Recreational Marijuana Program Compliance Education Bulletin

Bulletin CE2020-04
September 10, 2020

The Oregon Liquor Control Commission is providing the following information to:

- Recreational Marijuana Retail Licensees; and
- Medical Marijuana Dispensary Registrants.

The bulletin is part of OLCC's compliance education. <u>It is important that you read it, and understand it.</u> If you don't understand it please contact the OLCC for help.

Failure to understand and follow the information contained in this bulletin *could result in an OLCC rules compliance violation affecting your ability to work or operate your business.*

Bulletin CE2020- covers the following issues:

- **Medical Sales to a Designated Caregiver**
- **Sales Limits to Caregivers and Patients**
- **New Metrc Functionality – Designating Caregiver Sales**

Questions regarding the contents of this bulletin may be sent to marijuana.cts@oregon.gov.

Medical Sales to a Designated Caregiver

The Oregon Medical Marijuana Program (OMMP) provides for patients to designate a caregiver who can purchase and possess marijuana items for the patient. The caregiver's card references both the caregiver's and patient's registration number. <u>Effective September 14, 2020</u> new functionality in the Cannabis Tracking System (CTS), Metrc, now allows retailers to designate sales as "caregiver" sales*,* in addition to consumer and patient. When a caregiver sales is recorded, either manually in Metrc or through API or CSV upload, the retailer must input both the patient and caregiver numbers.
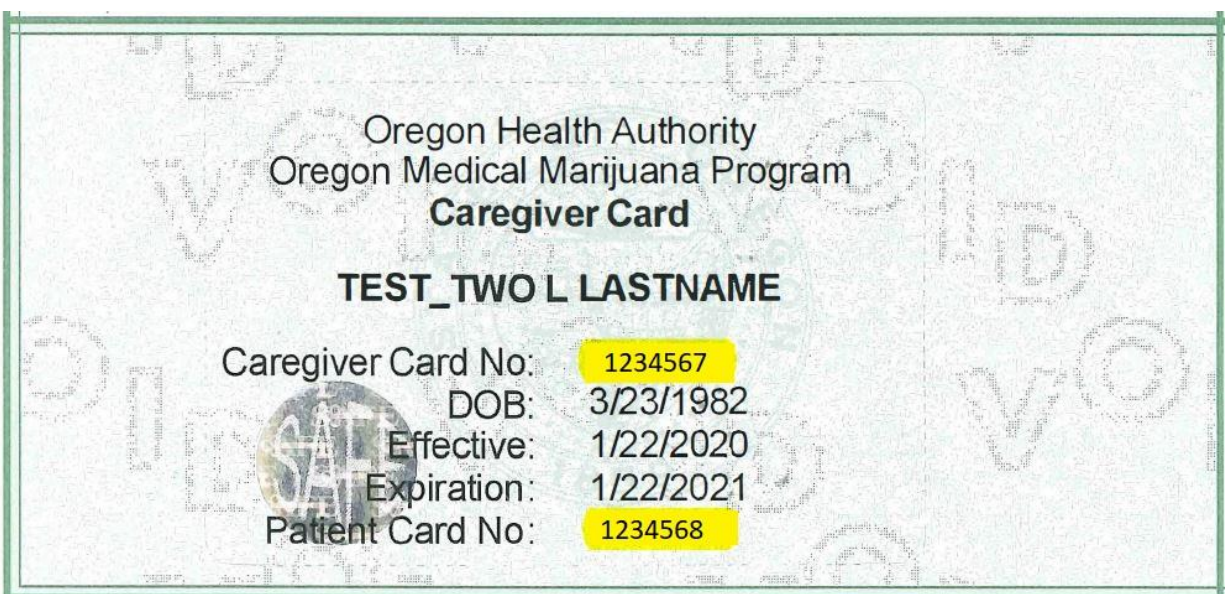
Rules allow for a patient and their caregiver to jointly possess up to 24 ounces of usable marijuana. This is to say, a retailer may sell up to the daily limit under both the patient's and caregiver's cards under the caregiver sales. This will go into effect when the daily sales limit returns to 8 ounces on September 18, 2020.

The bulletin describes the new functionality in Metrc and provides a step by step guide to entering a caregiver sales manually in the system. Metrc has previously provided API partners with details on this addition, so they should be ready to use this functionality in their systems.

Medical Sales to a Designated Caregiver

The Oregon Medical Marijuana Program (OMMP) provides for patients to designate a caregiver who can purchase and possess marijuana items for the patient. A caregiver is designated as the person responsible for managing the well-being of a patient on that person's application for a registry identification card or in other written notification submitted to OMMP.

