

[Rev. 10/24/2014 1:28:53 PM]
 [NAC-453A Revised Date: 9-14]

Nevada

CHAPTER 453A - MEDICAL USE OF MARIJUANA

GENERAL PROVISIONS

<u>453A.010</u>	Definitions.
<u>453A.020</u>	"Attending physician" defined.
<u>453A.023</u>	"Batch" defined.
<u>453A.024</u>	"Batch number" defined.
<u>453A.028</u>	"Chief Medical Officer" defined.
<u>453A.030</u>	"Chronic or debilitating medical condition" defined.
<u>453A.032</u>	"Cultivation facility" defined.
<u>453A.040</u>	"Department" defined.
<u>453A.050</u>	"Designated primary caregiver" defined.
<u>453A.052</u>	"Division" defined.
<u>453A.053</u>	"Edible marijuana products" defined.
<u>453A.054</u>	"Electronic verification system" defined.
<u>453A.055</u>	"Enclosed, locked facility" defined.
<u>453A.056</u>	"Excluded felony offense" defined.
<u>453A.057</u>	"Facility for the production of edible marijuana products or marijuana-infused products" defined.
<u>453A.058</u>	"Independent testing laboratory" defined.
<u>453A.059</u>	"Inventory control system" defined.
<u>453A.061</u>	"Lot" defined.
<u>453A.062</u>	"Marijuana-infused products" defined.
<u>453A.063</u>	"Medical marijuana dispensary" defined.
<u>453A.064</u>	"Medical marijuana establishment" defined.
<u>453A.065</u>	"Medical marijuana establishment agent" defined.
<u>453A.066</u>	"Medical marijuana establishment agent registration card" defined.
<u>453A.067</u>	"Medical marijuana establishment registration certificate" defined.
<u>453A.068</u>	"Paraphernalia" defined.
<u>453A.069</u>	"Pesticide" defined.
<u>453A.071</u>	"Physician" defined.
<u>453A.075</u>	"Registry identification card" defined.
<u>453A.078</u>	"Usable marijuana" defined.
<u>453A.080</u>	"Immature marijuana plant" and "mature marijuana plant" interpreted.

REGISTRY IDENTIFICATION CARD

<u>453A.100</u>	Application: Required accompanying information.
<u>453A.110</u>	Written notice of approval or denial of application; issuance of card by Department of Motor Vehicles.
<u>453A.120</u>	Notification to Division of change in information.
<u>453A.130</u>	Renewal.
<u>453A.140</u>	Fees.

DESIGNATED PRIMARY CAREGIVER

<u>453A.150</u>	Restrictions.
-----------------	---------------

PETITION FOR QUALIFICATION OF DISEASE OR CONDITION AS CHRONIC OR DEBILITATING MEDICAL CONDITION

<u>453A.200</u>	Submission; confidentiality; period for approval.
<u>453A.210</u>	Review by Chief Medical Officer; return to petitioner.
<u>453A.220</u>	Determinations by Chief Medical Officer.
<u>453A.230</u>	Notification of approval or denial.
<u>453A.240</u>	Final decision for purposes of judicial review.

PRODUCTION AND DISTRIBUTION OF MEDICAL MARIJUANA

Registration of Medical Marijuana Establishments and Medical Marijuana Establishment Agents

<u>453A.300</u>	Persons required to act on behalf of establishment.
<u>453A.302</u>	Applicability of requirements of chapter to certain owners of establishments.
<u>453A.304</u>	Request for applications to operate establishment: Notice; required provisions; time period for submission of applicants.
<u>453A.306</u>	Applications to operate establishment: Required provisions.
<u>453A.308</u>	Requirements for measuring distance between proposed establishment and school or community facility.
<u>453A.310</u>	Registration of establishments: Ranking of applicants.
<u>453A.312</u>	Registration of establishments: Issuance of provisional registration certificate to multiple applicants.
<u>453A.314</u>	Registration of establishments: Issuance of provisional registration certificate if only one application received.
<u>453A.316</u>	Registration of establishments: When operations may commence.
<u>453A.318</u>	Registration of establishments: Notice if registration certificate not issued.
<u>453A.320</u>	Health and safety inspections of establishments.
<u>453A.322</u>	Inspections of establishments.
<u>453A.324</u>	Registration certificates: Revocation if establishment not fully operational within 18 months.
<u>453A.326</u>	Registration certificates: Requirements for surrender; change in location of establishment; revocation; costs.
<u>453A.328</u>	Registration certificates: Requirements for renewal.
<u>453A.330</u>	Registration certificates: Suspension for operational deficiencies; plan of correction.
<u>453A.332</u>	Registration certificates: Grounds for denial, suspension or revocation; notice.
<u>453A.334</u>	Registration cards: Information required to obtain or renew.
<u>453A.336</u>	Registration cards: Categories; required training for agents.
<u>453A.338</u>	Registration cards: Electronic submission of applications.

