

R380. Health, Administration

R380-400. Utah Medical Cannabis Act Rule.

R380-400-1. Authority and Purpose.

Pursuant to Subsection 26-1-5(1), this rule defines terms used in Title 26, Chapter 61a, Utah Medical Cannabis Act and Sections R380-400 through R380-411.

R380-400-2. Definitions.

- (1) The definitions in Section 26-61a-102 apply in this rule. In addition the following apply in this rule.
- (2) "Card" means any type of medical cannabis card or registration card, whichever is applicable, authorized under Title 26, Chapter 61a.
- (3) "Cardholder area" means the area of a medical cannabis pharmacy where a product is purchased that is restricted to a medical cannabis cardholder, a medical cannabis pharmacy employee, or another individual authorized by the medical cannabis pharmacy's PIC.
- (4) "Child-care facility or preschool" means a child-care facility approved by the Department to have a capacity of 300 or more children.
- (5) "Courier agent" means a medical cannabis courier agent.
- (6) "Department" means the Utah Department of Health.
- (7) "Direct supervision" means that a PMP is physically present at a medical cannabis pharmacy facility and immediately available for in person face-to-face communication with the pharmacy agent.
- (8) "EVS" means the electronic verification system established in Section 26-61-103.
- (9) "ICS" means the inventory control system established in Section 4-41a-103.
- (10) "Limited access area" means an indoor area of a medical cannabis pharmacy facility where medical cannabis and medical cannabis devices shall be stored, labeled, and disposed of that is separated from the cardholder and public areas of the medical cannabis pharmacy by a physical barrier with suitable locks and an electronic barrier to detect entry doors.
- (11) "Pharmacy agent" means a medical cannabis pharmacy agent.
- (12) "PIC" means a pharmacist in charge who oversees the operation and generally supervises a medical cannabis pharmacy.
- (13) "PMP" means a medical cannabis pharmacy medical provider.
- (14) "Public waiting area" means an area of the medical cannabis pharmacy where the public waits for cardholders and cardholders wait for authorization to enter the cardholder area. Non-cardholders and non-employees may be present in this area of the medical cannabis provider.
- (15) "QMP" means a qualified medical provider.
- (16) "UCIJIS" means the Utah Criminal Justice Information System.
- (17) "UDAF" means the Utah Department of Agriculture and Food.
- (18) "Utah resident" means an individual who has established a domicile in Utah.

KEY: medical cannabis, marijuana

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Authorizing, and Implemented or Interpreted Law: 26-1-5(1); 26-61a; 63G-3