

Medical cannabis agent continuing education course handout



1. Introduction

Applicants for initial and renewal registration as a medical cannabis pharmacy agent or a medical cannabis courier agent are required to read and understand this information before registering with the Utah Department of Health and Human Services (DHHS) Center for Medical Cannabis.

This information is intended to be a general overview of medical cannabis laws pertaining to the practice of a medical cannabis pharmacy agent or courier agent in Utah. It only highlights certain sections of federal and state laws, and is not intended to cover all laws applicable to the practice of a pharmacy or courier agent. It also outlines best practices for medical cannabis pharmacy and courier agents.

Applicants are responsible to read and understand all laws pertaining to their registration.

2. Medical cannabis cards (Utah Code 26B-4-213; 230)

Utah residents may apply for medical cannabis cards with their recommending medical provider (RMP) through the Utah electronic verification system (EVS). All card applications for patients who are younger than 21 years must be approved by the Compassionate Use Board (CUB). Approval by the CUB can take up to 90 days.

The types of medical cannabis cards available in Utah and their requirements are listed below.

Patient card

- Issued to patients ages 18 years and older.
- Valid for 1 year at a time.
- Patients who are 18-20 years of age must have the medical cannabis card approved by the CUB.
- The CUB can decrease the renewal period for patients whose cards they approve.

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Caregiver card

- Issued to caregivers of patients who have an active patient card.
- A patient with an active medical cannabis card designates a caregiver in the EVS.
- Once a patient has designated someone as their caregiver on the patient application, the caregiver must submit a caregiver application using a separate Utah-ID.
- Caregiver cards have the same expiration date as the associated patient card.
- Once a caregiver card expires, the caregiver must reapply for renewal.
- An additional fee for a caregiver card is required.
- The caregiver is required to complete a criminal background check with DHHS prior to card issuance.

Minor and guardian cards (provisional patient card)

- Provisional patient cards are issued to minors who are younger than 18 years.
- CUB approval is required for all provisional patient cards.
- Valid for 1 year at a time.
- The CUB can decrease the renewal period for provisional patient cards.
- Guardian cards are issued to the minor's parent or legal guardian.
- Guardian cards are automatically issued and renewed with provisional patient cards.
- The parent/guardian is required to complete a criminal background check with DHHS prior to card issuance.

Non-Utah resident card

- Issued to people who are not residents of Utah but who are visiting Utah and who are medical cannabis cardholders in their home state.
- Valid for 21 days at a time.
- Patients may be issued 2 non-Utah resident cards per calendar year.
- Patients must have a qualifying condition that is legal for medical cannabis use in Utah.
- The non-Utah resident card is issued to patients the day before they travel to Utah.

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3. Qualifying conditions (Utah Code 26B-4-203)

Individuals with the following conditions are authorized under state law to receive a medical cannabis patient card:

- Acute pain that will last up to 2 weeks or longer, such as during a surgical procedure
- Alzheimer's disease
- Amyotrophic lateral sclerosis (ALS)
- Autism
- Cachexia
- Cancer
- Crohn's disease or ulcerative colitis
- Epilepsy or debilitating seizures
- HIV or AIDs
- Hospice care
- Multiple sclerosis (MS) or debilitating muscle spasms
- Persistent nausea that isn't related to pregnancy, cannabis-induced cyclical vomiting syndrome, or cannabinoid hyperemesis syndrome, and that isn't responsive to traditional treatments
- Persistent pain that lasts longer than 2 weeks and that isn't responsive to traditional treatments besides opioids, including physical therapy.
- Post-traumatic stress disorder (PTSD) that is being treated and monitored by a mental health therapist and that has been diagnosed and is documented in the patient's medical record
- Rare condition or disease that affects less than 200,000 individuals in the U.S. and that isn't responsive to traditional treatments besides opioids, including physical therapy
- Terminal illness when the patient's remaining life expectancy is less than 6 months

If a patient doesn't have a qualifying condition specifically named in the law or if they are younger than 21 years, they must petition the CUB for approval of their medical cannabis card.

