

230-RICR-80-05-2

TITLE 230 – DEPARTMENT OF BUSINESS REGULATION

CHAPTER 80 – MARIJUANA

SUBCHAPTER 05 – MEDICAL MARIJUANA

PART 2 – Department of Business Regulation Medical Marijuana Program Emergency Regulations – Extension of Expired Registry Identification Cards

2.1 Definitions

The definitions set forth in § 1.1.1 of this Subchapter apply to this Part.

2.2 Rulemaking Authority

A. This Part is promulgated pursuant to the authority granted in R.I. Gen. Laws Chapter 21-28.6, and R.I. Gen. Laws §§ 42-14-17 and 42-35-2.10.

B. In accordance with R.I. Gen. Laws § 42-35-2.10, these regulations shall remain in effect until no later than August 24~~16~~, 2020, unless renewed for a period not exceeding sixty (60) days.

2.3 Caregiver Registry Identification Cards Expiring March 1, 2020 and Thereafter

Notwithstanding any provision to the contrary in § 1.4(E)(1) of this Subchapter, the expiration date of any Rhode Island primary caregiver registry identification card that expired/expires on or after March 1, 2020, shall be extended to ~~June 30~~ July 31August 15, 2020.

2.4 Compassion Center Sales to Cardholders with Registry Identification Cards Expiring March 1, 2020, and Thereafter

A. Notwithstanding any provision to the contrary in § 1.6.3(E) of this Subchapter, a compassion center licensee may dispense and sell medical marijuana to Rhode Island primary caregiver registry identification cardholders and out-of-state qualifying patient registry identification cardholders, and, if permitted by the Rhode Island Department of Health, to Rhode Island qualifying patient registry identification cardholders and Rhode Island authorized purchaser registry identification cardholders, whose registry identification cards expired on or after March 1, 2020, until ~~June 30~~ July 31August 15, 2020, and such sales shall be deemed “permitted sales” under § 1.6.3(E) of this Subchapter, provided that medical marijuana is dispensed and sold in compliance with the Act, Part 1 of this Subchapter, and all the following requirements.

1. The compassion center uses reasonable, good faith efforts to verify the validity of each patient, caregiver or authorized purchaser's registry identification card and that the expiration date was on or after March 1, 2020, including but not limited to: requiring presentation of the patient, caregiver or authorized purchaser's medical marijuana registration card and one other form of government issued photo identification; making copies of both the registry identification card and government issued photo identification; and maintaining copies of such cards in the compassion center's records.
2. The compassion center logs and tracks all transactions with each cardholder in the tracking system by the registry identification card number.
3. Records regarding dispensing and transactions to such cardholders shall be maintained in compliance with and subject to inspection and review in accordance with the compassion center's records retention policies and Part 1 of this Subchapter.
4. In addition to the requirements set forth in §§ 2.4(A)(1) through (3) of this Part, all sales to out-of-state patient registry identification cardholders whose cards expired on or after March 1, 2020, shall:
 - a. Comply with § 1.6.3(E)(2) of this Subchapter;
 - b. Require presentation of documentation confirming that the out-of-state card issuing authority has extended the expiration date of the out-of-state cardholder by emergency regulation, executive order, or other issuing authority action to a date following the date of sale; and
 - c. The compassion center retains copies of the documentation required in § 2.4(A)(4)(b) of this Part in its records.

2.5 Severability

If any provision of these Regulations, or the application thereof to any person or circumstance, is held to be invalid, such invalidity shall not affect other provisions or application of these regulations which can be given effect without the invalid provision or application, and to this end the provisions are declared to be severable.

230-RICR-80-05-2

TITLE 230 - DEPARTMENT OF BUSINESS REGULATION (INCLUDES THE OFFICE OF THE HEALTH INSURANCE COMMISSIONER)

CHAPTER 80 - MARIJUANA

SUBCHAPTER 05 - MEDICAL MARIJUANA

PART 2 - DEPARTMENT OF BUSINESS REGULATION MEDICAL MARIJUANA PROGRAM EMERGENCY REGULATIONS – EXTENSION OF EXPIRED REGISTRY IDENTIFICATION CARDS

Type of Filing: Amendment

Agency Signature

Agency Head Signature

Agency Signing Date

Governor's Signature

Signed By

Governor or Designee

Governor Signing Date

Department of State

Regulation Effective Date

Department of State Initials

Department of State Date