

Guidance on Agent Registration

July 2021

Massachusetts Cannabis Control Commission

Steven J. Hoffman, Chairman

Nurys Camargo, Commissioner

Ava Callender Concepcion, Commissioner

Bruce Stebbins, Commissioner

Shawn Collins, Executive Director

Table of Contents

I.	Introduction	3
II.	Agent Registration Requirements	3
	a. Who Needs to be Registered?	3
	b. Do Proposed Agents Need to be Registered Under Multiple Licenses?	4
III.	Agent Application Requirements	5
	a. Minimum Requirements.....	5
	b. Application Requirements.....	5
IV.	Agent Registration Background Check Requirements and Disclosures	7
	a. When Does the Background Check Need to be Completed?.....	7
	b. When Does Background Check Information Need to be Disclosed?	8
	c. How Does the ME/MTC Know if the Proposed Agent is Suitable?.....	9
	d. Which Agents Need to be Fingerprinted?	10
	e. Can Background Checks be Waived if the Proposed Agent Already Works for the ME/MTC?	10
V.	Specific Requirements/Restrictions for ITL Agents	10
VI.	Commission Review of Agent Applications.....	11
VII.	Agent Action and Notification Applications.....	12
VIII.	Agent Registration Renewal.....	13
IX.	Fees.....	14
X.	Metrc and Agent Registration	15
XI.	Additional Compliance Information for MEs, MTCs, and Registered Agents.....	15

I. Introduction

This guidance is provided to assist Marijuana Establishments (“ME”), Medical Marijuana Treatment Centers (“MTC”), and active/prospective agents with the registration process and other requirements pursuant to the Cannabis Control Commission (“Commission”)’s regulations. **The following guidance is not legal advice. If you have additional questions regarding the legal requirements for agent registration in the Commonwealth, you are encouraged to consult an attorney.**

II. Agent Registration Requirements

a. Who Needs to be Registered?

An ME/MTC who has, at a minimum, been approved for a provisional license and paid its initial license fee, may begin the agent registration process for the appropriate individuals. An ME/MTC must apply for agent registrations for all of the following individuals: owners, employees, executives, and volunteers of the ME/MTC.

Please note the following:

Term	Required to register as an agent?	What is the term’s meaning?
Owner	✓	Any equity holder that possesses 10% equity or more in a ME/MTC.
Executive	✓	Any member of the board of directors, executive officer, executive director, manager, or the equivalent. An equivalent position is one that is similar to these positions despite the name of the position.
Employee	✓	Any employed person, including a consultant or contractor who provides onsite services to an ME/MTC related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana is required to register as an agent.
Volunteer	✓	An individual who would meet the definition of an employee but may not be paid or compensated.



FYI—For Your Information

Please note that the role of “executive” includes all board of director members, executive officers, managers, and any position that would be considered equivalent or similar to them despite the name of the position.

Please note that all agent registration applications must be completed by an ME/MTC licensee (person on the license) or its designee (e.g. Human Resource Officer, Chief Operating Officer, Executive, Manager, Attorney, Consultant, etc.). **The proposed agent may complete their own agent registration application only if they are listed on the ME/MTC license itself. Otherwise, proposed agents are prohibited from completing their own application.**

FYI—For Your Information

Please note that ME/MTCs are highly encouraged to have a single MassCIP user account for the business to manage all licenses, registrations, and applications. User account information and passwords should be limited to specifically authorized individuals only.

b. Do Proposed Agents Need to be Registered Under Multiple Licenses?

MEs/MTCs shall complete an individual agent registration application for every person that performs licensed operations for each of their individual licenses. For example, if an ME/MTC has an agent performing licensed operations under three (3) separate licenses (e.g. cultivation, retail, and product manufacturing), the ME/MTC is required to submit three (3) agent registrations for that individual.

Some examples include the following:

Example 1:

An agent is registered under an ME’s cultivation license. The agent is allowed to perform work consistent with that cultivation license including transporting marijuana and marijuana products from that ME to another ME. Because the agent is only registered under the ME’s cultivation license, the



agent is not allowed to perform any job functions associated with a product manufacturing or retail license.

Example 2:

An agent is registered under an ME’s retail license. The agent is allowed to engage in licensed activities permitted under the retail license including transporting marijuana or marijuana products from that ME to another ME. Because the agent is only registered under the ME’s retail license, the agent is not allowed to engage in cultivation or product manufacturing operations.

