

Effective 5/6/2026

4-41a-1101 Operating requirements -- General.

- (1)
 - (a) A medical cannabis pharmacy shall operate:
 - (i) at the physical address provided to the department under Section 4-41a-1001; and
 - (ii) in accordance with the operating plan provided to the department under Section 4-41a-1001 and, if applicable, Section 4-41a-1004.
 - (b) A medical cannabis pharmacy shall notify the department before a change in the medical cannabis pharmacy's physical address or operating plan.
- (2) An individual may not enter a medical cannabis pharmacy unless the individual:
 - (a) is at least 18 years old or is an emancipated minor under Section 80-7-105; and
 - (b) except as provided in Subsection (4):
 - (i) possesses a valid:
 - (A) medical cannabis pharmacy agent registration card;
 - (B) pharmacy medical provider registration card; or
 - (C) medical cannabis card;
 - (ii) is an employee of the department performing an inspection under Section 4-41a-1103; or
 - (iii) is another individual as the department provides.
- (3) A medical cannabis pharmacy may not employ an individual who is younger than 21 years old.
- (4) Notwithstanding Subsection (2)(b), a medical cannabis pharmacy may authorize an individual who is not a medical cannabis pharmacy agent or pharmacy medical provider to access the medical cannabis pharmacy if the medical cannabis pharmacy tracks and monitors the individual at all times while the individual is at the medical cannabis pharmacy and maintains a record of the individual's access.
- (5) A medical cannabis pharmacy shall operate in a facility that has:
 - (a) a single, secure public entrance;
 - (b) a security system with a backup power source that:
 - (i) detects and records entry into the medical cannabis pharmacy; and
 - (ii) provides notice of an unauthorized entry to law enforcement when the medical cannabis pharmacy is closed; and
 - (c) a lock on each area where the medical cannabis pharmacy stores medical cannabis.
- (6) A medical cannabis pharmacy shall post, both clearly and conspicuously in the medical cannabis pharmacy, the limit on the purchase of cannabis described in Subsection 4-41a-1102(2).
- (7) Except for an emergency situation described in Subsection 26B-4-213(3)(b), a medical cannabis pharmacy may not allow any individual to consume cannabis on the property or premises of the medical cannabis pharmacy.
- (8) A medical cannabis pharmacy may not sell medical cannabis without first indicating on the medical cannabis label the name of the medical cannabis pharmacy.
- (9)
 - (a) Each medical cannabis pharmacy shall retain in the pharmacy's records the following information regarding each recommendation underlying a transaction:
 - (i) the recommending medical provider's name, address, and telephone number;
 - (ii) the patient's name and address;
 - (iii) the date of issuance;
 - (iv) directions of use and dosing guidelines or an indication that the recommending medical provider did not recommend specific directions of use or dosing guidelines; and

- (v) if the patient did not complete the transaction, the name of the medical cannabis cardholder who completed the transaction.
- (b)
 - (i) Except as provided in Subsection (9)(b)(iii), a medical cannabis pharmacy may not sell medical cannabis unless the medical cannabis has a label securely affixed to the container indicating the following minimum information:
 - (A) the name, address, and telephone number of the medical cannabis pharmacy;
 - (B) the unique identification number that the medical cannabis pharmacy assigns;
 - (C) the date of the sale;
 - (D) the name of the patient;
 - (E) the name of the recommending medical provider who recommended the medical cannabis treatment;
 - (F) directions for use and cautionary statements, if any;
 - (G) the amount dispensed and the cannabinoid content;
 - (H) the suggested use date;
 - (I) for unprocessed cannabis flower, the legal use termination date; and
 - (J) any other requirements that the department determines, in consultation with the Division of Professional Licensing and the Board of Pharmacy.
 - (ii) A medical cannabis pharmacy is exempt from the requirement to provide the following information under Subsection (9)(b)(i) if the information is already provided on the product label that a cannabis production establishment affixes:
 - (A) a unique identification number;
 - (B) directions for use and cautionary statements;
 - (C) amount and cannabinoid content; and
 - (D) a suggested use date.
 - (iii) If the size of a medical cannabis container does not allow sufficient space to include the labeling requirements described in Subsection (9)(b)(i), the medical cannabis pharmacy may provide the following information described in Subsection (9)(b)(i) on a supplemental label attached to the container or an informational enclosure that accompanies the container:
 - (A) the cannabinoid content;
 - (B) the suggested use date; and
 - (C) any other requirements that the department determines.
 - (iv) A medical cannabis pharmacy may sell medical cannabis to another medical cannabis pharmacy without a label described in Subsection (9)(b)(i).
- (10) A pharmacy medical provider or medical cannabis pharmacy agent shall:
 - (a) upon receipt of an order from a recommending medical provider in accordance with Subsections 26B-4-204(1)(b) and (c):
 - (i) for a written order or an electronic order under circumstances that the department determines, contact the recommending medical provider or the recommending medical provider's office to verify the validity of the recommendation; and
 - (ii) for an order that the pharmacy medical provider or medical cannabis pharmacy agent verifies under Subsection (10)(a)(i) or an electronic order that is not subject to verification under Subsection (10)(a)(i), enter the recommending medical provider's recommendation or renewal, including any associated directions of use, dosing guidelines, or caregiver indication, in the state electronic verification system;
 - (b) in processing an order for a holder of a conditional medical cannabis card described in Subsection 26B-4-213(1)(b) that appears irregular or suspicious in the judgment of the

