

Proper Identification Protocols

Alabama

Proper ID-checking is a **foundation of compliance** in the cannabis industry. Employees must verify that all individuals entering a licensed facility are allowed to do so.

You may be on the security team at a cultivation facility and need to check the identification of a contractor entering the premises while jotting down details on the visitor log. Or, as sellers of cannabis, ensure you **only sell or transfer to those who may legally shop** with us.

Visitors

There are relatively few Alabama Medical Cannabis Commission (AMCC) rules regarding visitors. As such, businesses may develop House Policies that suit their needs. Cannabis Trainers recommends that in order to enter any licensed facility (cultivation, processing, dispensary) businesses require visitors (including contractors such as plumbers or electricians) to show a valid ID and be 21+. A sound House Policy in this area should be developed by your compliance team with the assistance of a lawyer.

Dispensaries

Immediately upon entry, ask the patient or caregiver for their **medical cannabis card**, which matches their valid registry profile. **Medical cannabis cards may be tangible or virtual**. When determining validity and ownership of the card, employees must verify:

- Patient name;
- The photo belongs to the individual presenting the card;
- The patient identification number is identical to the ID # included in the patient or caregiver's profile in the patient registry;
- Expiration date; and
- Designation for a registered caregiver (if applicable)

The AMCC does not require businesses to verify additional identification for such individuals, but it is a best practice to do so. Licensed businesses are allowed to develop a House Policy that requires employees to verify an acceptable form of identification along with the individual's valid medical cannabis card.

Medical cannabis cards are valid from the date of issuance and they expire one year later. Patients and caregivers must renew their medical cannabis cards at least 14 calendar days before expiration. The AMCC will notify such individuals 45 days prior to expiration, but it is a great move to remind them to renew if we become aware it is needed when verifying the validity of their registration.

Minor patients are issued medical cannabis cards identifying them as minors. Please remember, **minor patients may not purchase medical cannabis except through a registered caregiver**.

Valid Forms of Identification

- Unexpired AL Motor Vehicle License
- Unexpired AL ID Card issued by ALEA
- Passport
- Any other ID proving identity as approved by the AMCC

***Patients and caregivers must have a valid registry profile

***They must also be residents of Alabama

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Ensure the ID is valid:

- Feel the ID for tactile security features and check the back of the ID for accurate information
- Ensure the ID is valid; not expired, altered, or mangled
- Inspect the ID signature and if needed, ask the consumer to sign a paper to see if the signature matches
- Compare the ID to the ID Checking Guide if unfamiliar with that type of ID
- Scan the ID (**note: *not required by the AMCC, be aware of House Policies*)

Ensure the ID matches the person presenting it:

- Compare the photo on the ID to the patient or caregiver
- Compare the physical description (height/weight)
- Ask questions only the ID owner may know

Vertical Driver Licenses/Minor IDs:

- Connect with a manager for a second opinion/verification that this person is allowed to shop

Tools for proper ID checking

1. ID scanner (**note: some proper IDs don't scan and some fake IDs may scan)
2. Blacklight to inspect holograms or other security features
3. Magnifying glass to read and inspect microprinting

Multiple ID Checks

1. All medical cannabis cards and IDs are checked immediately upon entry
2. Licensed business may require employees to check again at the point-of-sale

Common Mistakes with IDs

1. Glancing too quickly to ensure accuracy and validity of the ID
2. Only looking at DOB
3. Inaccurate calculations of age based on DOB
4. Not matching the ID image to the individual
5. Forgetting to check expiry
6. Failure to check security features for authenticity
7. Not holding the ID to physically inspect and get a closer look
8. Not checking the ID to the ID Checking Guide to validate

Our commitment is to be thorough and detailed with ID checks to prevent sales to non-patients.

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538-X-2-.03 Requisite Conditions To Qualify As A Registered Qualified Patient.

(2) A registered qualified patient 19 years of age or older or a registered caregiver acting on behalf of a registered qualified patient is not subject to arrest or prosecution for unlawful possession of marijuana, if (a) possessing no more than 70 daily dosages of medical cannabis for such registered qualified patient, and (b) having a valid medical cannabis card.

(3) Adult Patients (a) A resident of this state who is 19 years of age or older is a registered qualified patient if meeting all of the following conditions: 1. Has been certified by a registered certifying physician as having a qualifying medical condition and has been recommended for the use of medical cannabis by a registered certifying physician. 2. Is registered with the Commission, having been placed on the patient registry established by the Commission in accordance with the Act and this Chapter. 3. Has been issued a valid medical cannabis card by the Commission. (b) Upon meeting the foregoing conditions, such registered qualified patient may purchase, possess and use medical cannabis, subject to the limitations of §20-2A-30(d), Code of Ala. 1975, (as amended), relating to maximum medical dosage.