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4. Recommending medical providers (RMPs) (Utah Code 26B-4-204)

There are 2 pathways that RMPs may use to recommend medical cannabis to qualifying patients: the limited medical provider (LMP) program and the qualified medical provider (QMP) program.

Both pathways require that the provider is a Utah-licensed MD, DO, APRN, PA, or DPM with a controlled-substance license.

Limited medical providers (LMPs)

LMPs are **not** required to register with the DHHS Center for Medical Cannabis, pay a registration fee, or complete continuing education requirements to recommend medical cannabis. They can only recommend medical cannabis to patients who have a qualifying condition for medical cannabis use and who are 21 years or older. Additionally, they are limited to 15 active medical cannabis recommendations at a time.

To recommend medical cannabis, an LMP completes the Limited Medical Provider Recommendation for Medical Cannabis form, available at <https://medicalcannabis.utah.gov/providers/lmp/>, and faxes or emails it to a licensed medical cannabis pharmacy. A pharmacist, also known as a pharmacy medical provider or PMP; or a pharmacy agent at the medical cannabis pharmacy must verify the validity of the recommendation and enter the completed form into the electronic verification system (EVS). The patient will then be able to complete their medical cannabis card application.

Qualified medical providers (QMPs)

QMPs are required to register with the DHHS Center for Medical Cannabis, pay a \$100 registration fee, and complete 4 hours of DHHS-approved continuing education on medical cannabis during each two-year renewal period.

QMPs can recommend medical cannabis cards to a maximum number of patients that is equal to 1.5% of the total number of registered medical cannabis patient cardholders. If a medical provider receives payment from a patient's insurance plan for services, then the patient whose

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insurance plan was billed does not count toward the 1.5% patient cap. The patient cap will be set quarterly during each calendar year.

Additionally, QMPs can petition the Compassionate Use Board (CUB) to approve a medical cannabis patient card or provisional patient card if a patient would benefit from medical cannabis use but does not have a qualifying condition or is younger than 21 years.

An individual may not register as a QMP if they are:

- A pharmacy medical provider (PMP).
- An owner, officer, director, board member, employee, or agent of a cannabis production establishment, a medical cannabis pharmacy, or a medical cannabis courier.

5. Recommending medical provider (RMP) dosing guidelines (Utah Code 26B-4-20; 230 and R383-5)

If an RMP recommends dosing guidelines, a pharmacist at a medical cannabis pharmacy must make sure the patient's purchase complies with the guidelines.

- For example, if an RMP selects "concentrated oil" as the dosage form in a recommendation, a medical cannabis pharmacy must only sell the patient medical cannabis in the form of concentrated oil. An RMP may recommend one or more dosage forms.
- Additionally, if an RMP sets the patient dosage limit at 10 g per month, a medical cannabis pharmacy must only sell the patient products that total 10 g per month.
- To change an RMP's dosing guideline, a pharmacist must contact the cardholder's RMP, obtain approval from the RMP to make the change, and document the RMP's approval of the change in the EVS.

However, the RMP can choose to authorize the pharmacist to make any therapeutic substitutions to the dosing guidelines in EVS. If the RMP authorizes the pharmacist to make substitutions, then the PMP does not need to contact the cardholder's RMP and obtain approval from the RMP to change the recommendation.

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Recommended medical provider (RMP) recommendation with partial dosing guidelines

If an RMP only limits a certain part of a recommendation in the EVS but does not limit other parts (for example, the RMP limits dosage form but does not limit amount or vice versa), a pharmacist may determine the remaining parts of the recommendation during a consultation. However, the pharmacist may not change what the RMP has already recommended unless approval for the change is communicated by the RMP to the pharmacist and documented in the EVS.

Medical cannabis pharmacist determination of patient's dosing guidelines

If an RMP certifies a patient's eligibility for a medical cannabis card but allows the medical cannabis pharmacist to recommend dosing guidelines, as documented in EVS, the pharmacist must determine the best course of treatment through consultation with the patient. The pharmacist should review the following information with the patient:

- Information about the patient included in their medical cannabis recommendation.
- The patient's qualifying condition.
- Indications for medical treatments.
- Any dosing guidelines documented by the RMP.
- Potential adverse reactions.

