CHAPTER 40. ENFORCEMENT AND ADMINISTRATIVE INSPECTIONS

RULE IMPACT STATEMENT

DESCRIPTION OF PROPOSED RULE:

The proposed rule amendment provides that Schedule I medical marijuana registrants are subject to administrative inspections that shall include, but not be limited to, inspecting, copying, and verifying the correctness of records, reports, or other documents required to be kept pursuant to the Oklahoma State Department of Health and other applicable state statutes and rules.

PERSONS MOST LIKELY AFFECTED:

Registrants with the Oklahoma Bureau of Narcotics and Dangerous Drugs Control who have obtained a Schedule I medical marijuana registration.

PERSONS BENEFITTING FROM PROPOSED RULES:

Registrants with the Oklahoma Bureau of Narcotics and Dangerous Drugs Control who have obtained a Schedule I medical marijuana registration and persons issued a medical marijuana license will benefit from the emergency rule change.

PROBABLE ECONOMIC IMPACT:

None

PROBABLE COSTS/BENEFITS TO AGENCIES:

The proposed emergency rule change will not subject State agencies to any additional costs.

IMPACT UPON POLITICAL SUBDIVISIONS:

The proposed emergency rule change has no economic impact upon political subdivisions, nor does it require any cooperation or effort from them to implement.

IMPACT UPON SMALL BUSINESS:

The proposed emergency rule change may have an economic impact upon small businesses that are Schedule I medical marijuana registrants and already subject to the Oklahoma State Department of Health rules and other applicable state statutes.

CONSIDERATION OF ALTERNATIVE METHODS AND MEANS:

There are no less intrusive means of achieving the goal of the proposed emergency rule. The rule provides clarification that Schedule I medical marijuana registrants will make available for administrative inspections the records, reports, and other documents required to be kept according to applicable state statutes and rules.

EFFECTS UPON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:

The proposed emergency rule has no environmental impact. The public’s health and safety will benefit from the emergency rule change by clarifying the administrative inspection expectations for Schedule I medical marijuana registrants.
PUBLIC HEALTH, SAFETY AND ENVIRONMENTAL THREATS IN ABSENCE OF RULES:

In the absence of the rule amendment, a discrepancy will occur as to what shall be included in the administrative inspections of Schedule I medical marijuana registrant.

DATE OF PREPARATION OF RULE IMPACT STATEMENT:

This Rule Impact Statement was prepared on November 19, 2018, by Sunne Riedel Day, Deputy General Counsel, Oklahoma Bureau of Narcotics and Dangerous Drugs Control. It was modified on November 29, 2018.