

Title 15: Mississippi State Department of Health

Part 22: Medical Marijuana

Subpart 9: Safe and Secure Processing of Medical Marijuana

Chapter 1 GENERAL REQUIREMENTS

Rule 9.1.1 Purpose of Regulations: These regulations, and any guidelines set forth by the Department, governs the medical marijuana program in Mississippi. The purpose of this Part is to ensure the availability of and safe access to medical marijuana for qualified persons with debilitating medical conditions.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.1.2 Legal Authority: This regulation has been promulgated under the authority of and pursuant to Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2).

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Chapter 2 RECORD KEEPING

Rule 9.2.1 All licensed entities must keep onsite and readily accessible, either in paper or electronic form, a copy of the records listed below. Unless otherwise stated in this Part, all records must be maintained by the licensed entity for at least five (5) years from the date of creation.

- a. Business records, which may include but are not limited to employee records, organizational documents or other records relating to the governance and structure of the licensee, manual or computerized records of assets and liabilities, monetary transactions, tax records, journals, ledgers, and supporting documents, including agreements, checks, invoices, receipts, and vouchers.
- b. As applicable, any documents related to the processing, preparation, transportation, sampling, and/or testing of medical marijuana and medical marijuana products, including but not limited to sample field logs, lab reports, testing records, equipment inspections, training materials, and standard operating procedures.
- c. As applicable, any documents related to the processing, preparation, transportation, sampling, and/or testing of medical marijuana and medical marijuana products, including but not limited to sample field logs, lab reports, testing records, equipment inspections, training materials, and standard operating procedures.
- d. Documentation of every instance in which medical marijuana was sold or otherwise transferred to or purchased or otherwise obtained from another licensed entity, which shall include, but is not limited to:
 - i. The name, license number, address, and phone number of all licensees involved in each transaction; and

- ii. The quantity and type of medical marijuana or medical marijuana products involved in each transaction;
- iii. The batch number of the medical marijuana or medical marijuana products involved in each transaction;
- iv. The date of each transaction;
- v. The monetary value of the medical marijuana or medical marijuana products involved in each transaction, including the total sale or purchase amounts;
- vi. All point-of-sale, tax records, and assessments on the sale of medical marijuana;
- vii. All transportation manifests and other documentation relating to the transport of medical marijuana and medical marijuana products; and,
- viii. All documents relating to the disposal or destruction of medical marijuana, medical marijuana products, and medical marijuana waste.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Chapter 3 MEDICAL MARIJUANA TRANSACTION AND POSSESSION LIMITS

Rule 9.3.1 A transaction by a medical marijuana treatment center/ dispensary with a qualified patient, or caregiver shall be limited to 2.5 ounces during a fourteen (14) day period.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.3.2 All qualified patients and caregivers are limited to a possession limit of 2.5 ounces at any one time every fourteen (14) day period.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.3.3 Licensed entities shall verify and ensure that all medical marijuana transactions are conducted with a qualified patient, caregiver, or other licensed entity in accordance with this Part and shall take all reasonable steps necessary to prevent the sale or other transfer of medical marijuana and medical marijuana products to a person or entity who does not hold a valid, unexpired license or identified card issued by the Department.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.3.4 Verification of all qualified patients, caregivers and licensed entities shall include, at a minimum: name; unexpired license number or identification card number; and expiration date.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.3.5 In addition to the items required in Rule 9.5.4 above, verification identification cards issued to qualified patients or caregivers must include verification of the photo of the qualified patient or caregiver.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.3.6 Any transaction not in accordance with this Chapter will constitute an unlawful purchase and sale.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Chapter 4 LOSS AND THEFT

Rule 9.4.1 If a licensed entity has reason to believe that an actual loss, theft, or diversion of medical marijuana has occurred, the commercial licensee shall notify immediately the Department and law enforcement. The licensed entity shall provide the notice by attaching and submitting electronically a signed statement that details the estimated time, location, and circumstances of the event, including an accurate inventory of the quantity and type of medical marijuana unaccounted for due to diversion or theft. The notice shall be provided no later than seventy-two hours after discovery of the event.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Chapter 5 ENTRY TO AND ACTS OCCURRING ON PREMISES OF LICENSED ENTITIES

