

*Title:* COVID-19 Public Health Emergency:  
Dispensing Limitations for Marijuana Products

Policy No. I.D.23

Issued: 04-27-2020  
Ratified: 05-27-2020  
Terminated: 11-18-2020

- 
1. The Board office received inquiries from some marijuana pharmacies about the current rule limiting the amount of marijuana that may be contained in a marijuana product. The pharmacies reported new marijuana products had been introduced to the market and they were concerned about enforcement of the rule, especially when such products may contain more than a one-month supply when dispensed to certain cannabis-naïve patients.
  2. Within the Board’s rules for marijuana pharmacies, §2443.D.1.d states “no single container shall contain more than a one-month supply of marijuana.”
  3. Prior to the current public health emergency, the Board had anticipated the introduction of new marijuana products beyond the original tincture formulation and had initiated the promulgation process to repeal that limitation.
  4. The Board President took notice of the current regulatory process, the arrival of new products in the market, and the concern of marijuana pharmacies. He directed staff to exercise enforcement discretion with respect to that specific rule.
  5. During their November 18, 2020 meeting, the members took note the dispensing limitation described in §2443.D.1.d was repealed effective September 20, 2020. The members voted to terminate this interim policy.