



MARYLAND
MMCC

Natalie M. LaPrade
Maryland Medical Cannabis Commission

Larry Hogan, Governor • Boyd Rutherford, Lt. Governor • Robert Neall, Secretary

COMAR 10.62 Proposed Revisions

Policy Committee Meeting

April 16, 2018

Independent Testing Laboratory Registration – Transportation of Products Containing Medical Cannabis – COMAR 10.62.16

- Add Regulation .06 to Chapter 16 – Independent Testing Laboratory Registration
- Permit an independent testing laboratory to transport samples of medical cannabis and products containing medical cannabis; and
- Require an independent testing laboratory to use two employees and a secure medical cannabis transport vehicle in the transfer of sample medical cannabis.

Possession of Identification Card – Possession of Qualifying Patient or Caregiver Identification Card – 10.62.06.08

- Add Regulation .08 to Chapter 6
- Require a qualifying patient or caregiver to carry an identification card when (1) in public and (2) in possession of medical cannabis.

Licensed Dispensary Clinical Director – Clinical Director Responsibilities – COMAR 10.62.31.01

- Expand list of professions that may serve as clinical director to include any Maryland-licensed provider authorized to serve as a certifying provider;
- Require a clinical director to be on the premises during business hours;
- Require a clinical director to complete at least one commission-approved training course each year;
- Train dispensary staff on educating patients and caregivers on the risks, benefits, and side effects of medical cannabis use; and
- Educate patients and caregivers on the treatment of their medical condition using medical cannabis, possible side effects, different methods, forms, and routes of administration, and potential drug-to-drug interactions.

Dispensing Medical Cannabis – Delivery of Medical Cannabis COMAR 10.62.30.04

- Require a registered agent to deliver medical cannabis using a secure medical cannabis transport vehicle; and

- Require the secure medical cannabis transport vehicle to display current registration, be insured as required by law, and not display any sign or illustration related to medical cannabis or the licensee.

Certifying Provider - COMAR 10.62.01, 10.62.02, 10.62.03, 10.62.05, 10.62.06, 10.62.07, 10.62.17, 10.62.30, 10.62.32, 10.62.34

- Technical amendments to COMAR 10.62, replacing “physician” with “provider” throughout the subtitle; and
- Otherwise update 10.62 to include all providers authorized under statute to certify medical cannabis patients.

Dispensing Medical Cannabis – Original Packaging – COMAR 10.62.30

- Establish that a qualifying patient or caregiver agrees to keep medical cannabis in its original packaging, except as necessary to lawfully use the product; and
- Include this requirement in the patient attestation completed at each licensed dispensary prior to a purchase.

Discipline and Enforcement – Summary Suspension – COMAR 10.62.34.06

- Expressly state that the Commission may issue a summary suspension to a licensee or registrant if the Commission determines that “the threat to public health, safety, or welfare requires” immediate suspension;
- Establish procedures for notice and service of process of the summary suspension;
- Establish procedures for an evidentiary or show cause hearing, if requested in writing by the licensee or registrant; and
- Establish the penalties the commission or the commission’s designee may impose on the licensee or registrant.

Discipline and Enforcement – Payment of Penalty – COMAR 10.62.34.07

- Require any penalty collected for a violation of COMAR 10.62 to be remitted to the Natalie M. LaPrade Medical Cannabis Commission Fund.

Discipline and Enforcement – Action Against a Qualifying Patient or Caregiver – COMAR 10.62.34.05

- Establish violations and penalties for a qualifying patient or caregiver that violates COMAR 10.62; and
- Authorize the Commission to suspend or revoke a patient or caregiver registration in cases where a patient or caregiver (1) provides false, misleading, or fraudulent information to the commission; (2) possesses a supply of medical cannabis in an amount greater than the amount authorized by the provider certification; (3) is found guilty of violating the criminal drug possession and distribution statutes; or (4) otherwise violates the subtitle.

Advertising – COMAR 10.62.36

The Policy Committee is interested in public comment on information the Commission should consider in addressing medical cannabis industry advertising and marketing.

No proposed advertising regulation language will be introduced for the Committee to consider.