



Final
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GUIDANCE TO DISTRICT REGISTERED DISPENSARIES IN INTERPRETING SUBSECTION 5507.4 OF TITLE 22C

PURPOSE:

This guidance seeks to provide clarity to dispensaries in interpreting Subsection 5707.4 of Title 22C of the District of Columbia Municipal Regulations. Subsection 5707.4 provides dispensaries with some discretion in allowing or prohibiting members of the public other than qualified patients and caregivers from entering or remaining on the registered premises. However, Subsection 5619.1 only permits persons registered with the Alcoholic Beverage Regulation Administration (ABRA) to enter a dispensary's limited access area.

GUIDANCE:

Dispensaries are permitted under Subsection 5707.4 of Title 22C to allow members of the public other than qualified patients and caregivers to enter or remain on public areas of the dispensary between the hours of 7:00 a.m. and 9:00 p.m. Examples of a dispensary's public areas include patient waiting rooms, the public side of medical cannabis display cases and counters, and bathrooms. Dispensaries shall be required to maintain a visitor log, provide visitor identification badges, and register any visitors that are not qualifying patients or caregivers, including but not limited to vendors, potential vendors, managers, agents, or employees, elected officials, and medical consultants. The visitor log shall include the visitor's name, title, company, date, time and purpose of the visit. All visitor identification badges shall be returned to the dispensary upon exit.

Pursuant to Subsection 5619.1 of Title 22C, dispensaries shall prohibit any persons not registered with ABRA from entering a dispensary's limited or restricted access area. Limited access areas shall include any area used for growing, cultivating, storing, weighing, displaying, packaging, selling or testing medical cannabis as well as the employee side of medical cannabis display cases and the counter areas where medical cannabis is displayed.

In the event of an emergency, a dispensary that is not open to the public shall be permitted to provide an outside contractor with access to a limited or restricted access area for the sole purpose of making repairs. The dispensary shall be required to log in and out the outside contractor and retain with the log a photocopy of the outside



contractor's government-issued identification. The outside contractor shall be provided a visitor identification badge prior to entering a limited or restricted access area and shall be escorted at all times by a registered dispensary owner, manager, employee or agent. The outside contractor shall have their visitor identification badge displayed at all times while he or she is working in the limited or restricted access area. The dispensary shall ensure that the outside contractor does not touch any plant or medical cannabis. All visitor identification badges shall be returned to the dispensary on exit.

Emergency services personnel, such as firefighters, the Metropolitan Police Department, ABRA investigators or other government officials in the performance of their duties that require access to the dispensary may enter a dispensary without an escort in order to perform his or her job.

Filming may occur in public areas of a dispensary that have not been approved by the ABC Board or identified by the dispensary as limited or restricted access areas. Pursuant to 22C Section 5602.1, filming may only occur between the hours of 7:00 a.m. and 9:00 p.m. when the dispensary is permitted to operate. The dispensary shall not be permitted to be open to qualified patients during the time that filming takes place.

NOTIFICATION TO ABC BOARD/ABRA

A dispensary shall not be required to notify or receive ABC Board or ABRA approval to permit members of the public to enter or remain on the public areas of the dispensary or film between the hours of 7:00 a.m. to 9:00 p.m. provided the required visitor logs are kept and made available upon request to ABRA investigators.

In the event of an emergency, a dispensary that is not open to the public shall provide notice to ABRA but not be required to obtain agency approval to allow an outside contractor, such as an electrician or other repair person, to work in a limited or restricted access area between the hours of 7:00 a.m. and 9:00 p.m. However, notification must be made to ABRA and the required visitor log must be filled out prior to the electrician or other repair person being allowed entry to the limited or restricted access area.

Board or ABRA approval shall be required in order for an outsider contractor, such as an electrician or repair person, to work in a restricted or limited access area between the hours of 9:00 p.m. and 7:00 a.m. Board or ABRA approval shall be required for a prospective unregistered employee, manager, agent or owner to attend a dispensary staff meeting.

APPLICABILITY:

This guidance shall apply to all dispensaries registered in the District.