

**Maryland Medical Cannabis Commission**

**Meeting Minutes**

**August 28, 2017**

**2:00 pm**

Harford County Council Building Council Chambers

212 S. Bond Street, 1st Floor

Bel Air, Maryland 21014

**Commissioners Present:**

Brian Lopez (Chairman)

Ehsan Abdeshahian

J. Charles Smith (Vice Chairman)

Jeffrey Gahler

John Gontrum

James Pyles

Rachel Rhodes

Nancy Rosen-Cohen

Scott Welsh

Alvin Davis

**Commissioners Absent:**

Paul Davies

Charles LoDico

Jean Gilmor Marshall

Barry Pope

Saundra Washington

**Staff Present:**

Patrick Jameson, Executive Director

Mary-jo Mather, Director of Administration

Myesha McQueen, Administrative Specialist

Precious Wells, Administrative Specialist

Fakiza Rahman, Quality Assurance Manager

Kristen Shreves, Quality Assurance Specialist

Heather Nelson, Assistant Attorney General

David Kloos Director, Bureau of Enforcement and Compliance

Lori Dodson, Director of Compliance for Independent Testing Laboratories

**CALL TO ORDER**

Chairman Lopez called the meeting to order at 2:06 pm and welcomed the attendees. Chairman Lopez requested the Commissioners individually introduce themselves. Ten members were present and thus a quorum was achieved.

**APPROVAL OF THE MINUTES**

Chairman Lopez asked if Commissioners had time to review the draft minutes of the August 14, 2017 meeting and if there were any comments. He then asked for a Motion to Approve the amended minutes, which was offered by Commissioner Smith and seconded by Commissioner Rosen-Cohen. The August 14, 2017 minutes were approved unanimously.

**EXECUTIVE DIRECTOR’S REPORT**

Executive Director Patrick Jameson began by reiterating that the Commission has made tremendous progress in the last year, and once the companies become licensed, it is incumbent upon them to operate with the highest ethical standards and create the best pharmaceutical grade medicine possible for these long-deserving patients. The Commission will ensure Medical Cannabis is produced, processed and dispensed in the most professional, safe and effective manner.

He reminded the industry leadership and Chief Executive Officers of his previous comments concerning racial diversity. On August 26, 2016, in his remarks to all pre-approved Processor and Grower owners, he requested that the pre-approved entities practice minority inclusion, while also seeking out minority investors, partners and employees. In addition, he reminded these businesses that each licensed grower company will be required to submit an annual report to the commission regarding the licensee’s minority owners and employees. Per the Health-General Statute 13-3306 §9; beginning June 12016, a licensed Grower ***shall*** report annually to the Commission on its minority owners and employees. Mr. Jameson requested that the Commission expand this mandate to include Processor and Dispensaries in this mandate. The Commission expects full minority inclusion in all aspects of the medical cannabis industry in Maryland. Additionally, these businesses are encouraged to seek, hire, and retain economically disadvantaged individuals. Once fully operational, it is expected that this industry will have a real economic impact.

On April 27, 2017 Governor Hogan directed the Governor’s Office of Minority Affairs to initiate a disparity study of the State’s regulated medical cannabis industry and market. The Governor’s Office of Minority Affairs was directed to work together with the Commission and the Maryland Department of Transportation to complete a disparity study as expeditiously as possible in order to ensure diversity in Maryland’s medical cannabis industry. The Commission is working with those agencies to achieve these goals.

Mr. Jameson stated that he wanted to set public expectations concerning the rollout and supply of medical cannabis. He stated that he had no intention of speaking for industry operators. However, he reiterated that this is a new industry in Maryland, and because the industry is in its infancy no one should have any expectation that the market will be fully supplied at the onset of the program and that quality pharmaceutical medicine is what is being produced. Grower and Processor Licensees must follow specific processes, and they must have the required detailed written standard operating procedures for all cultivation and processing operations.

Every batch and lot must be uniquely identified and tracked through the Marijuana Enforcement Tracking Reporting and Compliance system through all stages of the production process. Every batch and lot must be analyzed by an Independent Testing Laboratory. Every batch and lot must be labeled with cannabinoid ingredients. Records retention is required for all stages of the production process. The goal is to produce effective pharmaceutical medicine that is consistent from batch to batch and lot to lot.