- 453A.340 Registration cards: Requirements for changing name or address.
453A.342 Registration cards: Requirements for requesting replacement card.
453A.344 Registration cards: Expiration date of replacement card.
453A.346 Registration cards: Notice required when card is void and no longer valid.
453A.348 Registration cards: Grounds for denial or revocation.
453A.350 Grounds for disciplinary action.
453A.352 Fees; assessments.
- Requirements Concerning Operation of Medical Marijuana Establishments**
- 453A.400 Posting of registration certificate and other authorization to conduct business.
453A.402 Approval required before use of name, logo, sign and advertisement.
453A.404 Quality assurance testing required before sale of usable marijuana and related products.
453A.406 Persons authorized to be on premises of establishment; visitor identification badge required for other persons; maintenance of visitor log; regular, seasonal or temporary employees and volunteers.
453A.408 Policies and procedures.
453A.410 Duties of establishment relating to employees and volunteers; certain notice required.
453A.412 Duties of establishment agent before dispensing medical marijuana.
453A.414 Inventory control system; where establishment may acquire marijuana and related products; perpetual inventory system of manufacturing process; duties of establishment if loss is incurred.
453A.416 Requirements for transportation of marijuana, paraphernalia and related products.
453A.418 Reporting of loss or theft of medical marijuana; maintenance of documentation.
453A.420 Security.
453A.422 Hygiene requirements for agents; prohibition on direct contact with marijuana, equipment or materials for agents with certain health conditions.
453A.424 Building requirements; commercial weighing and measuring equipment.
453A.426 Requirements for establishments that prepare, sell or dispense edible marijuana products.
453A.428 Establishment responsible for costs incurred in cleaning up, mitigating or remedying environmental damage.
453A.430 Prohibition on use of chemicals or other compounds to alter color, appearance, weight or smell of usable marijuana.
- Requirements Concerning Operation of Medical Marijuana Dispensaries**
- 453A.450 Hours of operation.
453A.452 Patient records.
453A.454 Recognition of nonresident cards.
453A.456 Storage of usable marijuana and related products; disclosure of independent testing laboratory which performed quality assurance testing.
- Requirements Concerning Operation of Cultivation Facilities**
- 453A.470 Usable marijuana: Required disclosures; free samples.
453A.472 Restrictions on access to enclosed, locked facility where marijuana is cultivated; accompaniment by authorized medical marijuana establishment agent; prevention of observation or detection of marijuana outside facility.
- Packaging and Labeling of Marijuana and Related Products**
- 453A.500 Packaging: Generally.
453A.502 Labeling: Generally.
453A.504 Labeling as "organic."
453A.506 Maximum unit size; minimum requirements for font and size of label.
453A.508 Labeling requirements for marijuana and related products for sale to medical marijuana dispensary.
453A.510 Labeling requirements for usable marijuana sold at retail; accompanying materials.
453A.512 Labeling requirements for edible marijuana products or marijuana-infused products sold at retail; accompanying materials.
453A.514 Required examinations of packaged and labeled products.
- Requirements for the Production of Edible Marijuana Products and Marijuana-Infused Products**
- 453A.550 "Potentially hazardous marijuana products and ingredients" defined.
453A.552 Person in charge: Demonstration of knowledge.
453A.554 Hand washing required of medical marijuana establishment agents.
453A.556 Hand washing: Procedure.
453A.558 Hand washing: When required.
453A.560 Methods for handling marijuana products.
453A.562 Non-marijuana ingredients: Approved sources.
453A.564 Methods for preventing contamination.
453A.566 Requirements for preparing, cooking and cooling marijuana products.
453A.568 Requirements for date marking.
453A.570 Materials used in construction of utensils and contact surfaces of equipment.
453A.572 Sinks; alternative equipment.
453A.574 Ventilation hood systems and devices.
453A.576 Temperature of hot water sanitizing rinse; chemical sanitizers.
453A.578 Surfaces of equipment and utensils: General requirements.
453A.580 Surfaces of equipment and utensils: Cleaning frequency.
453A.582 Surfaces of equipment and utensils: Sanitizing.
453A.584 Cooking and baking equipment and microwave ovens: Cleaning frequency.
453A.586 Light intensity.
453A.588 Mechanical ventilation.
453A.590 Filters used to manufacture, process or package marijuana products.
453A.592 Authorized methods, equipment, solvents, gases and mediums.
- Standards for Cultivation and Preparation of Marijuana and Marijuana Products**
- 453A.600 Minimum good manufacturing practices.
453A.602 Quality control unit.
453A.604 Hygiene standards for establishment agents at certain medical marijuana establishments.
453A.606 Physical facilities: Generally.
453A.608 Physical facilities: Lighting requirements for certain establishments.

