

Independent Medical Pharmacy Application Questions

Overview: These are questions that were submitted by applicants regarding the 2025 Independent Medical Cannabis Pharmacy Application. This is a living document and new questions will be added as they come in. Questions on the application or process should be submitted to cannabis@utah.gov with a subject of "Independent Medical Cannabis Pharmacy Application Inquiry"

Bold = Submitted Questions

Italicized = Response

- 1. Are you allowing applicants to place a medical cannabis pharmacy in medically underserved populations?**

Yes, the 16th Medical Cannabis Pharmacy must meet requirements of 4-41a-1006(3)(b): The licensing board: shall select an entity that will site a medical cannabis pharmacy license issued under this section in an area: designated as a medically underserved area as determined by the federal Health Resources and Services Administration; and located in a county of the third, fourth, fifth, or sixth class.

- 2. I understand this license will not be issued to an entity that owns a financial interest in a medical cannabis pharmacy or is owned by an entity that owns a financial interest in a medical cannabis pharmacy, or to an entity that owns any interest in or operates a medical cannabis production establishment or is owned, partially or entirely, or operated by a medical cannabis production establishment. Am I also correct that these references are to licensees of the state of Utah? For instance, if an entity holds a cultivation license in another state, but has no ties to the state of Utah or its medical cannabis program, am I correct that entity would be eligible to receive a license?**

Yes, an entity with existing Medical Cannabis Pharmacy ties to Utah would be excluded from the application, however an in-state Processor or Cultivar that does not have ties to a Pharmacy would be acceptable. Out of state Processors, Cultivars and Pharmacies are welcome to apply so long as there is not a tie to an existing Utah Medical Cannabis Pharmacy. Per 4-41a-1006(2-3) The first license issued (this application) The licensing board may not select an entity to receive a license under this section if the entity owns a financial interest in a medical cannabis pharmacy or is owned by an entity that owns a financial interest in a medical cannabis pharmacy. The second license issued by the licensing board may not select an entity: that owns any interest in or operates a medical cannabis production establishment; or that is owned, partially or entirely, or operated by a medical cannabis production establishment.

- 3. I understand that one license is currently available in this licensing round, and is slated to be issued before January 1, 2026. For the license that will be issued prior to January 1, 2027, am I correct that a second licensing round will be held? In other words, this July 2025 application window is not intended to be the full applicant pool for both of the two available licenses, just the license available prior to January 1, 2026?**

Correct, the application for the second Independent Medical Cannabis Pharmacy license will be released in 2026 and will be awarded before January 1, 2027.

- 4. If awarded the license, are you allowed to move locations?**

If awarded the license and the anticipated and approved location were to fall through due to circumstances outside of the entity's control, they would be permitted to select a new location that is within the same city/local municipality. The statute has set parameters for where it may be located, a move outside of the approved area would disqualify the license.

- 5. Will the Board accept locations listed on the HRSA medically underserved map only as Medically Underserved Areas? The instructions for using the data tool suggest it may also include Medically Underserved Populations. [MUA.pdf](#)**

4-41a-1006 does specify a medically underserved area. However an applicant may utilize the additional options for Underserved Populations and Governor exceptions when selecting their proposed location.

- 6. Will the Board accept locations listed on the HRSA medically underserved map only as Medically Underserved Areas - Governor's Exception?**

Proposed locations in a county of the third, fourth, fifth and sixth class that are also deemed as medically underserved area either by MUA or a Governor's expectation will be considered.

- 7. Will the Board accept locations listed on the HRSA medically underserved map only as Medically Underserved Populations - Governor's Exception?**

4-41a-1006 does specify a medically underserved area.

8. If a county is listed as medically underserved in the [data.HRSA.gov tool](https://data.hrsa.gov/tool), will the Board accept a location that is anywhere in that county as a whole--or do we need to seek further clarification as to whether only certain regions within that county qualify as medically underserved? If so, how will the Board determine those subsets within the county?

So long as the proposed location meets the requirements of being in a county of the third, fourth, fifth or sixth class and is a medically underserved area, the entity applying may select their location from there. The application does inquire on the sustainability of the chosen location, accessibility to the population and other factors for the strategic plan.