6. Dosage forms and devices (Utah Code 26B-4-201; 230)

Medicinal cannabis dosage forms in Utah are limited to:

- Aerosol
- Capsule
- Concentrated liquid or viscous oil
- Gelatinous cube, gelatinous rectangular cuboid, or lozenge in a cube or rectangular cuboid shape
- Liquid suspension that doesn't exceed 30 ml
- Resin or wax
- Sublingual preparation

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- Tablet
- Topical preparation
- Transdermal preparation
- Unprocessed cannabis flower

Edible products like candies, cookies, brownies, or drinks are not permitted.

A medical cannabis device is defined as a device that an individual uses to ingest or inhale cannabis that is in a medicinal dosage form. Smoking cannabis is prohibited. Patients may purchase a medical cannabis device that warms cannabis material into a vapor that can be inhaled without the use of a flame.

7. Purchase and possession restrictions (Utah Code 26B-4-201; 230)

A medical cannabis pharmacy may dispense to a patient up to the “legal dosage limit” of medical cannabis. The legal dosage limit is defined as an amount that is sufficient to provide 30 days of treatment based on dosing guidelines that the relevant RMP or PMP recommends.

The legal dosage limit **cannot** ever exceed 113 grams by weight for unprocessed cannabis flower and 20 grams of active THC for other cannabis products.

Utah medical cannabis card holders **may not** ever possess more than 113 grams by weight for unprocessed cannabis flower and 20 grams of active THC for other cannabis products.

8. Pharmacy employee registration requirements (Utah Code 26B-4-218-219)

Medical cannabis pharmacy employees must be registered by DHHS as a pharmacy medical provider (PMP) or a medical cannabis pharmacy agent.

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Pharmacy medical provider (PMP)

Each medical cannabis pharmacy must employ at least 1 Utah licensed pharmacist who is registered with DHHS as a PMP. At least 1 PMP must be physically present in a medical cannabis pharmacy during all business hours. Each medical cannabis pharmacy must have a PMP who is designated as the pharmacy's pharmacist in charge. PMP registration expires every 2 years unless it is renewed by the PMP. A PMP may be a pharmacist or a physician but if it is a physician, the physician cannot also be registered as a QMP.

Registration requirements for a PMP include:

- Be at least 21 years of age.
- Complete 4 hours of continuing education approved by DHHS.
- Pay the DHHS-required application fee.
- Provide the name and location of the pharmacy where they have been offered employment as a PMP.

Medical cannabis pharmacy agent

A QMP cannot be registered as a pharmacy agent.

Registration requirements for a pharmacy agent include:

- Be at least 21 years of age.
- Complete the continuing education course approved by DHHS, including passing the exam.
- Pass a national criminal background check to verify that there are not any state or federal convictions for a felony; or after December 3, 2018, misdemeanors for drug distribution.
- Pay the DHHS-required application fee.
- Provide the name and location of the medical cannabis pharmacy where they have been offered employment as a pharmacy agent.

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9. Medical cannabis pharmacy general operating requirements

(Utah Code 26B-4-218;229;230;233;237; R383-7-3; R383-7-8)

The following operating requirements apply to all licensed medical cannabis pharmacies in Utah:

General operating standards

- The medical cannabis pharmacy must be well lit, well ventilated, clean, and sanitary.
- There must be a maintained hard-copy or electronic list of current employees working at the pharmacy that includes the employees' names, DHHS registrations, and work schedules.
- Current employees must wear an identification tag and carry their DHHS registration card with them while on the premises of the medical cannabis pharmacy.
- The medical cannabis pharmacy must have a paper or digital copy of current medical cannabis laws on-hand.

PMP onsite

- A PMP must be onsite at the medical cannabis pharmacy location at all times during the medical cannabis pharmacy's business hours.

Compliance with operating plan

- The medical cannabis pharmacy must operate solely at the physical address provided to DHHS and in accordance with the operating plan provided to DHHS.
- Standard operating procedures (SOPs) and state administrative rules and statutes must be available to all pharmacy employees, and employees must be familiar with them.