III. Agent Application Requirements

a. Minimum Requirements

To be an agent, the individual must meet the minimum requirements below:

Minimum Requirement	
1	Must be 21 years of age or older.
2	Must never have been convicted in the Commonwealth/other jurisdiction of distribution of controlled substances to minors.
3	Must be suitable for registration in accordance with the applicable suitability tables under the Commission’s adult and medical use of marijuana regulations. ¹

b. Application Requirements

MEs/MTCs completing an agent registration application for any individual must provide the following information:

Requirement:	How to meet the requirement:
Name of Agent	Please list the name of the proposed agent exactly as it appears on the submitted government ID. For example: John J. Smith should be entered as John J. Smith. Please include any suffix which may be included.
Date of Birth	The proposed agent’s date of birth as it appears on the submitted government

¹ See 935 CMR 500.802 and 803 and 935 CMR 501.802 and 803.



	ID must be filled out in the application and match the government ID exactly. All individuals must be 21 years of age or older. ME/MTCs should not submit an application for proposed agents who are about to turn 21 years of age until their birthdate.
Social Security Number (Last 4 Digits)	The last four digits of the proposed agent’s Social Security Number must be filled out in the application.
Agent’s Address	The proposed agent’s current primary address must be filled out in the application.
Agent’s Mailing Address	The proposed agent’s current mailing address must be filled out in the application. This may be the same information as the agent’s primary address.
Photo of Proposed Agent	This should be a vertical photo of the agent that complies with the following: <ul style="list-style-type: none"> • The image captures the agent’s shoulder to the top of the head; • The image is on a white or off-white background; • All eyeglasses, eyewear, or headwear are removed, unless worn for religious purposes; and • The image is not distorted.
Individual’s Role at the Establishment	This is selected from a dropdown menu in the application and uses general terms (“owner”, “executive”, “employee”, etc.).
Alias Name	This information should include all aliases the agent used previously or currently (including maiden names).
Identification Document	A copy of the applicant’s driver’s license or other government-issued ID that is not expired, that includes both a photograph and date of birth of the individual.
Current Registration at other Marijuana Establishments	If applicable, current registrations at other ME/MTCs must be listed.
Demographics	Gender, race, ethnicity, veteran status, farmer status, etc.
About the Marijuana Establishment	List the following information: <ul style="list-style-type: none"> • The ME/MTC business name or d/b/a name which has been approved by the Commission; • Establishment license type (e.g. Marijuana Cultivator) should match the establishment’s license number (e.g. MC123456); and • Validated license number—this will display the name and address of the establishment.
Previous	If applicable, list all previous registrations with the ME/MTC where the agent



Registrations with This Establishment	was previously employed.
Previous Registrations with Other Establishments	If applicable, list all previous registrations with any other ME/MTC where the agent was previously employed.
Background Information	Any criminal, civil, and past/pending disciplinary action against a professional or occupational license for the proposed agent.
Agent Registration & Attestation Acknowledgement Form	Provide the signed and notarized Agent Registration & Attestation Acknowledgement Form , including all relevant information. The form is available for download on the Commission’s “Forms and Templates” page at MassCannabisControl.com .

FYI—For Your Information

The information provided in the demographics section of the application can be used by the ME/MTC to track progress of their required Diversity Plan upon renewal.

IV. Agent Registration Background Check Requirements and Disclosures

a. When Does the Background Check Need to be Completed?

ME/MTCs are required to obtain a Criminal Offender Record Information (“CORI”) report and all other required background check information for a proposed agent within 30 days prior to submission of an agent registration application. ME/MTCs are required to perform background checks on all agents within 30 days prior to the submission of any supplemental application, including renewals.

FYI—For Your Information

Please note that CORI reports will only show criminal offenses that occurred in Massachusetts. ME/MTCs are required to discover and disclose more information than what appears on a CORI and it is ultimately the ME/MTC’s obligation to ensure a full background check, in addition to



CORI, occurs. The ME/MTC may obtain the services of a Consumer Reporting Agency (“CRA”) to process in-depth background checks on their applicants. Please note the Commission is unable to recommend a CRA.

b. When Does Background Check Information Need to be Disclosed?

