

MAY 17 2019

May 17, 2019

Hand Delivered

Ms. Vonette Richter, Legal Division Director
North Dakota Legislative Council
State Capitol
600 East Boulevard Ave
Bismarck, ND 58505-0360

RE: Proposed Changes to North Dakota Administrative Code Chapter 33-44-01 – Medical
Marijuana

Attached for filing in the office of the Legislative Council are the following:

1. Notice of Intent to Adopt Changes to Administrative Rules concerning the above rules as required by NDCC Chapter 28-32.
2. Copy of the proposed rule changes.

If you have questions or concerns, please contact Jason Wahl at 328-4925. Thank you.

Sincerely,



Mylynn K. Tufte, MBA, MSIM, RN
State Health Officer

Enc.

MAY 20 2019

NOTICE OF INTENT TO ADOPT ADMINISTRATIVE RULE CHANGES

TAKE NOTICE that the North Dakota Department of Health will hold a public hearing to address proposed changes to North Dakota Administrative Code Chapter 33-44-01 on July 9, 2019 at 9:00 a.m. (central time) in the Fort Lincoln Room, State Capitol, 600 East Boulevard Avenue, Bismarck.

The purpose of the proposed administrative rule changes are to update rules to incorporate state law changes included in Senate Bill 2210 of the 66th Legislative Assembly regarding manufacturing facility plant limits. Proposed changes would also modify definitions, modify authorization of individuals into restricted access and display areas, modify fire detection requirements, modify reporting incident requirements, require usable marijuana packaging to be approved, modify labeling requirements, modify compliance testing requirements including adding heavy metals compliance testing, modify failed test result requirements, and modify quality control and quality assurance requirements. The proposed changes include requirements to be complied with by compassion centers, compassion center agents, a laboratory contracted with by the Department of Health, and laboratory agents. The proposed rules are not expected to impact the regulated community in excess of \$50,000.

The proposed rules may be reviewed in Room 202 of the Judicial Wing at:
Department of Health
Division of Medical Marijuana
600 East Boulevard Ave, Department 301
Bismarck, ND 58505-0200.

A copy of the proposed rules and regulatory analysis may be requested by emailing medmarijuana@nd.gov or calling 701-328-1311. A copy of the proposed rules will also be available on the Division of Medical Marijuana website (www.ndhealth.gov/MM/).

Oral or written comments on the proposed rules provided at the public hearing will be fully considered. Written comments on the proposed rules sent to the Division via email at medmarijuana@nd.gov or written comments sent to the above mailing address and received by July 19 will be fully considered. For written comments submitted via email, please include "Written Comments to Proposed Rules" in the subject line.

If you plan to attend the public hearing and will need specific facilities or assistance relating to a disability, please contact the Division of Medical Marijuana at 701-328-1311, via email at medmarijuana@nd.gov, or the above mailing address at least seven days prior to the public hearing.

DATED this 17th day of May 2019.