



## STATUTORY MINOR CORRECTION

**PH 137-2018**

CHAPTER 333  
OREGON HEALTH AUTHORITY  
PUBLIC HEALTH DIVISION

**FILED**

04/30/2018 12:13 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Correction of statutes referenced in Medical Marijuana rules due to renumbering of Medical Marijuana Act.

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 333-008-0720

RULE TITLE: OMMP Monitoring, Investigation, and Enforcement: Violations

RULE SUMMARY: In 2017, the Medical Marijuana Act was renumbered in the Oregon Revised Statutes (ORS). The Oregon Health Authority, Public Health Division is submitting this statutory minor correction to update the ORSs that are referenced in the Oregon Administrative Rules regarding medical marijuana (chapter 333, divisions 7 & 8).

RULE TEXT:

In addition to failure to comply with any applicable provision of ORS 475B.785 to 475B.949, 475B.555, 475B.605, 475B.615, OAR chapter 333, division 7 or these rules, it is a violation:

- (1) For a PRMG to transfer seeds, immature plants or usable marijuana to a registered processing site or dispensary without a valid patient authorization or personal agreement.
- (2) To fail to cooperate with the Authority during an inspection or investigation. Failure to cooperate includes but is not limited to:
  - (a) Failure to provide directions to a grow site.
  - (b) Refusal to grant access to any and all portions of the registered grow site that the Authority has reason to believe are used in the production, harvesting, curing, storing, or packaging of marijuana.
  - (c) Failure to meet Authority staff within a reasonable period of time at the registered grow site after being notified of an on-site inspection.
  - (d) Failure to provide confirmation, upon request by the Authority, of the presence or absence of hazards or dangerous conditions at a grow site.
  - (e) Failure to provide to the Authority, upon request, information concerning compliance with these rules.
- (3) To fail to pay a civil penalty.
- (4) To submit false or misleading information to the Authority or the Commission.
- (5) To provide marijuana to a patient, designated primary caregiver, employee, or other person to have the marijuana tested for pesticides on behalf of the PRMG without disclosing to the laboratory the PRMG's OMMP number.

STATUTORY/OTHER AUTHORITY: ORS 475B.949

STATUTES/OTHER IMPLEMENTED: ORS 475B.949