The following is a table of information required to be disclosed for all pending and active agents:

Background Check Information/Disclosures	
Requirement:	How to meet the requirement:
Criminal Actions	A description and the relevant dates of any criminal action under the laws of the Commonwealth, or another jurisdiction, whether for a felony or misdemeanor and which resulted in conviction, or guilty plea, or plea of nolo contendere, or admission of sufficient facts.
Civil/Administrative Actions	A description and the relevant dates of any civil or administrative action under the laws of the Commonwealth, or another jurisdiction, relating to any professional or occupational or fraudulent practices.
License/Registration Actions (Business or Professional)	A description and relevant dates of any past or pending denial, suspension, or revocation of a license or registration, or the denial of a renewal of a license or registration, for any type of business or profession, by any federal, state, or local government, or any foreign jurisdiction.
License/Registration Discipline (Professional)	A description and relevant dates of any past discipline by, or a pending disciplinary action or unresolved complaint by, the Commonwealth, or another jurisdiction, with regard to any professional license or registration held by the applicant.

Please note that a “description” of the events above should include, at a minimum, the type of action or charge, the result or disposition (e.g.. dismissed, continued without a finding, guilty), type of offense (e.g. misdemeanor, felony, license suspension, etc.) and all relevant dates.

FYI—For Your Information



ME/MTCs are responsible for performing a background check for all proposed, active, and renewing agents that covers all the above categories. All relevant information must be disclosed in the initial application and updated with the Commission within five (5) business days of any changes.

c. How Does the ME/MTC Know if the Proposed Agent is Suitable?

The Commission requires that each ME/MTC disclose the above information for each agent in order to evaluate whether the proposed agent is suitable to work for the licensee. The Commission has established various sets of suitability standards depending upon the type of license under which an agent will operate.

The table below provides guidance for ME/MTCs when reviewing background check reports and identifies the suitability standards in the Commission’s regulations.

Regulation:	Agent Type:
935 CMR 500.802 (Table B)	Retail, Delivery Licensee or a Marijuana Establishment with a Delivery Endorsement, Social Consumption Establishment, and Transporter Marijuana Establishment Agents
935 CMR 500.802 (Table C)	Marijuana Product Manufacturer Marijuana Establishment Agents
935 CMR 500.802 (Table D)	Marijuana Cultivator Marijuana Establishment Agents
935 CMR 500.803 (Table E)	Registration as a Laboratory Agent
935 CMR 501.802 (Table B)	MTC Agents

The Commission reviews all required submissions including background check disclosures when it receives an agent application. If a disclosure raises a potential suitability issue, the ME/MTC and proposed agent will be notified and asked for more information. If, after further review, there is still a potential suitability issue, the ME/MTC and agent may be notified of the opportunity to request an informal hearing before the Commission’s Suitability Review Committee.



d. Which Agents Need to be Fingerprinted?

Proposed Independent Testing Laboratory (“ITL”) agents must be fingerprinted before the Commission can approve their agent application. No other ME/MTC agent is required to be fingerprinted. All proposed ITL agents must be fingerprinted once.

After the ITL submits an agent registration application with all required information, the Commission will notify the licensee of the instructions for obtaining fingerprints of the proposed agent. The relevant federal agency will ultimately notify the Commission when the proposed ITL agent is fingerprinted and the results are ready for staff to review.

e. Can Background Checks be Waived if the Proposed Agent Already Works for the ME/MTC?

ME/MTCs may request a background check waiver for proposed agents in limited circumstances with the submission of a signed waiver request form. The Commission’s consideration of a waiver request will be based on the following:

- Compliance with the CORI report requirement would cause undue hardship to the requestor;
- The requestor’s noncompliance would not jeopardize the health or safety of any patient or the public; and
- The requestor will institute compensating features acceptable to the Commission.

The ME/MTC may apply for a waiver if the proposed agent has had a background check processed by the ME/MTC for licensure/registration before the Commission within the last 365 days.

The [Waiver Request Form: Agent Registration CORI Report Requirement](#) is available on the Commission’s [“Forms and Templates” page](#) at [MassCannabisControl.com](#) and should be submitted along with the agent registration application for any agent the ME/MTC believes meets the above requirements. The request shall include the following:

- Date of the last generated background check report for the individual which must be within 365 days prior to the submission of the waiver request form;
- Name of the ME/MTC representative who reviewed the last generated background check report; and
- Required attestations by the ME/MTC representative.

