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Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

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JB PRITZKER
Governor

MARIO TRETO, JR.
Acting Secretary

CECILIA ABUNDIS
Acting Director

VARIANCE

Pursuant to the authority granted to me in the provisions of 68 Illinois Administrative Code 1290.610, I hereby grant a Variance on behalf of all licensed Medical Cannabis Dispensaries to the provisions of 68 Illinois Administrative Code 1290.410(c)(5), which states in part: “during hours of operation, store and dispense all cannabis from the restricted access area....”

The purpose of this Variance is to vary 68 Illinois Administrative Code 1290.410(c)(5) to allow Medical Cannabis Dispensaries to dispense medical cannabis outside of the limited access area, in response to the COVID-19 pandemic, the Illinois Gubernatorial Disaster Proclamation, and the CDC’s recommendation regarding in-person contact. This Variance shall allow Medical Cannabis Dispensaries to provide service for medical cannabis patients, OAPP participants, and designated caregivers outside the limited access area until June 30, 2021. Any Medical Cannabis Dispensary offering direct-to-car service or sales outside the limited access area must have written procedures to ensure Dispensary Agents will verify two forms of identification before providing the medical cannabis to a patient, OAPP participant or to a designated caregiver. Medical Cannabis Dispensaries are permitted to temporarily modify their policies and procedures regarding dispensing to accommodate this Variance.

This Variance supersedes the Variance to 68 Illinois Administrative Code 1290.410(c)(5) issued on April 28, 2021.

Notwithstanding the aforementioned Rule, this Variance is in no way intended to waive or modify any statute, rule, or regulation concerning the dispensing of Medical Cannabis Dispensaries. All currently licensed Medical Cannabis Dispensaries shall be subject to compliance with all additional rules and regulations contained in the Act and in the rules promulgated thereto or their successor.

I have determined that the provision from which this Variance is granted is not statutorily mandated; no party will be injured by the granting of this Variance; and the rules from which this Variance is granted would, in this particular case, be unreasonable.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL
REGULATION of the State of Illinois
Mario Treto, Jr., ACTING SECRETARY, by

Acting Director, Cecilia Abundis
Division of Professional Regulation

May 27, 2021

Date