

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

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Oregon Health Authority, Public Health Division

333

Agency and Division

Administrative Rules Chapter Number

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RULE CAPTION

Medical Marijuana Growers, Processors, Dispensaries and Cards

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
1-21-16	1:00 p.m.	Atrium Building - Sloat Room; 99 W 10th Ave; Eugene, OR 97401	Jana Fussell
1-22-16	1:00 p.m.	Portland State Office Building; 800 NE Oregon St. Room 1A; Portland,	Jana Fussell
1-25-16	1:00 p.m.	Deschutes Services Bldg, DeArmond Room; 1300 NW Wall St.; Bend,	Jana Fussell
1-27-16	9:30 a.m.	Medford Public Library; 205 South Central Ave; Medford, OR 97501	Jana Fussell

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

333-008

AMEND:

333-008

REPEAL:

333-008

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 475.300 to 475.346, and Sections 80-90g, chapter 614, OL 2015

Other Authority:

Statutes Implemented:

ORS 475.300 to 475.346, and Sections 80-90g, chapter 614, OL 2015

RULE SUMMARY

The Oregon Health Authority (OHA), Public Health Division is proposing to permanently adopt, amend and repeal administrative rule in chapter 333, division 8 pertaining to medical marijuana growers, processors, dispensaries and cards due to the passage of HB 3400 (Oregon Laws 2015, chapter 614).

House Bill 3400, passed by the 2015 Oregon Legislature, made many changes to the Oregon Medical Marijuana Act, ORS 475.300 to 475.346 and gave the Oregon Health Authority the regulatory authority to inspect and regulate medical marijuana growers and to register and regulate processors, which were previously unregulated in Oregon.

Other major components of the rules include:

- Plant limits for medical marijuana grow site addresses. Plant limits vary depending on whether or not growers were producing at an address before January 1, 2015, and the location of the grow site.
- Changes in fees for medical marijuana grow site registration and new fees for processors.

- Required background checks for individuals who have a financial interest in a business entity that is the owner of a processing site or dispensary.
- Health and safety requirements for medical marijuana producers and processors.
- More specific requirements for registered processing sites and dispensaries for inventory tracking systems.
- Inventory and transfer transaction reporting requirements for growers, processing sites and dispensaries.
- Limitations on the form of marijuana that can be used at work by an OMMP patient who is also an employee of a registered processing site or dispensary.
- Ability to assess civil penalties on patient, caregivers, growers, processing sites and dispensaries and against individuals not complying with the registration requirements in ORS 475.300 to 475.346 and HB 3400.
- Advertising limitations for growers, processing sites and dispensaries.

Additional amendments to existing administrative rules related to medical marijuana cards and medical marijuana dispensaries are also included as necessary to conform with the other changes to administrative rule.

The Agency requests public comment on whether other options should be considered for achieving the rule’s substantive goals while reducing negative economic impact of the rule on business.

01-29-2016 5:00 p.m.	Brittany Sande	brittany.a.sande@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.