When OMMP approves and issues a patient card application, OMMP also provides the designated caregiver with a registry identification card to use when purchasing, possessing or transporting marijuana items for the patient. The caregiver's card references both the caregiver and patient registry identification card numbers assigned by OMMP, as seen in this example:

Oregon Health Authority
Oregon Medical Marijuana Program
Caregiver Card

TEST_TWO L LASTNAME

Caregiver Card No: 1234567
DOB: 3/23/1982
Effective: 1/22/2020
Expiration: 1/22/2021
Patient Card No: 1234568

Sales Limits to Caregivers and Patients

Rule 845-025-2800(4) (Retailer Privileges; Prohibitions) limits the amounts of useable marijuana that a retailer may sell to a patient or designated primary caregiver to:

- 8^1 ounces of usable marijuana at any one time or within one day
- 32 ounces in one calendar month per patient

Oregon Health Authority (OHA) rule 333-008-0080(1) states that a patient and the patient's designated primary caregiver may *jointly* possess 24 ounces of usable marijuana. This is to say, a retailer may sell up to the daily limit under both the patient's and caregiver's cards under the caregiver sales. This will go into effect when the daily sales limit returns to 8 ounces on September 18, 2020.

OLCC rule 845-025-2800(4)(a) further details limits the amount of marijuana items that can be sold to any individual daily:

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[1] Temporary rules (Effective Mar 22, 2020 - Sept 17, 2020) increased the daily medical sales limit to 24 ounces.
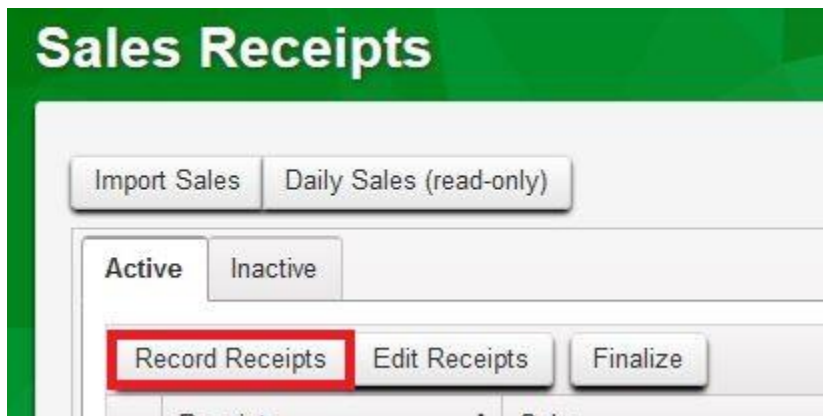
- 16 ounces of a cannabinoid product in solid form
- 72 fluid ounces of a cannabinoid product in liquid form
- 5 grams of cannabinoid extracts or concentrates
- 5 grams of cannabinoid products intended for inhalation
- 4 immature marijuana plants
- 10 marijuana seeds

These limits are per individual so a patient and caregiver could each purchase up to these daily limits at your store.

New Metrc Functionality – Designating Caregiver Sales

Starting September 14, 2020, Metrc updated its functionality to include the ability to designate a sale as a caregiver sales. This change is in addition to the previous Consumer and Patient options. The caregiver sales designation is not currently available for sales deliveries, which should continue to be designated as either consumer or patient.

If a retailer is manually inputting a sale in the Metrc user interface, they would navigate to the Sales Receipt section and select 'Record Receipts'.

The record receipt modal will pop-up and the user would select the proper Customer type, in this case caregiver. When caregiver is selected, the modal will require the user to enter *both* a caregiver and patient card number as shown on the caregiver card example above.

The user then inputs the remaining sales information as usual. Once the sale is recorded, the retailer will see it referenced in sales receipts with both caregiver and patient number displayed.

CSV Uploads

Sales reporting can also be used to report caregiver sales. The format guide is available in Metrc or Metrc Support can assist with the formatting. The data would include the flowing fields in this order:

- Sales Date/Time
- Sales Customer Type
- Patient Number
- Caregiver Number
- Package Label
- Quantity
- Unit of Measure
- Total Amount

For the example above the data would uploaded be:

"2020-08-07 01:10" "Caregiver" "1234568" "1234567" "ABCDEF012345670000013228" "5" "Grams" "40"

Point of Sale and Metrc API vendors have been advised of this change and sales marked as caregiver sales using these systems will also require retailers to enter *both* a caregiver and patient card number as well.