



Illinois Department of Financial and Professional Regulation
Division of Professional Regulation

JB PRITZKER
Governor

DEBORAH HAGAN
Secretary

CECILIA ABUNDIS
Acting Director
Division of Professional Regulation

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....”

This variance is granted based upon the particular facts surrounding the Illinois Gubernatorial Disaster Proclamation issued on March 09, 2020 and again on April 1, 2020.

The purpose of this Variance is to allow Medical Cannabis Dispensaries to dispense medical cannabis outside of the limited access area. In light of the COVID-19 pandemic and the CDC’s recommendation regarding in-person contact, the Department will permit Medical Cannabis Dispensaries to provide service for medical cannabis patients, OAPP participants, and designated caregivers outside the limited access area until May 30, 2020. Any Medical Cannabis Dispensary offering pre-order, direct-to-car service, or sales outside the limited access area must have a written procedure on how to ensure Dispensary Agents still verify two forms of identification before providing the medical cannabis to a patient. 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 March 31, 2020.

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
Deborah Hagan, SECRETARY, by

Acting Director Cecilia Abundis
Division of Professional Regulation

April 28, 2020

Date