Notification of operating plan changes

- The medical cannabis pharmacy must notify DHHS before any change in their physical address or operating plan.

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Facility visitors

- Access to the cardholder area of a medical cannabis pharmacy is limited to the following individuals:
 - An individual registered by DHHS as a medical cannabis cardholder, pharmacy medical provider (PMP), or a medical cannabis pharmacy agent.
 - An individual logged in as a visitor who receives a visitor identification badge that is worn and visibly displayed at all times and is escorted within the cardholder area by a pharmacy agent or PMP at all times.

Inventory

- The medical cannabis pharmacy must have an organized inventory.
- Medical cannabis product deliveries must be conducted under the direct supervision of a PMP or a pharmacy agent, who must be present to accept the delivery. After the delivery is complete, the medical cannabis product must immediately be placed in a designated limited-access area.
- A medical cannabis pharmacy must have daily and weekly inventory controls of all medical cannabis products and devices to help the pharmacy detect any diversion, theft, or loss of product in a timely manner.
- A PMP at each medical cannabis pharmacy must conduct a monthly inventory audit that includes a reconciliation of all physical inventory with the ICS record. Records of monthly inventories must be kept for 5 years.
- If a medical cannabis pharmacy employee identifies an undocumented discrepancy in inventory, the medical cannabis pharmacy needs to determine where the loss occurred, inform DHHS of the loss via telephone, provide a written notice of the loss, and immediately take corrective action within 2 business days of the first discovery of the loss.
- The pharmacist in charge at each medical cannabis pharmacy must conduct an annual inventory audit each year. The annual inventory needs to be signed by the pharmacist who conducted it. Records of annual inventories must be kept for 5 years.

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No consumption on property

- The medical cannabis pharmacy must prohibit any individual from consuming cannabis products on the property or premises of the pharmacy.

Counseling

- A pharmacist must consult with a patient prior to their first medical cannabis purchase.
- The medical cannabis pharmacy must have a designated counseling area to provide confidential patient counseling.
- The medical cannabis pharmacy must provide medical cannabis cardholders a telephone number or website by which the cardholder may contact a pharmacist for counseling.

Advertising

- A medical cannabis pharmacy may engage in public advertising of the following topics in any medium:
 - A service available at the pharmacy.
 - Best practices that they uphold.
 - Education materials related to the medical use of cannabis.
 - Their address and hours of operation.
 - Their name and logo.
 - Whether they offer home delivery services.
- A medical cannabis pharmacy may not advertise a particular medical cannabis product, medical cannabis device, medical cannabis brand, or medical dosage form.

Targeted marketing

- Targeted marketing is the promotion of a medical cannabis product, medical cannabis brand, or a medical cannabis device by a medical cannabis pharmacy using the following methods:
 - An in-person marketing event that is held inside the cardholder-only area of a medical cannabis pharmacy.
 - Electronic communication that requires acknowledgment of the person receiving or accessing the communication that they are an adult age 18 or older.

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- Other marketing material that is physically available or digitally displayed in the cardholder-only area of a medical cannabis pharmacy.

Recreational disposition

- No communication or material used in a medical cannabis pharmacy's advertising, educational event, educational material, or targeted marketing may include a recreational disposition. A recreational disposition means:
 - An image of a celebrity or other person whose target audience is children or minors.
 - Content that a reasonable person knows or should know appeals to children.
 - Content that encourages, promotes, or otherwise creates the impression that the recreational use of cannabis is legal or acceptable, or that the recreational use of cannabis has potential health or therapeutic benefits.
 - Content that is obscene or indecent.
 - Content that promotes excessive consumption.
 - Slang words or phrases associated with the recreational use of cannabis.
- A medical cannabis pharmacy may reference a cannabis strain name or medicinal dosage form in an educational event, educational material, and targeted marketing even if that name or dosage meets the definition of a recreational disposition.

Product fees

- A uniform fee of \$3 on each medical cannabis cardholder transaction in a medical cannabis pharmacy must be paid to DHHS.

Product waste disposal

- A medical cannabis pharmacy may create a disposal program that allows an individual to deposit unused or excess medical cannabis in a locked box or other secure receptacle within the pharmacy.