9. I would like to clarify that you do not have to be an Utah resident to apply? Also is there just one license being awarded in total or one type and multiple licenses?

Correct, you do not need to be a Utah resident to apply. There is 1 license to be issued before January 1, 2026 for this license type. A second application for the second Independent Pharmacy License will open next year.

10. I'm reaching out to clarify whether the upcoming round of cannabis pharmacy licenses in Utah are open to new applicants, or restricted to those who have previously held or applied for a license. Any guidance or reference to applicable regulations would be appreciated.

The license application for 2025 is open to applicants that do not currently have ties with an existing Medical Cannabis Pharmacy in Utah. 4-41a-1006 will provide additional information on the matter.

11. In the RFP for the new pharmacy application it states that we need fingerprints and background checks. If we already have this in place with you, do we need to do that still?

Yes, background would need to be submitted as Pharmacy Owners have a different background code than Production Owners do.

12. My understanding is that one of the two documents listed below (Liquid Cash/bond account) will only have to be completed by the winning applicant? Is

my understanding that the checkbox attestation in the online portal serves as the acknowledgment of this later requirement correct?

That is correct.

13. It is written: If an applicant is submitting their background application via Live Scan they will just need to mail or e-mail in the “Medical Cannabis Pharmacy Owner/Director Criminal Background Screening Authorization Form”. Therefore, I am writing to confirm that the payment of \$51.50 is not required if a Livescan is completed AND that the Live Scan Fingerprint Authorization Form is not to be submitted with the application. Is my understanding of this second matter correct?

The payment is required with the live scan or the hard card. The Background Authorization form does not need to be submitted inside the application, but as a supplemental document that is either mailed or e-mailed.

14. The app instructions revised June 2025 impose a 100-page maximum. The online application portal does not impose or state any page or character limits. How should applicants approach the page limit, if there is one?

Great question! The application PDF was presented to the Board for initial approval and the page limit was mentioned there. However the grant software requires a different format for submission, so the page limit was taken out in the handouts on the live application.

15. Should applicants refer to any specific requirements for the “architectural evaluation”?

Architectural elevations are 2D drawings that show a flat, straight-on view of one side of a building, like the front, back, or sides. They depict the vertical elements and features of a building, including doors, windows, walls, and other architectural details

16. Is there a maximum file upload size?

There should not be a limit on the file size allowed in the portal upload. If you do run into this as an issue, please notify us via e-mail.

17. Inventory is its own section on the online application, but it is not clear which section of the scoring rubric it will be calculated under. Can you confirm where this section will fall in scoring?

Inventory will fall under the “sales” section in the scoring.

18. What does it mean if a section will be "weighed heavier" as described in the grading rubric?

When a section on a grading rubric is described as 'weighed heavier,' it means that it contributes a larger percentage to your overall score than other sections.

19. I'm reaching out to request clarification on whether the following location would be considered a public park. and therefore a Community Location. We've been informed that the park is owned by the gas station next door and it does not appear on the City Parks and Recreation website, so we're trying to determine whether it would be considered a public or private park under the statute.

Thank you for reaching out on clarification of this. With the park being owned by a company and on their property, it would not be considered a public park or community location.

20. How/where can I schedule a Livescan for my fingerprints & background?

You can do an internet search for "Live scan fingerprinting near me" to find locations that offer this service. Please be sure to bring your authorization form with you so that it gets submitted under the correct code. Here is a link for where to find live scan places in Utah <https://dld.utah.gov/dpc-fingerprint-vendors/> if you are out of state we would advise reaching out to your local law enforcement agency for instructions if you are not finding answers online.

21. Rule 66-5-20 outlines the process for the "department" to open and award new licenses. The Independent license was not opened by the department, it is a statutorily mandated license. Does paragraph (4) requiring the department to follow the procedures set forth in Title 63G, Chapter 6a, Utah Procurement Code apply to the current application round?