Rule 9.5.1 No minors under the age of eighteen (18) may enter licensed premises unless the minor is accompanied by his or her parent or legal guardian.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.5.2 No licensed entity shall allow the consumption or use of medical marijuana or medical marijuana products on the premises.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Chapter 6 SECURITY REQUIREMENTS

Rule 9.6.1 Entities licensed as cultivators, manufacturers and medical marijuana treatment centers/ dispensaries must ensure the security measures are in place where marijuana is cultivated, manufactured, processed, and sold to prevent unauthorized access to medical marijuana. Access to the enclosed, locked facility where marijuana is cultivated, manufactured, and processed must be limited to the licensed entity's owners, operators, officers, board members, and authorized personnel.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.6.2 Each cultivation site/location, manufacturing site/location, processing site/location, and dispensing site/location must have the following security equipment to deter and prevent unauthorized access to the site/location:

- a. Devices or a series of devices to detect unauthorized intrusion, which may include a signal system interconnected with a radio frequency method, such as cellular, private radio signals, or other mechanical or electronic device;
- b. Interior and/or exterior lighting to facilitate surveillance;
- c. Electronic monitoring to include, but not limited to:
 - i. Call up monitors;
 - ii. The ability to produce a clear still photo from any video camera image;
 - iii. Video cameras (as described in Rule 9.6.3);
 - iv. Storage capability of video recordings from all video cameras for at least 30 calendar days;
 - v. A failure notification system that provides audible and visual notification of any failures in the electronic monitoring system; and,
 - vi. Sufficient battery backup for video cameras and recording equipment to support at leaves five minutes of recording in the event of power outage.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.6.3 Video cameras at each site/location must:

- a. Provide coverage of all entrances to and exits from limited access cultivation, manufacturing, processing, or dispensing areas;
- b. Provide coverage of all entrances to and exits from the building;
- c. Be capable of identifying any activity occurring in or adjacent to cultivation, manufacturing, processing, and dispensing sites/locations;
- d. Have a recording resolution of at least 704 x 480;
- e. Be directed at each point-of-sale location allowing for the identifying of any qualified patients or caregiver purchasing medical marijuana or medical marijuana products; and,
- f. Provide coverage of each grow room/area, manufacturing area, and processing area capable of identifying any activity occurring within the room/area in low light conditions.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.6.4 Licensed Entities must have security policies and procedures that:

- a. Restrict access to the cultivation sites/locations, manufacturing sites/locations, processing sites/locations, and dispensing sites/locations;
- b. Provide for the identification for authorized personnel;

- c. Prevent loitering; and,
- d. Address how electronic monitoring and surveillance is conducted.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Chapter 7 CLEANING AND SANITATION

Rule 9.7.1 Any building and/or equipment used by a licensed entity to cultivate, manufacture, process, and/or dispense medical marijuana must be maintained in a clean and sanitary manner.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.7.2 Medical marijuana or marijuana products, in the process of production, preparation, manufacture, packing, storage, sale, distribution, or transportation, are protected from contaminants.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.7.3 Waste products incident to the manufacture, preparation, packing, selling, distributing, or transportation of medical marijuana or marijuana products are removed from the building used as a cultivation, manufacturing, processing, or dispensing site at least once every 24 hours or more often as necessary to maintain a clean and sanitary conditions.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.7.4 All supplies used in the preparation of medical marijuana or medical marijuana products that is flammable or volatile chemicals are stored in a manner to avoid a hazardous condition (such as combustion, accidental ingestion, etc.) from occurring.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.7.5 All stored medical marijuana and medical marijuana products must be securely covered and labelled according to this Part.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Chapter 8 TRANSPORTATION MANIFESTS

Rule 9.8.1 In addition to requirements in this Part, all licensed entities responsible for the transportation of medical marijuana and/or medical marijuana products must adhere to the requirements outlined in this Subpart.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.2 All licensed entities shall utilize an electronic inventory management system to create and maintain transportation manifests documenting all transport of medical marijuana and medical marijuana products throughout the State of Mississippi.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.3 When transporting medical marijuana or medical marijuana products, all licensed entities shall provide copies of the inventory manifests to each originating and receiving licensed entity at the time the product changes possession.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.4 The copy of the inventory manifest to be left with the originating licensed entity shall include, at a minimum:

