**Section 1290.210 Dispensing Organization Agents**

a) All principal officers, agents-in-charge and agents of the dispensing organization are dispensing organization agents and shall hold an agent identification card. No person shall enter a dispensary to begin work at a dispensary prior to holding an agent identification card.

b) Only a dispensing organization principal officer or an agent-in-charge may apply for an agent identification card for himself or herself or other dispensary agents.

c) A dispensing organization agent shall visibly display an agent identification card issued by the Division at all times while at the dispensary.

d) An agent registration application shall be submitted by a dispensing organization principal officer or agent-in-charge on forms provided by the Division, along with the following:

1) The name of the dispensing organization employing the agent, and the address of the dispensary;

2) A full set of fingerprints submitted to ISP as outlined in this Part;

3) A copy of the applicant's valid driver's license or State issued identification;

4) Electronic picture of applicant;

5) A document verifying the applicant's place of residency, such as a bank statement, cancelled check, insurance policy, etc. The document must contain the applicant's full residence address;

6) A sworn statement that the applicant has not been convicted of an excluded offense in any jurisdiction;

7) The applicant's social security number;

8) The registration fee (see Section 1290.80); and

9) Any additional information requested by the Division in the verification process.

e) The Division will deny an application or renewal of an agent identification card for a person convicted of an excluded offense.

f) If no excluded offense is found relating to the fingerprints, the applicant has submitted all required information and the applicant is otherwise qualified under the Act, the Division may approve the application or renewal. Within 15 days after approving an application or renewal, the Division shall issue an agent identification card that will be valid for the period specified on the face of the card and will be renewable upon the conditions set forth in this Part.

g) Dispensing organization agents have access to restricted access areas. They are responsible for the sale of cannabis and dispensary operations. Agents may accept deliveries from cultivation centers, and must document sales in compliance with the Act and this Part.

h) It is the responsibility of each registered dispensing organization to notify the Division of an agent's change of address.

i) Dispensing organization agents must promptly report any diversion or theft, or suspicion of diversion or theft, of cannabis or currency to the Division.

j) At least 30 days prior to the expiration of an agent identification card, the dispensing organization or the agent shall request the Division renew the annual agent identification card, include any information requested by the Division, and authorize ISP to conduct a criminal background check.

k) No dispensing organization shall, after the expiration of an agent identification card, employ or retain the holder of the card in any capacity. Upon expiration of an agent registration, the agent shall not enter the dispensary.

l) Upon termination of employment, the agent identification card shall be immediately returned to the dispensing organization. The dispensing organization shall promptly return the agent identification card to the Division.

m) The agent identification card is not transferable. It is the property of the State of Illinois and shall be surrendered upon demand of the Director.

n) A dispensing organization agent shall promptly report an arrest and any subsequent conviction of an excluded offense to the dispensing organization and to the Division.

o) Should the Division not be able to obtain the State or federal criminal records check from ISP as required by the Act and this Part, the Division may contract with a private detective or investigating agency licensed under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 [225 ILCS 447] and in good standing with the Department for the purpose of conducting the records checks.

p) The Division may deny an application for, or a renewal of, or revoke an agent identification card, or discipline an agent, for any of the following reasons:

1) Submission of misleading, incorrect, false or fraudulent information in the application or renewal application;

2) Violation of the requirements of the Act or this Part;

3) Fraudulent use of the agent identification card;

4) Selling, distributing, transferring in any manner, or giving medical cannabis to any unauthorized person;

5) Tampering with, falsifying, altering, modifying or duplicating an agent identification card;

6) Tampering with, falsifying, altering or modifying the surveillance video footage, point of sale system, Illinois Cannabis Tracking System, or the State verification system;

7) Tampering with, falsifying, altering or modifying patient, provisional patient, designated caregiver or OAPP participant applications;

8) Failure to notify the Division within five business days after becoming aware that the agent identification card has been lost, stolen or destroyed;

9) Failure to notify the Division within five business days after a change in the information provided in the application for an agent identification card or renewal;

10) Conviction of an excluded offense following the issuance of an agent identification card;

11) For conduct that demonstrates incompetence or unfitness to work in a dispensary; or

12) For any unethical, dishonorable or unprofessional conduct.

(Source: Amended at 43 Ill. Reg. 6593, effective May 20, 2019)