Utah Code 4-41a-1006(1)(b) states When selecting entities under this section, if there is a conflict between the criteria established for obtaining a medical cannabis pharmacy license under the other sections of this chapter and this section, this section controls. Further, HB54 from the 2025 legislative session removed the department's authority to determine the need for more licenses. Thus making the rules mentioned obsolete. The department is in the process of making those changes.

22. Could you confirm whether Fillmore City / Willard County, a 4th class county, is considered a Medically Underserved Area and would therefore qualify for a cannabis pharmacy?

Millard County is a 4th class county, however based on data provided on <https://data.hrsa.gov/tools/shortage-area/mua-find> is not a medically underserved area.

- 23. Apologies but I have a second part to the question I just asked: Do independent service providers who do rolled fingerprints that are not law enforcement also work as well?**

Yes, you can do an internet search for “Live scan fingerprinting near me” to find locations that offer this service. If you are not having luck with that, you may reach out to your local law enforcement for guidance.

- 24. I’m writing to request clarification regarding the eligibility of Cache County under Utah’s cannabis program, specifically related to its designation as a Medically Underserved Area (MUA) or Health Professional Shortage Area (HPSA). When using the HRSA’s MUA Find tool (<https://data.hrsa.gov/tools/shortage-area/mua-find>), Cache County does not appear to be listed. However, when searching via the HPSA Find tool (<https://data.hrsa.gov/tools/shortage-area/hpsa-find>), Cache County is included. Can you please confirm whether Cache County qualifies as a viable location based on its HPSA designation, even if it is not currently designated as an MUA? If we had a location in Logan Utah, would this be considered as a viable location?**

Cache County is classified as a third class county, however 4-41a-1106(3)(b)(i) does specify “The licensing board shall select an entity that will site a medical cannabis pharmacy license issued under this section in an area: designated as a medically underserved area as determined by the federal Health Resources and Services Administration”. HPSA (Health Professional Shortage Area) is not a listed factor in the statute. This application process for a Medical Cannabis Pharmacy is intended to provide access to patients that do not currently have ease of accessibility to the program. Please refer to <https://medicalcannabis.utah.gov/pharmacy-locations/> for a list of current Medical Cannabis Pharmacies in Utah.

- 25. In regard to application questions 1 and 1a, can you please confirm:**

1. Owners' full names (not initials only) should be used in Response #1's text field.

Correct

2. Whether Owners' full names or initials only should be used in any document uploads related to section 1a.

Initials should be utilized when possible

3. Whether there are any other areas of the application where applicants should only use initials or otherwise redact/conceal information to accommodate blind scoring process.

If names are used in the application outside of the specific questions regarding

ownership, yes.

- 26. Additionally, can you confirm that credential-related documents uploaded in the box beneath 1a, such as a resume, will be incorporated into the owners' credential scoring?**

Yes, all information included in the application will be scored. When uploading identifying information on owners, please utilize the use of initials as mentioned in the guidelines.

- 27. We're currently reviewing eligible locations for our Utah pharmacy application and wanted to clarify the "Governor's Exception" designation type in Utah County. When using the HRSA's tool to identify Medically Underserved Areas (MUAs), how should we interpret locations that fall under a Governor's Exception?**

Does this designation affect how we evaluate counties or census codes for site eligibility? And should we be factoring the Governor's Exception in differently when searching through HRSA's MUA tools?

Utah County would not be an acceptable location as it is classified as a "second class County" and the location is specified in 4-41a-1006(3)(b) "The licensing board: shall select an entity that will site a medical cannabis pharmacy license issued under this section in an area: designated as a medically underserved area as determined by the federal Health Resources and Services Administration; and located in a county of the third, fourth, fifth, or sixth class." The proposed location must meet both the county and be in a medically underserved area. Locations with a Governor's Exception that are located in a county of the third - sixth class will be considered.

- 28. Do we need to use initials and submit background checks for individuals who fall under 4-41a-1004(2)(b) as "highly skilled or experienced prospective employees" but not "officer, director, or owner" as listed in 4-41a-1004(2)(a)?**

No, we would only need background for the PIC, Owners and Directors. Please reference 4-41a-1002 for additional information regarding Medical cannabis pharmacy owners and directors.

