Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

JB PRITZKER
Governor

DEBORAH HAGAN
Secretary

CECILIA ABUNDIS
Acting Director
Division of Professional Regulation

March 16, 2020

Dear Licensees,

As the coronavirus spreads across Illinois and the U.S., our administration's first priority is protecting the health and safety of Illinois residents. The state of Illinois is working around the clock to contain COVID-19 and educate the public. Illinois' medical cannabis patients may be particularly vulnerable to COVID-19 due to pre-existing conditions. As we prepare for the impacts of coronavirus in the weeks ahead, the Department of Financial and Professional Regulation, Division of Professional Regulation ("Division") is issuing the following guidelines:

Sales to Patients/Caregivers Outside the Limited Access Area

The Division has granted a variance to Section 1290.410(c)(5) of the administrative rules made pursuant to the Compassionate Use of Medical Cannabis Program Act. The purpose of this Variance is to allow cannabis dispensaries to dispense cannabis outside of the limited access area. In light of the COVID-19 pandemic and the CDC's recommendation regarding in-person contact, the Division will allow service to medical cannabis patients, OAPP participants, and designated caregivers outside a limited access area until March 30, 2020, provided dispensaries follow the guidelines issued below. This variance DOES NOT apply to sales to adult use purchasers.

If allowing patients and caregivers to purchase medical cannabis outside the limited access area, dispensaries must adhere to the following protocols:

1. The exchange of cash and product must take place on the dispensary's property or on a public walkway or at the curb of the street adjacent to the dispensary. Dispensaries may not deliver cannabis to a patient or caregiver's home.
2. The patient or caregiver's card must be scanned prior to purchase and the purchase must be tracked in the state traceability system.
3. The dispensary may take measures to protect agents and patients alike by not requiring patients and caregivers to physically hand their medical cannabis ID card to agents to be scanned, wearing gloves when handling cash, and giving employees frequent breaks to wash their hands thoroughly.
4. Cash must be taken into the dispensary after each transaction.
5. Security must be present for outdoor exchanges.

Enforce Social Distancing

The CDC has advised that COVID-19 can be spread between people who are in close contact with one another, which is within about 6 feet.[1] In line with this guidance, dispensaries must take steps to ensure patients, caregivers, and purchasers do not come within 6 feet of other patrons at the dispensary and ensure patients and caregivers remain in separate lines from adult use purchasers. Such efforts may include moving lines outside the dispensary, closing down some point-of-sale systems, distancing patient/caregiver lines within larger dispensaries, and minimizing the time a patient/caregiver stands near your agents.

If patients, caregivers, or purchasers are bunching up, the dispensary must intervene to order them to space out.

Sanitary Practices

Dispensaries must be vigilant in their sanitation practices. Dispensaries must allow dispensary agents to wash their hand frequently throughout the day and provide an ample supply of disinfectant hand soap. Any surfaces patients are required to touch, such as ordering tablets or door handles must be disinfected at least every 30 minutes. All other surfaces should be washed throughout the day, including disinfecting at least once per day all countertops, computer screens/keyboards, door handles, railings, and bathrooms.

Dispensaries are advised to post their sanitation protocols to inform patients and caregivers of the measures being taken.

Inspections

Inspectors will be watching cameras daily to ensure continued compliance with our regular laws and rules and the guidance provided in this document. We expect dispensaries to answer inspectors' calls or call them back promptly, if necessary.

Badging

Badging of new agents will continue as usual.

[1] https://www.cdc.gov/coronavirus/2019-ncov/prepare/prevention.html

Renewals and Secondary Site Applications

Renewal application materials may be uploaded to the Division by using the official State of Illinois Government electronic file transfer site at https://filet.illinois.gov/filet/PIMupload.asp.

When submitting a medical dispensary renewal, the "Recipient Email Addresses" must be FPR.MedicalCannabis@illinois.gov, and the subject line must include "Registration Renewal for (Dispensary name)." Additional information may be included in the message text box.

When submitting an adult use secondary site application, the "Recipient Email Addresses" must include FPR.AdultUseCAnnabis@illinois.gov.

All checks must be mailed to:

Medical Cannabis Unit/Cannabis Control Section
Illinois Department of Financial and Professional Regulation
100 W. Randolph, 9th Floor
Chicago, IL 60601

I know many of you have submitted other suggestions for variances to grant during this period and all options are being considered. Please let me know if you have further questions.

Sincerely,

Bret Bender
Deputy Director
Cannabis Control Section
Division of Professional Regulation
Department of Financial and Professional Regulation