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- A medical cannabis pharmacy shall dispose of any deposited medical cannabis by rendering the product unusable and unrecognizable before transporting it and disposing of the product in accordance with:
 - Federal and state law, rules and regulations related to hazardous waste.
 - The Resource Conservation and Recovery Act.
 - The Solid Waste Management Act.
 - Other regulations that the department makes in accordance with the Administrative Rulemaking Act.
- A medical cannabis product waste disposal area must be in view of a recording security camera and must be recorded by the security camera.

10. Medical cannabis pharmacy sales (Utah Code 26B-4-230;238;244; R383-7-3, -5, -7;)

A medical cannabis pharmacy may only sell products to current medical cannabis card holders who have a valid form of photo ID. A valid form of photo ID means any of the following forms of identification that is either current or expired within the previous 6 months:

- A valid state-issued driver license or identification card.
- A valid United States federal-issued photo identification, such as:
 - A United States passport.
 - A United States passport card.
 - A United States military identification card.
 - A permanent resident card or alien registration card.
- A passport that another country issued.

If a patient is living in an assisted living facility, a nursing care facility, or a general acute hospital, or is in hospice or has a terminal illness, their photo ID can be expired and still be considered valid.

Please note that driving privilege cards both issued in Utah or in another state are **not** considered valid forms of photo ID.

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Only the following products and devices can be sold:

- Educational materials related to the medical use of cannabis.
- Medical cannabis products in a medicinal dosage form acquired from another licensed medical cannabis pharmacy or medical cannabis processing facility.
- Medical cannabis devices.

All medical cannabis pharmacy purchases must be placed in a suitable container and appropriately labeled for use by the patient.

A medical cannabis pharmacy **cannot** sell expired, damaged, deteriorated, misbranded, adulterated, or opened medical cannabis products or devices.

A medical cannabis pharmacy **cannot** provide products at no cost, even to employees. This includes samples.

Point-of-sale systems must be in working order, and payments can only be processed using payment providers that are authorized by the state of Utah Division of Finance.

Once a purchase is complete, a pharmacy agent must input the purchase information into the ICS. This ensures that purchase reporting in the ICS is in real-time.

11. Product labeling (Utah Code 26B-4-229; UCA 4-41a-602)

Processor label

- Products sold by a medical cannabis pharmacy must have a label on them placed by the processor that:
 - Clearly displays the product's known cannabinoid content and the amount of each cannabinoid.
 - Has a unique ID number that is connected to the inventory control system and that identifies the manufacturing process the processing facility used to manufacture the cannabis product.

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- Identifies the cannabinoid extraction process that the cannabis processing facility used to create the product.
- Does not display an image, word, or phrase that the facility knows or should know appeals to children.
- Discloses each active or potentially active ingredient and possible allergen.

Pharmacy label

- A medical cannabis pharmacy cannot sell cannabis or a cannabis product unless the product has a label affixed to the container provided by the pharmacy or an informational enclosure provided by the pharmacy indicating the following minimum information:
 - The name, address, and telephone number of the medical cannabis pharmacy.
 - The date of sale.
 - The name of the patient.
 - The name of the QMP who recommended the medical cannabis treatment.
 - Directions for use and cautionary statements, if any.
 - Legal use termination date (only required for unprocessed flower products).
 - Any other requirements that DHHS determines.

12. Pharmacy security operating requirements (Utah Code 26B-4-229(5)(a); R383-7-7)

The following operating requirements apply to all licensed medical cannabis pharmacies in Utah:

Signs

- A sign on the outside of a medical cannabis pharmacy can include the medical cannabis pharmacy name, logo, hours of operation, and a green cross.
- Within a medical cannabis pharmacy, the medical cannabis purchase limit must be clearly and conspicuously posted.
- All limited-access areas must include signs that clearly label them as such.
- All products that are being disposed of must be clearly marked as, "Not for sale or use."