- a. The license number, business name, address, and contact information of the originating licensed entity;
- b. A complete inventory of the medical marijuana and medical marijuana products to be transported, including the quantities by weight or unit of each type of medical marijuana and medical marijuana products and the batch number(s);
- c. The date of transportation and the approximate time of departure;
- d. Printed names, signatures, and identification card numbers of personnel accompanying the transport;
- e. The license number(s), business name(s), address(es), and contact information for all end point recipients.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.5 The copy of the inventory manifest to be left with the receiving licensed entity shall include, at a minimum:

- a. The license number, business name, address, and contact information for the receiving licensed entity;
- b. The license number, business name, address, and contact information of the originating licensed entity;
- c. A complete inventory of the medical marijuana and medical marijuana products delivered to the receiving licensed entity, including the quantities by weight or unit of each type of medical marijuana and medical marijuana products and the batch number(s);
- d. The date and estimated time of arrival;
- e. The printed names, signatures, and identification card numbers of the personnel accompanying the transport; and
- f. The printed names, titles, and signatures of any personnel accepting delivery on behalf of the receiving licensed entity.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.6 A separate inventory manifest shall be prepared for each licensee receiving the medical marijuana or medical marijuana products.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.7 Transportation manifests should reflect a complete chain of custody of all medical marijuana and medical marijuana products being transported, including all instances in which the medical marijuana and medical marijuana products are stored.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.8 Originating and receiving licensed entities shall maintain copies of transportation manifests and inventory records logging the quantity of medical marijuana or medical marijuana products received for at least three (3) years from the date of receipt.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.9 A transportation manifest must not be altered after departing from the originating licensed entity's premises, except for the addition of the printed names, titles, and signatures of any personnel accepting delivery on behalf of the receiving licensed entity.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.10 A receiving licensed entity must refuse to accept any medical marijuana or medical marijuana products that are not accompanied by a transportation manifest.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.8.11 If a receiving licensed entity refuses to accept delivery of any medical marijuana and/or medical marijuana product or if delivery of the medical marijuana or medical marijuana is impossible:

- a. The medical marijuana and/or medical marijuana products shall be immediately returned to originating licensed entity who retains legal ownership of the products; and,
- b. The refusal of acceptance must be documented in writing by the licensed entity refusing to accept the transfer. The refusal must document the following:
 - i. Identification of licensed entity refusing acceptance;
 - ii. A complete inventory of what is being returned to the originating licensed entity;

- iii. The date and time of refusal;
- iv. The printed name and signature of the employee authorizing the refusal.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Chapter 9 MEDICAL MARIJUANA WASTE DISPOSAL

Rule 9.9.1 All medical marijuana plant material and waste generated during the cultivation, production, processing, handling, and testing of medical marijuana and medical marijuana products must be stored, managed, and disposed of in accordance with these Rules, and any other applicable Mississippi statutes and rules.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.9.2 Licensed entities may dispose of root balls, stems, fan leaves, seeds, and the mature stalks or fiber produced from such stalks at the license premises by open burning, incineration, burying, mulching, composting or any other technique approved by the Department.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.9.3 Licensed entities engaged in the disposal of root balls, stems, fan leaves, seeds, and the mature stalks or fiber produced from such stalks shall create and maintain a disposal log that contains, at a minimum, the following information:

- a. Name and license number of the commercial licensee;
- b. A description of the plant material being disposed;
- c. A brief description of the method used for disposal;
- d. Date and time of the disposal; and
- e. Printed names of employee(s) conducting the disposal and signatures.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.9.4 The waste disposal log shall contain a signed statement from an authorized representative of the licensed entity attesting to the lawful disposal of the medical marijuana waste under penalty of perjury.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)

Rule 9.9.5 All disposal records shall be maintained by the licensed entities for a period of five (5) years and shall be subject to inspection and auditing by the Department.

SOURCE: Mississippi Constitution Initiative Measure #65 Sections 5(1) and (2)