

Frequently Asked Questions – Eight Region Map

1. What is the “Dispensary 8 Region Map?”

The North Dakota Department of Health has established eight regions for dispensaries registered through the Medical Marijuana Program to be located.

2. What are the circles on the “Dispensary 8 Region Map?”

The circles (and partial circles) illustrate a 50 mile radius from each of the following cities: Bismarck/Mandan, Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Minot, and Williston. A dispensary can be located anywhere within the region (circle).

3. What is the purpose of the eight regions?

The purpose of locating a dispensary in each of the eight regions is to make locations more accessible for registered qualifying patients as the majority of North Dakota’s population is located within the eight regions.

4. Are registered qualifying patients only able to purchase usable marijuana from the dispensary located in the region where they reside?

No. Registered qualifying patients can purchase usable marijuana from any of the registered dispensaries. The purpose of the regions is to ensure adequate access across North Dakota.

5. Why is it limited to eight regions?

Under state law, the Department is to register no more than eight dispensaries unless the Department determines additional dispensaries (or manufacturing facilities) are necessary to increase access to usable marijuana by registered qualifying patients and registered designated caregivers. Since the demand for usable marijuana is unknown at this time, the Department will monitor information to determine whether additional dispensaries will be registered.

6. Will there only be one dispensary in each region/circle?

Yes. An application period will be established for each of the eight regions. All complete applications received by the Department for a region will be scored and the highest scoring applicant will be selected for registration. If a region does not have any eligible applicants, the Department will need to determine the appropriate action.

7. Why is the eight region map released now?

The information provides prospective applicants sufficient time to determine the region, or regions, where they would like to apply. Providing the information also allows prospective applicants sufficient time to obtain certain approvals as required by state law.

8. Can more than one dispensary be located in the area where the regions overlap?

Yes. However, applicants must specify in their application the region for which they are applying.

9. Are there preferred locations within the region (circle) for a dispensary?

No.

10. Will dispensaries be allowed to deliver?

Proposed rules allow for home delivery by a dispensary. This could take place anywhere in one of the regions or outside a region. A dispensary within a circle does not have exclusive control for that area for home delivery purposes. A dispensary may deliver to a qualifying patient located anywhere within the state.

11. Are dispensaries required to use a specific manufacturing facility based upon their regional location?

No. The dispensaries may purchase usable marijuana from either manufacturing facility. The Department is not mandating which of the two manufacturing facilities are used by dispensaries.

12. What type of business may be eligible to become a registered dispensary?

A business interested in applying to become a dispensary must submit specific documents to comply with the complete application requirements outlined in NDCC Section 19-24.1-14. These application requirements include that the business's articles of incorporation (and by-laws) or articles of organization (and operating agreement) be provided. Only a business structured as a corporation or as a limited liability company possess such documents. A sole proprietor or a partnership is unable to provide the required articles and, therefore, would be unable to comply with the statutory application requirement. A sole proprietor or a partnership could consider restructuring their business to satisfy the application requirements.

13. Can an applicant apply for more than one registration certificate?

Yes. The law authorizes an entity to submit an application in each of the regions. However, if an entity receives the highest score in more than one region, the

entity will be required to select the single region in which they would like to operate. A legal entity is not authorized to possess more than one registration certificate.

14. Does the law prohibit the same legal entity from possessing more than one registration certificate?

Yes.

15. Does the law prohibit the same individual, or organization, from having an ownership interest in more than one legal entity?

No.