V. Specific Requirements/Restrictions for ITL Agents



In addition to the requirements for ME/MTC agents, those seeking registration as an ITL agent are required to meet additional criteria. Please see the table below:

ITL Agent Requirements/Restrictions	
1	ITL agents affiliated with multiple ITLs shall be registered as an agent by each ITL and issued a registration card for each lab.
2	ITL agents are strictly prohibited from receiving direct or indirect financial compensation from any ME/MTC for which the ITL agent is conducting testing, other than reasonable contract fees paid for conducting the testing in the due course of work.
3	ITL agents may not be employed by other types of ME/MTCs while employed as an ITL agent at one or more ITLs.

VI. Commission Review of Agent Applications

All agent registration applications must be submitted electronically through the Commission’s Massachusetts Cannabis Industry Portal (“MassCIP”) available at [MassCIPPortal.com](https://www.mass.gov/info-details/massc-ip). MTC agent applications must be submitted through the Medical Use of Marijuana Online System (“MMJOS”) embedded within MassCIP. Once submitted with all required information, Commission staff will generally review applications within 7-10 business days.

The Commission will approve an application if it is complete and complies with the regulations. If a requirement is not met or additional information is needed, the Commission will reopen the application within the applicable system, and send a notice to the ME/MTC user account that submitted the application.

Common reasons for reopening an application:

- The proposed agent’s photo does not conform to the requirements listed above.
- A required form is missing or incorrect.
- The name or date of birth does not match the government ID.
- The government ID is expired.
- Additional information about a background check disclosure is needed.
- The license number does not match the ME/MTC or license type disclosed.



VII. Agent Action and Notification Applications

ME/MTCs may now submit applications that respond to various requested actions and notifications pertaining to agent registrations. ME/MTCs have several requirements associated with agents, for example, updating information previously submitted within an agent’s application and notifying the Commission when active agents no longer are employed at the facility.

These following applications can facilitate these reporting and notification requirements:

- Replacement Card Application
- Change of Name Application
- Amendment Application
- Surrender Application

Type of Application	What is this application for, and how is it submitted?
Replacement Card Application	This application is for replacing a missing or lost agent card. The system user can access an agent’s registration, list the reason for the replacement, pay a \$10 fee, and then submit the request.
Change of Name Application	This application is for an agent to change their name in the applicable system and on their registered agent card. For example, someone who recently changed their last name due to marriage would be able to use this application. The system user can access an agent’s registration, list the reason for the change of name, submit documentation showing the name has been legally changed, pay a \$10 fee, and then submit the request.
Amendment Application	This application is for edits to information like an agent’s contact, background disclosures, affiliations with other ME/MTCs, etc. The Commission does not charge a fee with this application or send a replacement card as a result. If a registration update requires a replacement card, the system user should order one using the Replacement Card Application process stated above.
Surrender Application	This application is for surrendering an agent registration following an agent’s departure from an establishment (e.g. resignation, termination, etc.) The system user can access an agent’s registration, describe why the agent no longer needs a registration, and submit the application.



VIII. Agent Registration Renewal

ME/MTCs must renew agent registrations periodically for agents to remain active, manage seed-to-sale tracking through Metrc, and perform operations associated with the applicable license. The following is the renewal schedule for ME/MTC agents:

ME/MTC Agent Registration Renewal Schedule	
Type of Agent Registration:	How often is the renewal needed?
ME Agents (Excluding ITL Agents)	<ul style="list-style-type: none"> Once approved, the agent’s registration is valid for one (1) year. Once the first renewal application is approved after the first year, the agent’s registration is valid for three (3) years.
MTC Agents	<ul style="list-style-type: none"> Once approved, the agent’s registration is valid for one (1) year. Once the first renewal application is approved after the first year, the agent’s registration is valid for three (3) years.
ITL Agents	<ul style="list-style-type: none"> Once approved, the agent’s registration is valid for one (1) year. The agent’s registration must be renewed annually.

All ME/MTC agent renewal applications are submitted electronically through the Commission’s MassCIP system at MassCIPPortal.com. MTC agents are registered through MMJOS within MassCIP. Once licensees log in, they may start a renewal application for any agent whose registration will expire in 120 days or less.

Before an agent registration expires, the ME/MTC should start a renewal application in MassCIP. Starting a new renewal application will prompt the user to enter the current agent registration number (either “ARN” for Adult Use or “A” for Medical Use) and enter the required information and payment to proceed. Similar to initial applications, renewals will be reviewed in the order in which they were submitted in the system.

