



MARYLAND MEDICAL CANNABIS COMMISSION
MARCH 25, 2020 MEETING
Conducted Via Conference Call - 2:00 pm
MINUTES

COMMISSIONERS PRESENT

Brian Lopez, MMCC Chairman
Philip Cogan
Konrad Dawson
Liz Hines
Charles LoDico
Obi Onyewu
Tiffany Randolph
Charles LoDico
Nancy Rosen-Cohen
Sandy Washington
Scott Welsh

MMCC Staff Present

Will Tilburg, MMCC Executive Director
Lori Dawson, MMCC Deputy Director
Taylor Kasky, Director of Policy
David Torres, Director of
Communications
Tony Grover, Director, Bureau of
Enforcement and Compliance
Mary-jo Mather, Director of Administration
Tanmayee Pottur, IT Programmer Analyst
Manager
Kathryn Callahan, Policy Analyst
Christi Megna, Policy Analyst
Cheryl Cooper, Executive Assistant
Heather Nelson, Assistant Attorney General
Matt McCarthy, Assistant Attorney General

COMMISSIONERS ABSENT

Ehsan Abdeslahian
Jinlene Chan
Megan Dingus

CALL TO ORDER

Chairman Lopez called the meeting to order at 2:06 pm. A roll call was conducted, and a quorum was present.

CHAIRMAN'S REPORT

Chairman Lopez expressed thanks to MMCC staff for preparing all the reports for Commissioner consideration, and thanked all listening for their patience for joining the meeting held via teleconference. He noted that all future meetings conducted via conference calls will be for the purpose of discussing essential business only. The Executive Committee meets regularly to review and discuss non-policy related emergency issues. The public is welcome to communicate any questions or concerns by calling the Commission or to information.mmcc.maryland.gov.

Chairman Lopez announced with great sadness the death of Fakiza Rahman, the MMCC Director of Operations. While not seen often by the public, Ms. Rahman was instrumental in running the administrator and IT sides of the patient, caregiver and medical provider registries. Chairman

Lopez extended condolences to Ms. Rahman's husband, two children and family, and noted that all MMCC staff members are grieving for their friend and colleague.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Will Tilburg thanked Commissioners for their flexibility to meeting via conference call. Mr. Tilburg provided an overview of the final legislative actions of the Maryland General Assembly, which adjourned early due to the corona virus pandemic.

- House Bill 378: Effective October 1, 2020, Physicians Assistants will be authorized to recommend medical cannabis to patients, as long as a delegation agreement exists with a certifying physician.
- House Bill 617: Effective June 1, 2020, minor patients will be able to access medical cannabis on school grounds administered by a parent or legal guardian. The Commission and the Maryland Department of Education will work to develop guidelines by December 31, 2020, to allow certain school employees, authorized by the minor child's parent or legal guardian, to administer medical cannabis, in lieu of a visit for this purpose by the minor child's parent or legal guardian.
- House Bill 870: Compassionate Use Fund: The Fund was part of House Bill 2 passed in the 2018 legislative session, but it was not funded. House Bill 870, with assistance from Delegate Pena-Melnick, identified a fee structure which will be partially funded by the Maryland Medical Cannabis Commission. An amendment was added to rename the Compassionate Use Act to the Fakiza Rahman Act. Mr. Tilburg noted that this measure is tremendously fitting to acknowledge Ms. Rahman's help in successfully registering more than 95,000 patients, while helping seriously and terminally ill patients, even as she became a medical cannabis patient while battling cancer.

Executive Director Tilburg stated that the Commissioners and staff are thrilled to honor Ms. Rahman in this way, and look forward to working with stakeholders to honor the integral role she played, and noted that she is greatly missed by all, and as Executive Director, extended his condolences to Ms. Rahman's two children, husband and her extended family.

COVID-19 AND MMCC OPERATIONS

Mr. Tilburg noted that the MMCC has complied with the Governor's declaration of a State of Emergency, and other requirements and stated that currently all staff is teleworking to prevent the spread of the virus, except for those employees deemed essential. Essential employees include those serving patients through the call center, and those reviewing and registering medical cannabis patient and caregiver applications.

