

## **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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