He stated that every Grower will go through the same process, beginning with the immature plant, the vegging plant, the flowering phase, followed by harvesting, lab testing, and upon successful testing, cannabis or cannabis-infused products will be packaged, transferred, and moved out to the Dispensary. He stated these steps because he did not want there to be any public misunderstanding of the process, or unrealistic expectations. When the Commission announces the availability of medical cannabis on day one, the market will be fully operational and product readily available. However, it probably will not be widely available until the program ramps up, reflecting is a normal production supply/chain process. Mr. Jameson stated that producing quality medicine is not an easy undertaking or task, and there must be an understanding that this will take time.

Mr. Jameson stated that a is it is past the August 14, 2017 deadline for pre-approved Growers and Processors to be operational, there are three classes of pre-approved companies left that the Commission must consider for licensing. First, there were two companies that were being inspected the day of the August 14, 2017 deadline, and the reports of the Division of Enforcement and Compliance have been submitted to the Commission for approval. Second, several companies have been inspected since the last meeting and have been forwarded to the Commission for approval. Third, there are several companies that were not ready for inspection and have requested extensions in order to complete the requirements to become operational.

The Bureau of Enforcement and Compliance has submitted for the Commissioners review and consideration of licensure for the following companies: for Growers: Shore Natural Rx LLC (Worcester County); SunMed Growers LLC (Cecil County); Grow West MD LLC (Garrett County). For Processors the following entities are under consideration: Chesapeake Alternatives LLC (Queen Anne’s County) and Pro Green Medical LLC (Frederick County)

Extensions have been submitted from the following companies; for Growers: Doctors Orders Maryland LLC (Dorchester County), Kind Therapeutics USA LLC (Washington County). For Processors: AFS Maryland LLC (Wicomico County), Seven Points Agro-Therapeutics LLC, (Prince George’s County), Rosebud Organics LLC (Montgomery County), FGM Processing LLC (Charles County), and Pharmaculture Corporation (Allegany County).

Mr. Jameson reiterated what he stated at the May 17, 2017 meeting concerning lab testing. Analytical testing of medical cannabis for safety and potency is recognized as a critical and necessary component of the industry. Laboratory testing minimizes the risk of pesticides, residual solvents, microbiological impurities, and heavy metals from being consumed by an immuno-compromised population. Quantification of cannabinoid profiles and potency and laboratory testing provides safety for the consumer, and aides in determining appropriate dosing for public safety and product quality.

The Maryland Medical Cannabis Commission, with the help of a scientific work group, has established a reference guide for the Independent Testing Labs to follow when analyzing medical cannabis. This guidance provides the list of contaminants and associated tolerances that the Independent Testing Labs are required to report as stated in COMAR. This fifteen-page document is posted online. Mr. Jameson wanted to acknowledge the hard work of the Commission’s Director of Compliance for Independent Testing Labs, Lori Dodson, who worked with the scientific work group to complete this guidance. There is one Independent Testing Lab entity for the Commission’s consideration, and review of a provisional registration for Advent Laboratories INC (Baltimore County).

The patient rollout continues, and Mr. Jameson reported that currently there are over 12,000 patients registered. There are 346 physicians, 62 nurse practitioners and midwives, 15 dentists, and 1 podiatrist, totaling 424 registered providers.

He ended his report by stating that there are numerous policy issues which need immediate resolution, and Mr. Jameson looks forward to working with the Policy Committee to resolve these matters.

**COMMITTEE REPORTS**

Chairman Lopez explained that since the Commission has reconstituted the committees with new Commissioners, the Committees will start to meet next week. There were no Committee Reports offered at this meeting.

**Final Review Subcommittee Report: Commissioner Ehsan Abdeshahian**

Commissioner Abdeshahian reported that the Final Review Subcommittee had met after receiving the final reports from the Bureau of Enforcement and Compliance. The first review was on Grow West, LLC to consider the report provided by Senior Investigator Mark Rodeheaver. The investigative summary, financial summary, and inspection summary were provided, and no information was identified that would prohibit the applicant from being licensed. The Final Review Subcommittee (by a vote of 5-0) determined that the applicant has met the requirements, and recommends that the Commission issue a Grower license to Grow West, LLC with the stipulation that a fence be erected according the specifications set forth in its initial application. Commissioner Rosen-Cohen offered a Motion to issue a Grower license to Grow West contingent upon compliance with the original application, specifically installing a fence per the description on their original application. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Grower license.

