

641—154.35(124E) Duties of the department.

154.35(1) *Inspection of dispensaries.* The department or its agents shall conduct regular inspections of dispensaries and their facilities.

154.35(2) *Establishment and maintenance of a secure sales and inventory tracking system.* The department shall establish and maintain a secure, electronic system that is available 24 hours per day, seven days per week to track:

- a. Inventory of medical cannabidiol and waste material;
- b. Sales of medical cannabidiol from dispensaries to patients and primary caregivers;
- c. Total tetrahydrocannabinol purchased in the last 90 days by a patient and the patient's primary caregiver.

154.35(3) *Recall of medical cannabidiol products.* If the department determines, based on an evaluation of the health hazard presented, that there is a reasonable probability that use of, or exposure to, a violative medical cannabidiol product will cause a serious adverse health consequence or death, the department may require a dispensary to recall such violative medical cannabidiol products from the dispensary facility and from patients. An evaluation of the health hazard presented by medical cannabidiol being considered for recall shall be conducted by an ad hoc committee of scientists appointed by the director of the department and shall consider, but need not be limited to, each of the following factors:

- a. Whether any disease or injuries have already occurred from the product.
- b. Whether any existing conditions could contribute to a clinical situation that could expose humans to a health hazard. Any conclusion shall be supported as completely as possible by scientific documentation, statements, or both that the conclusion is the opinion of the individual(s) making the health hazard determination.
- c. A holistic assessment of the hazard and its present and future potential consequences.

154.35(4) *Permissible disclosure.* The department may disclose patient-specific dispensing data to the certifying provider upon written request by the patient, caregiver, or certifying provider.

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