- 29. Could you provide the mailing address for where the fingerprint cards should be sent?**

*Medical Cannabis Program PO Box 146500 Salt Lake City, UT 84114.
Please reference the supplemental hand out form for instructions on fingerprint and background submission.*

- 30. Does fingerprinting information need to be submitted prior to and/or by the application deadline of 7/31 or can it be submitted after 7/31?**

All information would need to be postdated/submitted by 7/31.

31. Qualifying as MUA: We have read the instructions related to selecting a qualifying location and have used the tool provided to try to confirm the status of our selected locations as medically underserved. Can you confirm the following:

a) Richfield would qualify as it both falls into a class 3, 4, 5 or 6 county and Sevier County has a designation as MUP.

b) Vernal would qualify as it both falls into a class 3, 4, 5 or 6 county and Uintah County has a designation as MUA.

c) Beaver does NOT qualify because it does not fall into an area designated as MUA.

We will not provide specific guidance on acceptable locations aside from the specifics detailed in the application. If the County is classified as a 3rd, 4th, 5th, or 6th class county and qualifies as a Medically Underserved Area then it would be considered. Governor exceptions are also permitted.

32. Can a single entity apply more than once if it has identified more than one qualifying location? If so, is there a preference for multiple applications each focused on a single location or should the applicant discuss each of the proposed locations in a single combined application?

An entity may submit more than one application, there can only be one location per application. If an applicant would like to submit for multiple locations, they would submit an application for each and pay the \$2,500 application fee. Fingerprints/background would only need to be done once, unless the proposed locations have different ownership.

33. Is it required to have a PIC already established, background checked and fingerprinted in order to submit the Pharmacy application?

The application does state "Name the designated PIC and plan to maintain a PIC at all times. Include credentials of the PIC and any known PMPs that will be on staff." If an applicant does not have a designated PIC at the time of application, they should explain their plan to get and maintain one prior to opening.

34. Can a city deny a request for a Medical Cannabis Pharmacy?

No, so long as the proposed location is not within 200 feet of a community location or

within 600 feet of a district that the relevant municipality has zoned as primarily residential. Reference 4-41a-1001(2)(c)(i). Additionally, per 4-41a-1105 (2): A municipality or county may not: on the sole basis that the applicant or medical cannabis pharmacy violates federal law regarding the legal status of cannabis, deny or revoke: a land use permit, as that term is defined in Sections 10-9a-103 and 17-27a-103, to operate a medical cannabis pharmacy; or a business license to operate a medical cannabis pharmacy. However, per 4-41a-1105(3) A municipality or county may enact an ordinance that: is not in conflict with this chapter; and governs the time, place, or manner of medical cannabis pharmacy operations in the municipality or county. An ordinance that a municipality or county enacts under Subsection (3)(a) may not restrict the hours of operation from 7 a.m. to 10 p.m.

- 35. I am currently in the process of applying for a Medical Cannabis Pharmacy license and would like to take advantage of the free live scan services offered by UDAF. Please let me know how to schedule an appointment at your earliest convenience.**

You can e-mail cannabischeck@utah.gov to schedule an appointment. Please name the subject "Fingerprinting Request for Independent Medical Cannabis Pharmacy". If you have previously submitted a background under code B2637 for any reason, the background check may still be valid.

- 36. The FAQs indicate that a single entity may submit multiple applications. Is there a way to work on multiple applications at the same time under one portal login? Or is the only way to do this to set up a different account in the portal that can be logged into simultaneously?**

There is not a way to work on multiple applications through a single log in. A user would either need to a) submit one at a time or b) have other users submit under their log ins.

- 37. Would the fingerprinting and background checks for the pharmacy license application have to be repeated if I already have them registered with the state as a PMP?**

PMPs do have their background done through DOPL, however, that is a different code than what is needed for a Medical Cannabis Pharmacy. If you have previously submitted fingerprints under code B2637 within the last 2 years they may still be valid. Please reach out to cannabis@utah.gov and inquire if your background is still valid if you have submitted prints prior.