<u>453A.610</u>	Physical facilities: Ventilation and filtration requirements for certain medical marijuana establishments.
<u>453A.612</u>	Potable water; drains.
<u>453A.614</u>	Written procedures for sanitation and control of vermin.
<u>453A.616</u>	Maintenance of buildings in good state of repair.
<u>453A.618</u>	Equipment and utensils: Requirements for maintenance, cleaning, sanitizing and inspection for certain medical marijuana establishments.
<u>453A.620</u>	Requirements for components, product containers and closures for certain medical marijuana establishments.
<u>453A.622</u>	Written procedures for production and process control required for certain medical marijuana establishments.
<u>453A.624</u>	Requirements relating to labeling and packaging materials for certain medical marijuana establishments.
<u>453A.626</u>	Prohibition on salvage of marijuana and marijuana products subjected to certain conditions by certain medical marijuana establishments; salvage allowed with certain evidence; records.
Requirements for Independent Testing Laboratories	
<u>453A.650</u>	Scientific director: Responsibilities; qualifications.
<u>453A.652</u>	Testing methodologies; practices, procedures and programs relating thereto; inspections.
<u>453A.654</u>	Required quality assurance tests.
<u>453A.656</u>	General requirements.
<u>453A.658</u>	Sample testing; disposal of samples; standards; laboratory test results; grounds for disciplinary action.
<u>453A.660</u>	Proficiency testing program: Establishment by Division; participation.
<u>453A.662</u>	Establishment of policies for adequate chain of custody and requirements for samples of products provided to laboratory.
<u>453A.664</u>	Requirements for laboratory claiming to be accredited.
<u>453A.666</u>	Independent Laboratory Advisory Committee: Establishment; duties.
<u>453A.668</u>	Random quality assurance compliance checks.
<u>453A.670</u>	Requirements regarding amount of usable marijuana and marijuana products allowed on premises of laboratory.
<u>453A.672</u>	Authorized use of marijuana upon failure of quality assurance test; requirements for retesting.
Miscellaneous Provisions	
<u>453A.700</u>	Certain public employees prohibited from having financial interest in or being employed by or volunteering at medical marijuana establishment.
<u>453A.702</u>	Duties of Division regarding fees, revenue and gifts and grants.
<u>453A.704</u>	Maximum allowable quantity of edible marijuana products and marijuana-infused products.
<u>453A.706</u>	Division authorized to limit marijuana production within State.
<u>453A.708</u>	Limitations on promoting marijuana and marijuana products; applicability of chapter governing labeling and testing.
<u>453A.710</u>	Division authorized to collect fee for costs of investigating complaint if substantiated; amount of fee.
<u>453A.712</u>	Confidentiality of information relating to security of medical marijuana establishment.
<u>453A.714</u>	Confidentiality of name and any other identifying information of persons who facilitate or deliver services pursuant to chapter.
<u>453A.716</u>	Tracking and evaluation of attending physicians by Division; submission of certain information to appropriate regulatory boards.
<u>453A.718</u>	Division to maintain log of certain persons authorized to cultivate, grow or produce marijuana; contents of log; accessibility.
<u>453A.720</u>	Designation of medical marijuana dispensary: Communication of designation by Division.

GENERAL PROVISIONS

NAC 453A.010 Definitions. (NRS 453A.370, 453A.710, 453A.740) As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 453A.020 to 453A.078, inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Dep't of Agriculture by R095-01, eff. 10-1-2001; A by Health Div. by R042-03, 9-24-2003; A by Dep't of Agriculture by R189-03, 1-3-2005; A by Div. of Pub. & Behavioral Health by R004-14, 3-28-2014, eff. 4-1-2014)

NAC 453A.020 "Attending physician" defined. (NRS 453A.740) "Attending physician" has the meaning ascribed to it in NRS 453A.030.

(Added to NAC by Dep't of Agriculture by R095-01, eff. 10-1-2001)

NAC 453A.023 "Batch" defined. (NRS 453A.370) "Batch" means a specific lot of marijuana grown from one or more seeds or cuttings that are planted and harvested at the same time.

(Added to NAC by Div. of Pub. & Behavioral Health by R004-14, 3-28-2014, eff. 4-1-2014)

NAC 453A.024 "Batch number" defined. (NRS 453A.370) "Batch number" means a unique numeric or alphanumeric identifier assigned to a batch by a medical marijuana establishment when the batch is planted.

(Added to NAC by Div. of Pub. & Behavioral Health by R004-14, 3-28-2014, eff. 4-1-2014)

NAC 453A.028 "Chief Medical Officer" defined. (NRS 453A.710) "Chief Medical Officer" means:

1. The Chief Medical Officer appointed pursuant to NRS 439.085; or
2. The designee of the Administrator of the Division, if:
 - (a) No Chief Medical Officer has been appointed pursuant to NRS 439.085;
 - (b) The position of Chief Medical Officer appointed pursuant to NRS 439.085 is vacant; or
 - (c) The Chief Medical Officer appointed pursuant to NRS 439.085 is absent from the State.

(Added to NAC by Health Div. by R042-03, eff. 9-24-2003)—(Substituted in revision for NAC 453A.070)

NAC 453A.030 "Chronic or debilitating medical condition" defined. (NRS 453A.740) "Chronic or debilitating medical condition" has the meaning ascribed to it in NRS 453A.050.

(Added to NAC by Dep't of Agriculture by R095-01, eff. 10-1-2001)

NAC 453A.032 "Cultivation facility" defined. (NRS 453A.370) "Cultivation facility" has the meaning ascribed to it in