D. (text unchanged)

10.62.08 Medical Cannabis Grower License

.07 Issuance of License.

A. (text unchanged)

B. The Commission may issue a license either to grow medical cannabis or to grow medical cannabis and distribute it to qualifying patients and caregivers on a determination that:

(1) *The applicant has not been convicted of or pleads nolo contendere to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;*

[(1)] (2) – [(3)] (4) (text unchanged)

10.62.09 Medical Cannabis Grower Agent

.05 Termination.

A – C. (text unchanged)

D. If a registered grower agent did not return the agent's identification card within 30 days of the termination, the Commission shall notify the [Maryland State Police] *law enforcement agency with jurisdiction in the licensee's area.*

10.62.11 Medical Cannabis Growing Controls

.04 Equipment.

A. – B. (text unchanged)

C. A licensee shall have any scale, balance, or other measurement device, and any automatic, mechanical, or electronic equipment [routinely] *annually* calibrated by a calibration laboratory accredited to International Organization for Standardization (ISO) standard 17025 ISO/IEC by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement.

10.62.12 Inventory Control by Grower

.06 Discrepancy Reporting.

A. (text unchanged)

B. If the licensee finds evidence of a theft or diversion within 1 business day, the licensee shall report the theft or diversion to the:

(1) (text unchanged)

(2) [Maryland State Police] *Law enforcement agency with jurisdiction in the licensee's area.*

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] *law enforcement agency with jurisdiction in the licensee's area* within 1 business day.

B. (text unchanged)

10.62.17 Complaints, Adverse Events, and Recall

.01 Receipt and Documentation of Complaints and Adverse Events.

A licensed grower, licensed processor, licensed dispensary, certifying [physician] *provider*, and the Commission shall establish a procedure to receive, organize, store and respond to all oral, written, electronic or other complaints regarding medical cannabis and adverse events.

10.62.18 Shipment of Products Between Licensees

.10 Termination.

A. – C. (text unchanged)

D. If a registered transportation agent did not return the agent's identification card within 30 days of the termination, the Commission shall notify the [Maryland State Police] *law enforcement agency with jurisdiction in the licensee's area*.

10.62.20 Medical Cannabis Processor Agent

.05 Termination.

A. – C. (text unchanged)

D. If a registered processor agent did not return the agent's identification card within 30 days, the Commission shall notify the [Maryland State Police] *law enforcement agency with jurisdiction in the licensee's area*.

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 to an area where medical cannabis is processed, tested, packaged, [and] *or* stored;
and

(2) Area where medical cannabis is processed, packaged, [and] *or* stored.

E. – G. (text unchanged)

10.62.22 Medical Cannabis Processor Operations

.03 Receipt of Products Containing Cannabis.

A. (text unchanged)

B. Hemp.

(1) A licensee may acquire hemp, as defined in Agriculture Article, §14-101, Annotated Code of Maryland, from a person licensed to produce hemp by [the]:

(a) *The Maryland Department of Agriculture; [or the]*

(b) *The Secretary of the U.S. Department of Agriculture[.]; or*

(c) *An agency of another state pursuant to a hemp production plan that has been approved by the Secretary of the U.S. Department of Agriculture.*

(2) (text unchanged)

C. – I. (text unchanged)

.05 Equipment Sanitation, Accuracy and Maintenance Logs.

A. (text unchanged)

B. The licensee shall ensure that:

(1) (text unchanged)

(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)

.07 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] *law enforcement agency with jurisdiction in the licensee's area* within 1 business day.

B. (text unchanged)

10.62.23 Medical Cannabis Concentrates and Medical Cannabis-Infused Products

[.07 Report of Products Offered for Distribution.

A licensee shall submit to the Commission within 30 days following the end of a quarter a list of the products and the products' specification that the licensee offered for distribution in the quarter.]

10.62.26 Registered Dispensary Agent

.05 Termination.

A. – C. (text unchanged)

D. If a registered dispensary agent did not return the agent's identification card within 30 days, the Commission shall notify the [Maryland State Police] *law enforcement agency with jurisdiction in the licensee's area.*

10.62.28 Licensed Dispensary Operations

.03 Receipt of Products Containing Cannabis.

A. – H. (text unchanged)

I. Discrepancy in the Shipment.

(1) If the licensee finds evidence of a theft or diversion within 1 business day the licensee shall report the theft or diversion to the Commission and to the [Maryland State Police] *law enforcement agency with jurisdiction in the licensee's area.*

(2) – (3) (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] *law enforcement agency with jurisdiction in the licensee's area* within 1 business day.

B. (text unchanged)

10.62.30 Dispensing Medical Cannabis

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

A – B. (text unchanged)

C. Before any delivery of medical cannabis, a dispensary agent shall query the Commission data network and verify that:

(1) (text unchanged)

(2) A certifying [physician] *provider* issued a valid written certification to the qualified patient; and

(3) (text unchanged)

D. – G. (text unchanged)

10.62.33 Inspection

.06 Action Upon Findings in Inspection.

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

(1) (text unchanged)

(2) The Commission shall undertake a review of the inspection findings and may:

(a) – (c) (text unchanged)

(d) Notify the [Maryland State Police] *law enforcement agency with jurisdiction in the licensee's area* if diversion is suspected;

(e) (text unchanged)

(3) (text unchanged)

B. (text unchanged)

.35 Fee Schedule

.01 Fees.

The following fees are established by the Commission:

A. – I. (text unchanged)

J. Academic Research Institution fees:

(1) (text unchanged)

(2) Academic research representative registration fee — [\$100] \$200; and

(3) (text unchanged)

K. – L. (text unchanged)

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