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Locks

- A medical cannabis pharmacy must have a single, secure public entrance with a secure lock.
- Additionally, every other entrance into the pharmacy and limited access areas where cannabis, cannabis products, and cannabis devices must also be secured with locks. Access to these locked areas, including keys, combination numbers, passcodes, etc., should only be given to authorized personnel.
- During business hours, a medical cannabis pharmacy may display a sample of each product offered in a securely locked case. This display case must be transparent and not visible from the outside of the pharmacy.

Security system

A medical cannabis pharmacy must have a security system with a back-up power source that detects and records entry into the pharmacy. Additional requirements include the following:

- A panic alarm that provides notice of unauthorized entry to law enforcement.
- A printer that can produce a clear still photo from a video camera image.
- A video camera that records 24 hours a day and 7 days a week or is motion-activated, with a recording resolution of 640x470, a date and time stamp, and a failure notification system. The video recording system should monitor all medical cannabis pharmacy entrances and exits, limited access areas, point-of-sale registers, medical cannabis disposal areas, and outside areas adjacent to the building. All video recordings must be kept for at least 45 days in a lock box, cabinet, closet, or other secured location.
- An electronic monitoring system with a 19-inch call-up monitor.

13. Protection of private information (Utah Code 26B-4-232;241;217; R383-7-3, R383-2-4; HIPAA)

A medical cannabis pharmacy agent must guard the confidentiality of all sensitive identifiable information available in the EVS and the ICS. Medical cannabis pharmacy employees are

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responsible for following standards outlined in the Health Insurance Portability and Accountability Act (HIPAA).

Sensitive identifiable data includes personally identifiable information (PII) and personal health information (PHI).

Personally identifiable information (PII)

- PII is any information that can be used to distinguish an individual's identity, and can include:
 - Name
 - Social security number
 - Date and place of birth
 - Mother's maiden name
 - Biometric records
 - Any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.

Personal health information (PHI)

- PHI is data, including demographic data, that relates to the following items:
 - An individual's past, present, or future physical or mental health or condition.
 - The provision of healthcare to the individual.
 - The past, present, or future payment for the provision of healthcare to the individual.

Minimum necessary standard

- PHI must only be used or disclosed when it is necessary to satisfy a particular business purpose or to carry out a business function.
- An agent is prohibited from accessing information about family members, neighbors, friends, or co-workers without a business need to access the information.

Examples of where sensitive identifiable information may be found

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- Sensitive identifiable information may be found in the following:
 - Electronic records (computer-based records, electronic medical records, scanned documents, video recordings, files on servers and mobile devices, email content and attachments).
 - Paper or hard copy records (documents, forms, labels, photos).
 - Spoken or verbal communications (telephone conversations, meetings).

Steps to protect a patient's privacy

- A pharmacy and courier agent is responsible to take steps to protect the privacy of a patient's sensitive identifiable information. Steps include:
 - Lock desks, drawer/file cabinets, and work areas containing sensitive identifiable information when unattended.
 - Keep work areas clear of PII and PHI information when not in use.
 - Store keys to cabinets, doors, and other secure areas in secure locations.
 - Collect printed documents immediately after sending them to print.
 - Arrange workstation monitors so that sensitive identifiable data is protected from being viewed by unauthorized persons.
 - Use cybersecurity measures, such as email encryption, when sending or requesting sensitive identifiable information online.
 - Don't share your unique passwords with others.
 - Log out fully before other authorized users access a shared workstation.
 - Clear whiteboards of sensitive identifiable information when done using it or leaving the room.
 - Shred, purge, or totally destroy sensitive identifiable data prior to disposal.

Penalties for violation of privacy laws

- A person authorized to access the state electronic verification system (EVS) or inventory control system (ICS) who fails to observe confidentiality requirements established in state and federal law may lose access to the EVS and ICS. The DHHS may also revoke their DHHS-issued agent card.
- Any person who obtains or attempts to obtain information from the EVS for a purpose other than a purpose authorized under Utah law is guilty of a third degree felony and

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may be subject to a civil penalty of up to \$5,000.

A pharmacy agent must report any actual or suspected failure to protect private information to the facility's pharmacist-in-charge.