Upon renewal, ME/MTCs are required to update previously submitted agent registration applications if there is new or changed information relevant to the agent. The table below identifies common things that may change over time (this is not an exhaustive list):



Requirement:	Did it change?
Name of Agent	The individuals got married or changed their name for various reasons.
Agent's Address	The individual moved to a new residence.
Agent's Mailing Address	The individual moved to a new residence or has chosen a new location to receive their mail.
Photo of Proposed Agent	An individual's physical features may change significantly over time; the photo on the registration card should represent the individual's current identity.
Individual's Role at the Establishment	The individual changes positions and gets promoted.
Identification Document	The individual's Government ID expired.
Demographics	The individual may not want to disclose this information, or feel their demographics were misrepresented or are no longer up to date.
About the Marijuana Establishment	The individual may become registered under another license type (e.g. the agent was previously registered under a ME/MTC's cultivation license, but now wants to work under their retail license).
Background Information	New background events, cases, or matters may arise or no longer apply to the agent.

IX. Fees

ME/MTC Agent Registration Fees	
Application/Requirement	What needs to be paid?
New ME Agent Application	\$115
ME Agent Renewal Application	\$115
New MTC Agent Application	\$500
MTC Agent Renewal Application	\$500
ME/MTC Change of Name Application	\$10
ME/MTC Replacement Application	\$10



ME/MTC Amendment Application	\$0
ME/MTC Surrender Application	\$0

X. Metrc and Agent Registration

Metrc is the Commission-required seed-to-sale tracking system. This system allows for ME/MTCs and their employees to track all marijuana and marijuana products within the Commonwealth.

Once the Commission approves the ME/MTC’s provisional license and the ME/MTC pays their initial license fee, they can start registering agents. Licensees should register all owners first. After that, the ME/MTC can begin onboarding their license and all relevant employees into Metrc. For more information on trainings, onboarding, and other frequently asked questions about seed-to-sale tracking, please visit Metrc’s Massachusetts page at <https://www.metrc.com/massachusetts>.

Every agent will be assigned an Industry Identification Number (“IIN”) the day after their application is approved in MassCIP. The IIN is a system-generated number that will be available in MassCIP under the agent’s application or can be requested by emailing the Commission at Licensing@CCCMass.com. This number will also be printed on the agent’s registration card as a “B” followed by six digits.

Licensees must have at least one (1) owner approved as a registered agent with an IIN in order to start the process of becoming credentialed to gain access to Metrc.

XI. Additional Compliance Information for MEs, MTCs, and Registered Agents

MEs/MTCs must comply with specific requirements for agents:

Requirement:	Compliance:
Agent No Longer with ME/MTC	An ME/MTC must notify the Commission no more than one (1) business day after an agent ceases to be associated with the license. The Commission considers a submitted surrender application in MassCIP to meet this requirement.
Agent Information Changed	An ME/MTC is responsible for notifying the Commission within (5) five business days of any changes to the information that the licensee was previously required to submit to the Commission. Please note that the



	Commission considers a submitted amendment application in MassCIP to meet this notice requirement.
Product Discrepancies	ME/MTC Agents shall document and report any unusual discrepancy in weight or inventory to the Commission and Law Enforcement Authorities (local law enforcement includes police and fire departments within the municipality where the ME/MTC is sited) not more than 24 hours of the discovery of the discrepancy.
Accidents/Losses	ME/MTC Agents shall report to the Commission and Law Enforcement Authorities any vehicle accidents, diversions, losses, or other reportable incidents that occur during transport, not more than 24 hours of such accidents, diversions, losses, or other reportable incidents.
Personnel Records and Policies	All ME/MTCs must maintain personnel records in compliance with 935 CMR 500.105(9)(d) and 501.105(9)(d) that include background information, application materials, job description, and Responsible Vendor Training records. Additionally, all ME/MTCs must have personnel policies and procedures that include, at a minimum, a code of ethics, whistler-blower policies, and policies which notify persons with disabilities of their applicable rights.
Agent Training and Responsible Vendor Training	All ME/MTCs must ensure all agents complete a total of eight (8) hours of training for their position that must include, at a minimum, four (4) hours of training from a Responsible Vendor Training Program. All agents must complete the basic core curriculum of the Responsible Vendor Training within 90 days of hire. More information about agent training and the Responsible Vendor Training Program can be found in the Commission’s regulations pursuant to 935 CMR 500.105(2) and 501.105(2), and on the Commission’s website at MassCannabisControl.com/ResponsibleVendorTraining .