Commissioner Abdeshahian reported the second review was for SunMed Growers, LLC to consider the report provided by Senior Investigator Garrett Keene. The investigative summary, financial summary, and inspection summary were provided, and no information was identified that would prohibit the applicant from being licensed. The Final Review Subcommittee (by a vote of 5-0) determined the applicant has met the requirements and recommends that the Commission issue a Grower license to SunMed Growers, LLC. Commissioner Rosen-Cohen offered a Motion to issue a grower license to SunMed Growers, LLC. Commissioner Abdeshahian seconded this motion. Commissioner Scott Welsh recused himself from this vote. Eight Commissioners voted to license SunMed and no Commissioners opposed.

Commissioner Abdeshahian reported the third review was for Shore Natural Rx LLC to consider the report provided by Senior Investigator James Pilchard. The investigative summary, financial summary, and inspection summary were provided and no information was identified that would prohibit the applicant from being licensed. The Final Review Subcommittee (by a vote of 5-0) determined the applicant has met the requirements, and recommends that the commission issue a Grower license to Shore Natural Rx LLC. Commissioner Rosen-Cohen offered a Motion to issue a Grower license to Shore Natural Rx LLC. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Grower license.

Commissioner Abdeshahian the fourth review was for Pro-Green Medical LLC, to consider the report provided by Senior Investigator Mark Rodeheaver. The investigative summary, financial summary, and inspection summary were provided, and no information was identified that would prohibit the applicant from being licensed. The Final Review Subcommittee (by a vote of 5-0) determined that the applicant has met the requirements, and recommends that the Commission issue a Processor license to Pro-Green Medical LLC. Commissioner Rosen-Cohen offered a Motion to issue a Processor license to Pro-Green Medical LLC. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Processor license.

Commissioner Abdeshahian reported the fifth review was for Chesapeake Alternatives LLC, to consider the report provided by Senior Investigator James Pilchard. The investigative summary, financial summary and inspection summary were provided, and no information was identified that would prohibit the applicant from being licensed. The Final Review Subcommittee by a vote of 5-0 determined the applicant has met the requirements, and recommends that the Commission issue a Processor license to Chesapeake Alternatives LLC. Commissioner Rosen-Cohen offered a Motion to issue a Processor license to Chesapeake Alternatives LLC. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Processor license.

Commissioner Abdeshahian reported that the sixth review was for Advent Laboratories, to consider the report provided by Director of Laboratory Compliance Lori Dodson. The investigative summary was provided. Ms. Dodson also reported that in addition to her inspection of the laboratory, the State Chemist from the Maryland Department of Agriculture also attended the inspection. The final inspection had three follow up items for compliance which the inspector has indicated have been fully satisfied. The Final Review Subcommittee (by a vote of 4-0) determined that the applicant has met the requirements, and recommends that the Commission issue a provisional registration for a period of one year, pending issuance of a Certificate of Accreditation. Commissioner Rosen-Cohen offered a Motion to issue a provisional registration pending the issuance of a Certificate of Accreditation. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the provisional registration.

**New Business**

Chairman Lopez noted that at the last meeting Commissioner Gontrum had asked if the limit of 15 Processors licenses would be lifted. Fifteen pre-approvals were granted for Processors, and the Commission is looking into the matter of releasing the additional Processors ranked 16-30. The Commission has decided to open this up to public. Written comments have been received and distributed to the Commissioners for review. Oral comments were also received. No vote was made to release the additional Processor pre-approvals, as the comments were for review purposes, and a decision regarding this issue may be made at the following Commission meeting. Chairman Lopez requested that the commenters stay on the topic of releasing additional pre-approvals for processors. Representatives from the following companies presented oral comments: Blair Wellness Center, Citiva Maryland, Chesapeake Alternatives, ForwardGro, Pro-Green, the Town of Hancock, MD, Greenwill Consulting Group, and CANMED.

**Adjournment**

There being no further discussion, Commissioner Rosen-Cohen offered a Motion to Adjourn, which was appropriately seconded by Commissioner Abdeshahian. The Motion passed unanimously and the meeting adjourned at 3:15 pm.