



**NEVADA STATE DIVISION OF PUBLIC AND
BEHAVIORAL HEALTH
Policy**

Control #	Rev.	Type	Title	Effective Date	Page
MME001			Medical Marijuana Establishment Location Change Requests	Dec. 15, 2014	1 of 3

1.0 POLICY

The Division of Public and Behavioral Health (DPBH), Medical Marijuana Program (MMP) will accept, process and approve/deny requests to relocate Medical Marijuana Establishments (MME) pursuant to NAC 453A.326, subsection 2(a)(1) and (2), which states,

- ō2. *A medical marijuana establishment may change the location of the medical marijuana establishment to a new location that is 5 miles or less from its original approved location if:*
- (a) It provides to the Division before it changes location:*
 - (1) Written justification for the need to change the location; and*
 - (2) Land use approval for the new location from the local government, if applicable; and*
 - (b) The Division determines that the written justification is sufficient to justify the change in location.”*

An MME Applicant's failure to obtain local jurisdiction approval for the original location specified in its MME application is not a sufficient justification to move the MME to a new location.

2.0 PURPOSE

The purpose of this document is to prescribe the method by which MME Registrants may request a change in the location of their MME, identify materials MME Registrants must submit in support of their request, and describe how DPBH MMP will handle and process location change requests.

3.0 SCOPE

MME Registrants that have been awarded either Provisional or Final Registration Certificates from DPBH.

4.0 PROCEDURES

4.1 An MME Registrant who has identified the need to move the location of the MME will submit a written request to DPBH MMP, mailed to:

Department of Public and Behavioral Health ó Medical Marijuana Program
4150 Technology Way Suite 101
Carson City, NV 89706

4.2 Per NAC 453A.326(3), if the location change is required to meet local government zoning restrictions which prohibit the location of the MME after the Division has issued a MME registration certificate to the establishment, the MME will submit a written request.



**NEVADA STATE DIVISION OF PUBLIC AND
BEHAVIORAL HEALTH
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Control #	Rev.	Type	Title	Effective Date	Page
MME001			Medical Marijuana Establishment Location Change Requests	Dec. 15, 2014	2 of 3

- 4.2.1 The written request shall include the following:
- 4.2.1.1 Establishment name, current physical address of the establishment, proposed new address of the establishment.
 - 4.2.1.2 Documentation of the local government zoning restrictions.
 - 4.2.1.3 Documentation of land use approval for the proposed address unless the local government has no such process.
 - 4.2.1.4 A signed, written attestation the certified MME at the new address will meet or exceed the merits of the location specified in their scored MME application for sections 3, 4, 5 and 6.
- 4.2.2 MME Inspectors will review the documentation and forward to the MMP Program Manager and PAIS Bureau Chief for approval. Upon approval, the MME will be issued a provisional certificate letter, amended to reflect the proposed new address.
- 4.3 Except as provided in 4.2 above, all other MME location change will be processed as follows.
- 4.3.1 The written request shall include the following:
- 4.3.1.1 Establishment name, current physical address of the establishment, proposed new address of the establishment.
 - 4.3.1.2 Written justification for the need to change the location (1000 words or less).
 - 4.3.1.3 Documentation of land use approval from the local government unless the local government has no such process.
 - 4.3.1.4 A signed, written attestation the certified MME at the new address will meet or exceed the merits of the location specified in their scored MME application for sections 3, 4, 5 and 6.
- 4.3.2 MMP Inspectors will review the written justification package. If the proposed new location meets statutory and regulatory requirements and the land use is approved by the local government, the MMP inspector will forward the package to Division Senior Leadership for review.
- 4.3.3 The Senior Leadership Team consists of the MMP Program Manager, PAIS Bureau Chief, DPBH Deputy Administrator, and DPBH Administrator.
- 4.3.4 If approved, DPBH will issue the MME Registrant a Provisional Registration Certificate for the establishment's new address. If disapproved, the MME Registrant will be issued a denial letter, or the packet will be returned to the MME Registrant for improvement and resubmission if appropriate.



**NEVADA STATE DIVISION OF PUBLIC AND
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Control #	Rev.	Type	Title	Effective Date	Page
MME001			Medical Marijuana Establishment Location Change Requests	Dec. 15, 2014	3 of 3

- 4.4 After MME Registrants have satisfied all local jurisdictional inspection requirements for the new locations, MMP Inspectors and Auditors will conduct the pre-opening final inspection.
- 4.5 Upon successful resolution of all inspection findings and issues, the MME will receive a final Registration Certificate authorizing them to conduct business at the new location.