

124E.9 Medical cannabidiol dispensaries.

1.
 - a. The medical cannabidiol dispensaries shall be located based on geographical need throughout the state to improve patient access.
 - b. A medical cannabidiol dispensary may dispense medical cannabidiol pursuant to the provisions of [this chapter](#) but shall not dispense any medical cannabidiol in a form or quantity other than the form or quantity allowed by the department pursuant to rule.
2. The operating documents of a medical cannabidiol dispensary shall include all of the following:
 - a. Procedures for the oversight of the medical cannabidiol dispensary and procedures to ensure accurate recordkeeping.
 - b. Procedures for the implementation of appropriate security measures to deter and prevent the theft of medical cannabidiol and unauthorized entrance into areas containing medical cannabidiol.
3. A medical cannabidiol dispensary shall implement security requirements, including requirements for protection by a fully operational security alarm system, facility access controls, perimeter intrusion detection systems, and a personnel identification system.
4. A medical cannabidiol dispensary shall not share office space with, refer patients to, or have any financial relationship with a health care practitioner.
5. A medical cannabidiol dispensary shall not permit any person to consume medical cannabidiol on the property of the medical cannabidiol dispensary.
6. A medical cannabidiol dispensary is subject to reasonable inspection by the department.
7. A medical cannabidiol dispensary shall not employ a person who is under eighteen years of age or who has been convicted of a disqualifying felony offense. An employee of a medical cannabidiol dispensary shall be subject to a background investigation conducted by the division of criminal investigation of the department of public safety and a national criminal history background check pursuant to [section 124E.19](#).
8. A medical cannabidiol dispensary owner shall not have been convicted of a disqualifying felony offense and shall be subject to a background investigation conducted by the division of criminal investigation of the department of public safety and a national criminal history background check pursuant to [section 124E.19](#).
9. A medical cannabidiol dispensary shall not operate at the same physical location as a medical cannabidiol manufacturer.
10. A medical cannabidiol dispensary shall not operate in any location within one thousand feet of a public or private school existing before the date of the medical cannabidiol dispensary's licensure by the department.
11. A medical cannabidiol dispensary shall comply with reasonable restrictions set by the department relating to signage, marketing, display, and advertising of medical cannabidiol.
12. Prior to dispensing of any medical cannabidiol, a medical cannabidiol dispensary shall do all of the following:
 - a. Verify that the medical cannabidiol dispensary has received a valid medical cannabidiol registration card from a patient or a patient's primary caregiver, if applicable.
 - b. Assign a tracking number to any medical cannabidiol dispensed from the medical cannabidiol dispensary.
 - c. Properly package medical cannabidiol in compliance with federal law regarding child resistant packaging and exemptions for packaging for elderly patients, and label medical cannabidiol with a list of all active ingredients and individually identifying information.
13. A medical cannabidiol dispensary shall employ a pharmacist or pharmacy technician licensed or registered pursuant to [chapter 155A](#) for the purpose of making dosing recommendations.
14. A medical cannabidiol dispensary shall not dispense more than a combined total of four and one-half grams of total tetrahydrocannabinol to a patient and the patient's primary caregiver in a ninety-day period, except as provided in [subsection 15](#).
15. A medical cannabidiol dispensary may dispense more than a combined total of four

and one-half grams of total tetrahydrocannabinol to a patient and the patient's primary caregiver in a ninety-day period if any of the following apply:

a. The health care practitioner who certified the patient to receive a medical cannabidiol registration card certifies that patient's debilitating medical condition is a terminal illness with a life expectancy of less than one year. A certification issued pursuant to this paragraph shall include a total tetrahydrocannabinol cap deemed appropriate by the patient's health care practitioner.

b. The health care practitioner who certified the patient to receive a medical cannabidiol registration card certifies that the patient has participated in the medical cannabidiol program and that the health care practitioner has determined that four and one-half grams of total tetrahydrocannabinol in a ninety-day period is insufficient to treat the patient's debilitating medical condition. A certification issued pursuant to this paragraph shall include a total tetrahydrocannabinol cap deemed appropriate by the patient's health care practitioner.

2017 Acts, ch 162, §12, 25; 2018 Acts, ch 1165, §123, 126; 2020 Acts, ch 1116, §20; 2020 Acts, ch 1121, §62, 70