14. Medical cannabis pharmacy agent duties (R383-8)

The following duties may be performed by a pharmacy agent:

- Accept new medical cannabis or medical cannabis device orders left on voicemail for a PMP to review.
- Access patient information in the EVS.
- Accurately process cardholder payments including issuance of receipts, refunds, credits, and cash.
- Assist the cardholder with understanding available products, proper use of a medical device, medical cannabis strains and methods of approved consumption or application, within the dosage parameters specified by a QMP or PMP.
- Assist with dispensing of product to cardholders.
- Assist with maintaining a safe, clean, and professional environment.
- Authorize entry of a cardholder into the cardholder counseling area.
- Enter and retrieve information from the ICS.
- Prepare inventories of medical cannabis and medical cannabis devices.
- Prepare labels.
- Provide pricing and product information.
- Retrieve medical cannabis and medical cannabis devices from inventory.
- Screen calls for a PMP.
- Take refill orders from a QMP.
- Transport medical cannabis or medical cannabis devices (if employed at a licensed home delivery medical cannabis pharmacy).
- Using the ICS, verify the status of an individual's medical cannabis card and dosage parameters in a patient recommendation.

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- Verbally offer to a cardholder the opportunity for counseling with a PMP regarding medical cannabis or a medical cannabis device.
- View medical treatment and medication history in the EVS.

The following duties cannot be performed by a pharmacy agent:

- Determine or modify dosage guidelines in a patient's recommendation.
- Provide counseling or consultation regarding a patient's medical condition or medical treatment.
- Receive dosing guidelines for a patient's recommendation over the phone or in person.

15. Delivery services (R383-9;Utah Code 26B-4-239)

A medical cannabis pharmacy may offer delivery services if approved by DHHS.

Medical cannabis couriers must adhere to the same patient privacy standards and operating standards as a medical cannabis pharmacy for which they are delivering shipments. Additionally, a specific written operating plan for providing home delivery services is required.

A pharmacy or courier agent delivering medical cannabis must:

- Deliver in a vehicle that is:
 - Known to DHHS.
 - Has no marking or indication on the exterior of what is being transported.
 - Is not an unmanned vehicle.
 - Has an alarm system.
 - Has a GPS device that is not easily removable, is attached to the vehicle, and is capable of storing and transmitting data.
- Have a manifest that includes a unique identifier, origin and destination, departure and estimated arrival times.
- Have a trip log showing the specific route.
- Make sure the appropriate storage temperature is maintained to protect the integrity of the product.
- Make sure only a pharmacy or courier agent can access the shipment.

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- Make sure that no one other than a pharmacy or courier agent is allowed in the delivery vehicle.
- Provide each cardholder with printed material that includes a pharmacy's contact information and hours when a PMP is available for counseling.
- Record the completion of the shipment by the end of the business day
- Report missing product to the pharmacy's PMP, DHHS, and law enforcement within 24 hours of noticing that it is missing.
- Return any undeliverable shipment to the pharmacy as soon as possible, but at minimum within 10 business days.
- Store shipment in a secure manner, which means including it in a fully enclosed box, container, or cage that is secured inside the delivery vehicle.
- Wear an identification tag.

When delivering medical cannabis or devices to a cardholder's home, the pharmacy or courier agent must:

- Drop off the delivery to only the cardholder
- Never leave product unattended in a delivery vehicle for more than 1 hour
- Never make changes in dosage or quantity at the request of the cardholder during a delivery
- Never store medical cannabis at a courier facility
- Never consume medical cannabis while delivering
- Only transport medical cannabis products or devices that appear on the manifest; and
- Deliver products to cardholders between 6 a.m. and 10 p.m.

The following must be verified prior to delivery of shipment to the individual:

- The product is paid for
- Shipment delivered to the address on the cardholder's EVS account.
- Shipment is dropped off or left with a healthcare facility designated by the cardholder or an employee designated by the facility.
- Shipment is not dropped off or left with anyone other than the medical cannabis cardholder.
- Valid form of photo ID of the individual that placed the order.

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- Valid medical cannabis card under the same name that appears on the ID.

Contact information

Utah Department of Health and Human Services
Center for Medical Cannabis
Phone: (801) 538-6504
Email: cannabiscompliance@utah.gov