The Commission has also issued several Bulletins to alter medical cannabis licensee operations to reduce the spread of the virus, and to ensure the safety of licensee staff and patients. The Bulletins, which are posted on the Commission's website at mmcc.maryland.gov, require social distancing among employees and between employees and patients; requiring repeated disinfecting of frequently touched surfaces; staggering and or reducing staff to limit the spread of the virus; eliminating "sniff jars" or deli-style sales in dispensaries and encouraging licensees to provide curbside delivery, in addition to home delivery. The Commission also announced that it is expediting processing of Agent badges, to recognize the large number of employees who have not

been able to work because of school closings so that operations will not be affected. Last, the Commission is now authorizing the use of telehealth services, but registered medical providers may only recertify current patients. New patients must still be seen face-to-face for their initial certification. Mr. Tilburg encouraged those having questions about the new requirements to send their questions to enforcement.mmcc@maryland.gov.

Executive Director Tilburg concluded his report by announcing new executive staff. Ms. Taylor Kasky, who previously served as the Associate Director of Policy, has been promoted to Director of Policy, a role he held previous to his appointment as Executive Director. He noted that she has successfully handled drafting position papers, testimony, and policy research, and she will now serve, as well, as the chief regulations drafter. Mr. Lopez complimented Ms. Kasky on her contributions during the 2020 Legislative Session, and noted that he has received nothing but compliments from MGA staff and stakeholders about her work.

Mr. Tilburg then announced that Tony Grover has accepted the position of Director of Enforcement and Compliance, having previously served for more than three decades in various capacities in the Anne Arundel Police Department in many leadership roles.

The Executive Director concluded his report by noting that the Medical Cannabis Commission continues to evaluate methods to reduce the spread of COVID 19 among medical cannabis licensees and patients, and any new requirements will be posted in Bulletins on the website.

FINAL REVIEW SUBCOMMITTEE REPORT AND FULL COMMISSION VOTES

Commissioner Nancy Rosen-Cohen, also serving as Chair of the Final Review Subcommittee presented her report, after Chairman Lopez listed the COMAR prerequisites for final licensure.

- **Dispensary License: Sugarloaf Enterprises LLC, dba gLeaf in Senatorial District 17:** Ms. Rosen-Cohen provided a summary of the investigatory reports. She also clarified that conditions are imposed on this Dispensary license, noting that the Final Review Subcommittee, in developing their recommendation for this entity, relied upon the final order entered by the Circuit Court for Montgomery County on or about September 27, 2019 in which the Circuit Court entered a judgment resolving certain disputes as to the ownership of the applicant entity. An appeal has been taken from this judgment; however the judgment stands pending appeal. If the underlying Order entered by the Circuit Court for Montgomery County is in any way overturned or amended upon review by the Maryland Court of Special Appeals, or the Maryland Court of Appeals, the Commission shall revisit this matter and may take action necessary to reconcile the licensing matter with any superseding judicial order. Ms. Rosen-Cohen provided a Motion to approve this license, *subject to the conditions to be imposed*; her Motion was seconded by Commissioner Cogan. After a request to clarify the order, the Motion was approved, with no abstentions or nays.
- **Ancillary Business Registration: High Road Delivery LLC** Commissioner Rosen-Cohen read the regulatory requirements for ancillary businesses, and offered a Motion to approve the registration, with a second provided by Commissioner LoDico. The Motion was approved, and there were no abstentions or nay votes.

- **Ancillary Business Registration: Chesapeake Security LLC**
Commissioner Cogan offered a Motion to approve the registration, with a second provided by Commissioner Rosen-Cohen. The Motion was approved, and there were no abstentions or nay votes.
- **Ancillary Business Registration: Qualls Security and Investigations INC**
Commissioner Lopez offered a Motion to approve the registration, with a second provided by Commissioner Onyewu. The Motion was approved, and there were no abstentions or nay votes.

The Chairman polled all Commissioners a second time to verify all the votes on the matters at issue.

NEW BUSINESS

There was no new business.

ADJOURNMENT

Chairman Lopez concluded by reminding the public that they may submit any questions or comments to the Commission via telephone or email, and announced that the next full Commission meeting will be held on April 22, again by teleconference. He also recognized the MMCC staff for their efforts to not only work with the medical cannabis industry, but to continue to facilitate providing medical cannabis to Maryland patients. After a request for a Motion to adjourn which was offered by Commissioner Rosen-Cohen, the meeting adjourned at 2:56 pm.