(4) Minor Patients (a) A resident of this state who is under the age of 19 years is a registered qualified patient if meeting all of the following conditions: 1. Has been certified by a registered certifying physician as having a qualifying medical condition and has been recommended to use medical cannabis by the registered certifying physician. 2. Is registered with the Commission, having been placed on the patient registry established by the Commission in accordance with the Act and this Chapter. 3. Has a qualified caregiver who is (A) the patient's parent, legal guardian, grandparent, spouse, or an individual with a valid power of attorney for healthcare of the minor; (B) a resident of this state; and (C) possesses a valid caregiver's medical cannabis card issued by the Commission. (b) Upon meeting the foregoing conditions, such minor patient may use medical cannabis obtained by a caregiver on behalf of the minor patient, but the minor patient may not purchase or possess medical cannabis. Notwithstanding the foregoing, a minor patient may not legally use medical cannabis with a potency greater than three percent (3%) tetrahydrocannabinol.

538-X-2-.04 Caregiver Qualifications.

(1) A resident of this state is a registered caregiver if he or she meets all of the following conditions: (a) Is registered with this Commission, having been identified to a patient who has been placed on the registry established by the Commission in accordance with the Act and this Chapter. (b) Has been issued a valid medical cannabis card by the Commission. (c) Is at least 21 years of age or the parent or legal guardian of, and caregiver for, a registered qualified patient. (d) Is the patient's parent, legal guardian, grandparent, spouse, or an individual with a valid power of attorney for healthcare of a registered qualified patient. (2) A registered caregiver described above may purchase and possess medical cannabis on behalf of a registered qualified patient to whom the registered caregiver has been identified in the patient registry and may administer medical cannabis to the patient or patients to whom the registered caregiver has been identified. A registered caregiver may not use medical cannabis unless the registered caregiver is also a registered qualified patient pursuant to r. 538-x-2-.03.

538-X-2-.05 Patient Registration.

(7) A patient registration shall be valid from the date of issuance and expire one year later.

(8) The Commission shall send a notification to each patient 45 calendar days before the expiration date on the patient's medical cannabis card.

(9) To maintain a valid patient registration, a patient must annually renew, before the expiration date stated on the patient's medical cannabis card. Renewal submissions, fees, and required documentation must be submitted not less than 14 calendar days before the expiration date on the patient's medical cannabis card. Failure to renew a patient registration will result in an automatic expiration of the medical cannabis card.

538-X-2-.06 Caregiver Registration.

(4) A patient shall designate no more than two caregivers. The Commission shall register no more than two caregivers for each patient.

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- (6) An individual shall serve as a caregiver for no more than three patients. Except as provided in paragraph 8. of this rule, the Commission shall associate no more than three patients for each caregiver.
- (7) A caregiver must possess a medical cannabis card, and pay an application fee, for each patient for whom the caregiver provides care.
- (17) A caregiver registration shall be valid from the date of issuance and expire one year later.
- (18) The Commission shall send a notification to each caregiver 45 calendar days before the expiration date on the caregiver's medical cannabis card.
- (19) To maintain a valid caregiver registration, a caregiver must annually renew the caregiver registration submission, in accordance with this Rule. Renewal applications, fees, and required documentation must be submitted no less than 14 calendar days before the expiration of the caregiver's medical cannabis card.

538-X-2-.07 Purchase Of Medical Cannabis By Patients And Caregivers.

- (1) A patient or caregiver may only purchase medical cannabis pursuant to a valid and active medical cannabis card, which may be tangible or virtual, demonstrating certification by a registered certifying physician pursuant to the Act and this Chapter.
- (2) Patients under 19 years of age shall be issued a medical cannabis card identifying them as a minor, and such patients are prohibited from purchasing medical cannabis except through a caregiver.
- (4) Upon entry into a dispensing site and before purchasing medical cannabis, patients and caregivers must provide their medical cannabis card; at the discretion of the dispensary or integrated facility operating the dispensing site, patients and caregivers also may be asked to provide additional photo or other approved identification, including an unexpired Alabama driver's license, an unexpired Alabama identification card issued by ALEA; passport; or any other identification proving identity as approved by the Commission.
- (5) Any persons, including children or guests of patients or caregivers, who are unable to provide a medical cannabis card matching a valid patient registry profile, or who are unable to provide, upon request, additional identification to the satisfaction of dispensing site personnel, are prohibited from entering the dispensing site. This rule does not apply to employees, representatives of other licensees, Commission members or personnel or inspectors, third parties visiting the dispensing site at the request of the Commission or the licensee, or who are entering the facility for the purpose of performing repairs or maintenance at the dispensing site.
- (6) The identification number on the medical cannabis card provided to a dispensary employee must be identical to the identification number included in the patient or caregiver's profile in the patient registry.
- (7) Before purchasing medical cannabis, patients and caregivers must provide the dispensing employee their medical cannabis card; at the discretion of the dispensing site, they also may be asked to provide additional identification as described in paragraph 4. of this rule.