pharmacy medical provider or medical cannabis pharmacy agent, contact the recommending medical provider or the recommending medical provider's office to verify the validity of the recommendation before processing the cardholder's order;

- (c) unless the medical cannabis cardholder has had a consultation under Subsection 26B-4-231(5), verbally offer to a medical cannabis cardholder at the time of a purchase of medical cannabis or a medical cannabis device, personal counseling with the pharmacy medical provider; and
- (d) provide a telephone number or website by which the cardholder may contact a pharmacy medical provider for counseling.

(11)

- (a) A medical cannabis pharmacy may create a medical cannabis disposal program that allows an individual to deposit unused or excess medical cannabis or cannabis residue from a medical cannabis device in a locked box or other secure receptacle within the medical cannabis pharmacy.
- (b) A medical cannabis pharmacy with a disposal program described in Subsection (11)(a) shall ensure that only a medical cannabis pharmacy agent or pharmacy medical provider can access deposited medical cannabis.
- (c) A medical cannabis pharmacy shall dispose of any deposited medical cannabis by:
 - (i) rendering the deposited medical cannabis unusable and unrecognizable before transporting deposited medical cannabis from the medical cannabis pharmacy; and
 - (ii) disposing of the deposited medical cannabis in accordance with:
 - (A) federal and state law, rules, and regulations related to hazardous waste;
 - (B) the Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6991 et seq.;
 - (C) Title 19, Chapter 6, Part 5, Solid Waste Management Act; and
 - (D) other regulations that the department makes in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(12) A medical cannabis pharmacy:

- (a) shall employ a pharmacist who is licensed under Title 58, Chapter 17b, Pharmacy Practice Act, as a pharmacy medical provider;
- (b) may employ a physician who has the authority to write a prescription and is licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, as a pharmacy medical provider;
- (c) shall ensure that a pharmacy medical provider described in Subsection (12)(a) works onsite during all business hours;
- (d) shall designate one pharmacy medical provider described in Subsection (12)(a) as the pharmacist-in-charge to oversee the operation of and generally supervise the medical cannabis pharmacy;
- (e) shall allow the pharmacist-in-charge to determine which medical cannabis products the medical cannabis pharmacy maintains in the medical cannabis pharmacy's inventory;
- (f) for each medical cannabis product sold by the medical cannabis pharmacy, shall:
 - (i) allow a medical cannabis cardholder located in the pharmacy to view the fact panel of the product when requested; and
 - (ii) beginning July 1, 2025, include a picture of the fact panel of the product on the medical cannabis pharmacy's website;
- (g) shall maintain a video surveillance system that:
 - (i) tracks all handling of medical cannabis in the pharmacy;
 - (ii) is tamper proof; and
 - (iii) stores a video record for at least 45 days;

- (h) shall provide the department access to the video surveillance system upon request;
 - (i) if a patient product information insert is available, shall provide a patient who purchases a medical cannabis product the medical cannabis product's patient product information insert using any of the following methods:
 - (i) a physical document;
 - (ii) an email message;
 - (iii) a text message; or
 - (iv) a quick response code; and
 - (j) may not allow a recommending medical provider to recommend medical cannabis as part of an event that:
 - (i) is a temporary gathering, market, clinic, or promotional event;
 - (ii) operates in a temporary tent or structure; and
 - (iii) is held within 500 feet of the medical cannabis pharmacy's property line.
- (13) The department shall establish by rule, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, protocols for a recall of cannabis and cannabis products by a medical cannabis pharmacy.

Amended by Chapter 483, 2026 General Session