



State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION
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Cranston, Rhode Island 02920

Medical Marijuana Program Bulletin Number 2018-1

Medical Marijuana Personal Grow “Plant Tag Certificate”

This Bulletin is issued by the Rhode Island Department of Business Regulation (DBR), Medical Marijuana Program (the “Program”) in order to explain improved processes in the implementation of the regulatory provisions governing patient and caregiver medical marijuana plant grows (hereinafter “personal grows”). Reference: R.I. Gen. Laws § 21-28.6-15 of the Thomas C. Slater Medical Marijuana Act (the “Act”) and Section 1.9 of the Rules and Regulations Related to the Medical Marijuana Program Administered by the Rhode Island Department of Business Regulation, 230-RICR-800-05-1 (the “DBR Regulations”).

Pursuant to DBR’s authority and discretion to administer the medical marijuana personal grow regulatory program, as of the date of this Bulletin, DBR will deem the payment for and proper use and display of a Plant Tag Certificate obtained from the state-approved portal and used in accordance with this Bulletin to satisfy the “plant tag” requirements of the Act.

Pursuant to R.I. Gen. Laws § 21-28.6-15(a)(1), the regulatory fees for medical marijuana plant personal grow compliance must still be calculated by “tag set” units of one mature plant and one immature plant.

The original DBR-issued physical “plant tags” that were issued prior to this Bulletin will remain valid until their expiration date. Prior to expiration of the previously issued “plant tags,” patient and caregiver program participants will be provided with instructions for applying for Plant Tag Certificates as part of the 2018 and subsequent renewal cycles. Patient and caregiver program participants who have been approved for “plant tags” but to whom the “plant tags” had not yet issued will be provided with instructions for obtaining and printing a Plant Tag Certificate as a substitute for “plant tags.” Further instructions regarding Plant Tag Certificates will be posted on the Program’s website: <http://www.dbr.state.ri.us/divisions/medicalmarijuana/>

After following the instructions for obtaining the Plant Tag Certificate, it will be the holder’s responsibility to clearly and conspicuously post the Plant Tag Certificate in any room that holds medical marijuana plants associated with the Plant Tag Certificate.

Like the original physical 2017 plant tags, program participants are strictly prohibited from altering or duplicating Plant Tag Certificates. Plant Tag Certificates may only be used by the individual to whom and at the location for which the approval was granted. They may not be transferred or assigned. Any stolen or lost Plant Tag Certificate must be reported to DBR and

law enforcement within one (1) business day from the date that the tag holder becomes aware of the theft or loss. The circumstances surrounding the loss or theft must be disclosed to DBR and if DBR determines that the loss or theft is the result of improper tag use in violation of the DBR Regulations or the Act, then DBR may refuse to issue replacement tags.

In furtherance of implementing the above Plant Tag Certificate process improvement, DBR may interpret terms used in the Act and DBR Regulations as follows:

- The term “plant tag” may also be interpreted to refer to a “Plant Tag Certificate” or similar document authorized by DBR that evidences lawful possession and cultivation of medical marijuana plants in accordance with the Act and these DBR Regulations.
- The term “obtaining” or “purchasing” “plant tags” may also be interpreted to refer to obtaining DBR approval for the personal grow of a permitted number of medical marijuana plants through a “Plant Tag Certificate” or similar DBR authorized document.
- Medical marijuana plants may be deemed “accompanied” by “plant tags” when the possessor has obtained “DBR approval” for the permitted number of medical marijuana plants and has followed the instructions for displaying evidence of such approval (“Plant Tag Certificate ” or other similar document).

The Bulletin also serves as an opportunity to remind patient and caregiver personal grow program participants of the Conditions for Obtaining and Maintaining [Plant Tag Approvals] under Section 1.9 of the DBR Regulations. Specifically, the following are highlighted:

- Pursuant to Section 1.9(G)(2) and R.I. Gen. Laws § 21-28.6-4(q), you may not grow marijuana at more than one location.
- Pursuant to Section 1.9(G)(3), the medical marijuana plants which the approvals pertain to must be stored in a “secure indoor structure.” The secure indoor structure must satisfy the following parameters:
 - a. Enclosed area with four walls and a roof.
 - b. Equipped with locks and any other appropriate security devices that limit access to the individual authorized to grow the marijuana. Locks must be sufficient to discourage theft and unauthorized entrance.
 - c. Marijuana is not visible from the street or other public areas.
 - d. Reasonable efforts must be taken to prevent marijuana plant odors from exiting the building to an extent that would significantly alter the environmental odor outside.
- Pursuant to Section 1.9(G)(6), you may not pursue any marijuana transaction that is in violation of the Act, including pursuing such a transaction by online advertising.

Any questions concerning this Bulletin should be directed to dbr.mmpcompliance@dbr.ri.gov.



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