



State of New Jersey
DEPARTMENT OF HEALTH
PO BOX 360
TRENTON, N.J. 08625-0360
www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

Certificate of Waiver for Medicinal Marijuana
Pursuant to the Provisions of the New Jersey Administrative Code
Specifically, N.J.A.C. 8:64, a waiver is issued to:

ALL Alternative Treatment Centers

Granting relief from the following provision(s) of Chapter 8:64 of the New Jersey Administrative Code in response to the public health emergency declared in New Jersey in response to the Coronavirus disease 2019 (COVID-19) outbreak:

N.J.A.C. 8:64-7.9 ATC Location

- (a) **An ATC shall conduct all operations authorized by the Act at the address(es) identified on the permit issued by the Department. The Department shall not authorize or permit dispensing operations at any satellite locations. However, an ATC, as approved by the Department, may cultivate marijuana at a location separate from the location where the ATC shall dispense the marijuana, but both locations shall be within the same region.**

N.J.A.C. 8:64-13.6 Prohibitions, restrictions, limitations on the cultivation or dispensing of medicinal marijuana and criminal penalties

- (b) **Distribution of medicinal marijuana to qualified patients or their primary caregivers shall take place at the Department approved location identified on the ATC's permit.**

The waiver is subject to the following terms and conditions:

1. As approved by the Department, for the purposes of dispensing only, an ATC may dispense to qualified patients and caregivers in their cars on the exterior premises of the ATC, including any parking lots and adjacent sidewalks ("curbside delivery") that are located at the address on their permit
2. Orders shall be placed in advance, and products shall be labeled in the ATC prior to dispensing on the exterior premises.
3. ATCs shall provide patients and caregivers with a pick-up time to reduce traffic around the ATC.

4. ATCs shall conduct an in-person visual verification of the patient's registry ID card prior to dispensing, which may be conducted without handling the ID card, for example through a car window.
5. All transactions shall be appropriately logged in the registry and ATC inventory in accordance with N.J.A.C. 8:64-9.3, N.J.A.C. 8:64-9.9 and other corresponding rules.
6. All transactions shall be conducted in a secure and monitored manner in accordance with N.J.A.C. 8:64-9.7.
7. The ATC shall notify the municipality in which the ATC is located and the local police department that the ATC intends to dispense to patients and caregivers on the exterior of the ATC.
8. Prior to dispensing via curbside delivery, ATCs shall provide the Department with Standard Operating Procedures (SOPs) for:
 - a. Taking orders, verifying registry ID and authorization, and taking payment
 - b. Logging the transaction in the registry and ATC inventory
 - c. Security needed to accommodate curbside delivery.

N.J.A.C. 8:64-11.4 Pain and/or primary qualifying symptom assessment records

- (b) An alternative treatment center shall document a patient's self-assessment of pain or primary qualifying symptom upon commencement of the dispensing of medicinal marijuana to the patient and thereafter at three-month intervals.**

The waiver is subject to the following terms and conditions:

1. ATCs are only required to conduct a consultation for new patients if requested by a patient or caregiver.
2. Consultations may be conducted by phone.

FOR: Judith M. Persichilli, RN, BSN, MA
Commissioner



BY: Jeff Brown
Assistant Commissioner
Division of Medicinal Marijuana

DATE ISSUED: March 23, 2020

EXPIRATION DATE: Concurrent with Executive Order #103