1. Working group name:

*Consumer Safety, Education and Health*

1. Individual sponsor(s):

*Linda Lang, Director, Nevada Statewide Coalition Partnership*

*Shannon Ernst, Director, Churchill County Social Services*

*Jen Solas, Wellness Education Cannabis Advocates of Nevada*

*With input from the Retail Working Group*

1. Describe the recommendation:

*Currently in the medical marijuana regulations, training requirements are outlined for persons who are to be employed as agents of the establishments. Training must be provided before that person begins work or volunteers in the establishment.*

*For the retail marijuana industry in Nevada, which will greatly expand the work force of agents, it is suggested that the current training be built upon to ensure the health, safety and wellbeing of the consumers of the product.*

*Recommendation: Any agent of a recreational marijuana establishment will be required to take a marijuana education course, in addition to what is currently required in NAC 453A.336 for medical marijuana establishments, in order to obtain a marijuana agent card. This course should meet the minimum standard requirements as determined by the Department, and be a minimum of 2.5 hours of training. Proof of successful completion must be submitted to the Department before an agent begins unsupervised employment.*

*A responsible marijuana agent training will ensure that establishments who are in the business of marijuana understand the marijuana laws in their State and that they will distribute and sell marijuana and marijuana products responsibly. A consistent and responsible marijuana agent training program will significantly reduce the risk and liability associated with marijuana sales for the State.*

*Recommended requirements and policies are based on best practices used in other states and Nevada’s responsible alcohol vendor training requirements (NRS 369.600 – 369.635). The administration of this additional training will be offered through an outside vendor that has been approved by the Department or the Chief Medical Officer. This system will model the current training required by those that sell or give away alcohol.*

*The additional training could include, but not be limited to, the following:*

* *Clinical effects of marijuana on the human body*
* *How marijuana affects the consumer*
* *Required warning and literature*
* *Methods of identifying impairment*
* *Methods of refusing entry or sales to intoxicated persons*
  + *Verifying ID and using age verification device*
  + *Education of the use of recreational marijuana and those under 21*
  + *Understanding law enforcement’s role and compliance checks*
  + *Recognition of false or altered identification*
* *Applicable state and local laws regarding marijuana*
* *Preventing unlawful consumption, open and public consumption laws*
* *Preventing use of marijuana by minors, laws and penalties*
* *How to prevent and deal with disturbances*
* *Agent responsibility and strategies for preventing diversion*

*Recommendation: Additional language to be added to NAC 453A.336*

*A facility for the distribution of edible marijuana products or marijuana-infused products shall ensure that instruction is provided to a marijuana establishment agent before that person begins to work or volunteers at the facility for the distribution of edible marijuana products or marijuana-infused products. Such instruction must include, without limitation:*

    (a)  *The proper procedures for handling or marijuana, edible marijuana products or marijuana-infused products;*

*(b) The procedures for proper transportation and storage of marijuana, edible marijuana products or marijuana infused products;*

*(c) Maintain the proper Nevada state driver’s license for the expected loads*

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 1 – Promote the health, safety, and well being of Nevada’s communities*

*Guiding Principle 3 – Ensure that youth are protected from the risks associated with marijuana, including preventing the diversion of marijuana to anyone under the age of 21*

*Guiding Principle 6 – Establish regulations that are clear and practical, so that interactions between law enforcement (at the local, state and federal levels), consumers, and licensees are predictable and understandable*

1. What provision(s) of Question 2 does this recommendation apply to?

*Sec. 2.    Preamble.   In the interest of the public health and public safety, and in order to better focus state and local law enforcement resources on crimes involving violence and personal property, the People of the State of Nevada find and declare that the use of marijuana should be legal for persons 21 years of age or older, and its cultivation and sale should be regulated similar to other legal businesses.*

*(d) Selling or giving marijuana to persons under 21 years of age shall remain illegal;*

*(e) Individuals will have to be 21 years of age or older to purchase marijuana;*

1. What issue(s) does the recommendation resolve?

*This recommendation establishes training requirements for the recreational marijuana industry and resolves access to anyone under 21 years of age.*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

*The Nevada Dispensary Association (“NDA”) supports training requirements, including the current training required in the medical marijuana program and further expanding the required training to cover the areas enumerated in this recommendation.  However, the NDA opposes the requirement that a third party vendor conduct the training. Currently, medical marijuana establishments are allowed to conduct their own training for their employees, which allows them to ensure the training is conducted to their standards and is tailored to each individual’s job duties.  This also allows them to offer training at times that work for the establishment, rather than based on the vendor’s calendar.*

*Currently, the management teams involved in medical marijuana establishments, which will be running retail marijuana establishments, are the most knowledgeable people in the state about proper handling, testing, and administration of marijuana.  There is currently no third party vendor that understands Nevada’s rules, regulations, and proper handling of marijuana as well as the current operating teams in the legal marijuana market. There is no basis to assume that a vendor will provide more competent training than the establishments themselves, which have the incentive to provide top quality training as their license to conduct business is a compelling incentive to be compliant.*

*This recommendation should be adopted, but should be revised to remove the following language:*

*The administration of this additional training will be offered through an outside vendor that has been approved by the Department or the Chief Medical Officer. This system will model the current training required by those that sell or give away alcohol.*

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*Regulations regarding training and personnel will need to be modified to apply to the retail establishments.*

1. Additional information (cost of implementation, priority according to the recommendations, etc.).

*The costs of all training will be employee or employer funded.*