

STATE OF NEVADA

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH**

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December 8, 2015

RE: Nevada Medical Marijuana Program: New Process Efficiencies

Dear Medical Marijuana Establishments (MMEs):

The purpose of this communication is to highlight some recent improvements the Medical Marijuana Program has implemented in order to serve medical marijuana patients and establishments (MME) more efficiently. Prompted by feedback from patients and MME representatives, we have streamlined the establishment certification and patient card application processes. Please note the following highlights:

- NRS 453A.115 defines a medical marijuana dispensary as a business that acquires, possesses, delivers, transfers, supplies, sells or dispenses marijuana or related supplies and educational materials to the holder of a valid registry identification card. A valid registration card is required to purchase medical marijuana at a dispensary. Due to the current delay whereby an adult patient has to take their letter from the Division of Public and Behavioral Health (Division) to the Department of Motor Vehicles in order to obtain their registry identification card, the Division has identified the following solution. Effective immediately, the Division authorizes dispensaries to sell medical marijuana and medical marijuana products to patients who present a valid State of Nevada photo driver's license or identification (ID) and their Division-issued Letter of Acceptance, for up to 14 days from the date of the Division's letter. The information on the patient's Division-issued letter and ID must match. During those 14 days, the patient should receive their registry identification card in the mail from the DMV. After the 14-day grace period, dispensaries are not authorized to dispense medicine until the patient presents his or her DMV-issued registry identification card.
- The Program will conduct preliminary walk-throughs of MMEs upon request, and as time permits. The purpose of a preliminary walk-through is to assist MMEs with any questions they may have and to identify potential issues that could be corrected prior to scheduling the pre-opening inspection. In order to request and schedule a preliminary walk-through, MMEs must have completed all construction, and be near completion of all other state requirements. If the inspection

team shows up for a preliminary walk-through and the MME has misrepresented its completion status, the inspection team will not conduct the walk-through and the MME will be invoiced for the travel time of the inspection team. Hence, the Division recommends being as ready as possible when scheduling any type of inspection or review.

- The program receives an enormous amount of requests and questions from MMEs, but has a very limited number of staff available to respond to these requests. In order for us to serve you as efficiently as possible, please route the following common communications as follows:

Scheduling Opening Inspections and Walk-Throughs: To schedule these on-site visits, contact the appropriate Administrative Assistant. Southern Nevada MMEs should contact Jamie Chittenden (702-486-5403); Northern Nevada MMEs should contact Marilyn Gray (775-684-5925).

Questions for Inspectors and Auditors: Please limit your inquiries with our inspectors and auditors to topics related to inspections/audits and related requirements. Their workloads are very high. They are out in the field the majority of their time. The program strives for consistent messaging. Therefore, we do not prefer that you use inspector and auditor time for legal interpretations, Division policy questions, questions regarding Provisional renewals, or other potentially controversial matters. Emails to inspectors and auditors are preferred over telephone calls.

Questions regarding Division policy, interpretations of Nevada Revised Statutes (NRS) or Nevada Administrative Code (NAC), Provisional Renewals, or general questions: For these matters, please contact one of the following:

Program Manager, Steve Gilbert, sfgilbert@health.nv.gov

Program Supervisor, Kara Cronkhite, kcronkhite@health.nv.gov

Program Officer III, Jeff Hansen, jeffreyhansen@health.nv.gov

Education and Information Officer, Pam Graber, pgrabber@health.nv.gov

Bureau Chief, Chad W. Westom, cwestom@health.nv.gov

Other Program Resources

Many answers to common MME and patient questions can be found on our FAQs at [http://dpbh.nv.gov/Reg/MME/dta/FAQs/Medical Marijuana Establishments \(MME\) - FAQs/](http://dpbh.nv.gov/Reg/MME/dta/FAQs/Medical_Marijuana_Establishments_(MME)_-FAQs/). If you do not find the answer to your question in the FAQs, please submit it in writing to medicalmarijuana@health.nv.gov.

- In an effort to efficiently manage projects and process files in a timely manner, medical marijuana Inspectors and Auditors will adhere to established turnaround times for Statements of Deficiencies (SOD) and responses to Plans of Correction (POC). Quick turnaround times are dependent on the completeness of the documents provided by the MME. When submitting facility policies, procedures or POCs, when the documents are found to be thorough and complete, a quicker turnaround can be expected.
- MMEs are issued a final certificate when all inspection and documentation requirements are met and the establishment file is approved by the program. We have recently streamlined the program's review processes significantly. New MMEs can expect to see quicker turnarounds once they have provided staff with everything needed to be issued a final certificate.

- The MMEs provisionally registered in November, 2014 that have not yet received their final registration certificates must return their renewal packets to the Division postmarked no later than December 15, 2015. The renewal policy and forms are found at [http://dpbh.nv.gov/Reg/MME/dta/Policies/Medical_Marijuana_Establishments_\(MME\)_-Policies/](http://dpbh.nv.gov/Reg/MME/dta/Policies/Medical_Marijuana_Establishments_(MME)_-Policies/)
- If an MME has submitted its provisional registration renewal on time and continues to make significant progress towards opening, the Division intends to take no action on the MME's certificate at the 18-month, May 3, 2016 deadline. However, if the MME is not making an effort to become operational, is unresponsive, or submits misleading or incorrect renewal information, the Division reserves the right to investigate and revoke the MME's registration.

In summary, the Division has streamlined the review and approval process as requested by the industry. The Division remains committed to hire and train sufficient staff to efficiently serve the Medical Marijuana Program. To do so will require the support of the MME industry in supplying accurate information to the Division and responding in a timely manner to inquiries from our program staff.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Gilbert". The signature is stylized with a large, sweeping initial "S" and "G".

Steve Gilbert, Program Manager
Medical Marijuana Program