

**Title 19 – DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 95 – Medical Marijuana**

19 CSR 30-95.080 Dispensary Facility

Purpose: Under Article XIV of the Missouri Constitution, the Department of Health and Senior Services has the authority to regulate and control Medical Marijuana Facilities. This rule explains what regulations apply only to Dispensary Facilities.

(1) Access to Dispensary Facility Licenses.

(A) The number of dispensary facility licenses will be limited to one hundred ninety-two (192) unless the department determines the limit must be increased in order to meet the demand for medical marijuana by qualifying patients.

(B) Dispensary facility licenses will not be limited to fewer than twenty-four (24) in each of the eight (8) United States congressional districts in the state of Missouri as drawn and effective on December 6, 2018. A map of the state of Missouri showing the applicable boundary lines of Missouri's congressional districts is incorporated by reference here and available on the department's website. This rule does not incorporate any subsequent amendments or additions to the congressional district boundary lines.

(C) A facility license will be issued for a single facility in a single location. Combinations of licenses at the same location must be approved pursuant to 19 CSR 30-95.040(3)(C).

(2) Dispensary Facility Requirements. In addition to the requirements of 19 CSR 30-95.040, dispensary facilities shall also comply with the following.

(A) Dispensary facilities must ensure all facility employees are trained in at least the following.

1. The use of security measures and controls that have been adopted by the facility for the prevention of diversion, inversion, theft, or loss of marijuana;

2. Procedures for responding to an emergency, including severe weather, fire, natural disasters, and unauthorized intrusions;

3. Standards for maintaining the confidentiality of information related to the medical use of marijuana, including but not limited to compliance with the Health Insurance Portability and Accountability Act;

4. Procedures for verifying the identity and purchase limitations of qualifying patients and primary caregivers;

5. The differences in the purported effects and effectiveness of the strains of medical marijuana available for purchase at that dispensary and the methods of their use; and

6. Recognizing signs of medical marijuana abuse in patients.

(B) Dispensary facilities must provide all purchasers of medical marijuana with patient education materials that include at least the following.

1. Local resources for concerns about addiction, as well as the phone number for the Substance Abuse and Mental Health Services Administration's National Helpline;

2. Information about the different strains of medical marijuana available at that dispensary and the purported effects of the different strains;

3. Information about the purported effectiveness of various methods, forms, and routes of administering medical marijuana;

4. Information about potential risks and possible side effects of medical marijuana use, including risk of poisoning and the phone number for the closest poison control center; and

5. The prohibition on consuming marijuana for medical use in a public place, including the definition of what constitutes a public place pursuant to this rule.

(C) Dispensary facilities must require, for every transaction, production of—

1. A qualifying patient or primary caregiver identification card;

2. A government-issued photo ID; and

3. In the case of medical marijuana plant or seed purchases, a patient cultivation identification card.

(D) Dispensary facilities must report any incident of theft or attempted theft of medical marijuana by qualifying patients or primary caregivers to the department within twenty-four (24) hours of the incident.

(E) Dispensary facilities must design their facility and staffing in such a way as to accomplish the following:

1. The general public, qualifying patients, and primary caregivers may only enter the facility through one access point into an area where facility agents shall screen individuals for qualifying patient or primary caregiver status. No medical marijuana may be accessible in this area;

2. Only qualifying patients, primary caregivers, and, if requested by a qualifying patient, up to two (2) additional persons to support the qualifying patient, may enter any areas beyond the facility's access point area; and

3. In any limited access area where medical marijuana is accessible, the facility shall only allow access at any given time for a number of qualifying patients and/or primary caregivers equal to the number of staff available to serve those individuals at that time.

(F) Dispensary facilities shall not sell medical marijuana until the medical marijuana has been tested by a testing facility, according to the provisions of 19 CSR 30-95.070, and been verified as passing all required testing.

(G) Dispensary facilities that sell ingestible medical marijuana-infused products shall comply with the applicable food safety standards set forth in 19 CSR 20-1.025.