

**Maryland Medical Cannabis Commission**

**Meeting Minutes**

**August 14, 2017**

**2:00 pm**

Harford County Council Building Council Chambers

212 S. Bond Street, 1st Floor

Bel Air, Maryland 21014

**Commissioners Present:**

Barry Pope

Brian Lopez (Chairman)

Charles LoDico

Ehsan Abdeshiahian

Hon. J. Charles Smith

Hon. Jeffrey Gahler

Jean Gilmor Marshall

John Gontrum

Barry Pope

Nancy Rosen-Cohen

Saundra Washington

Scott Welsh

**Commissioners Absent:**

Alvin Davis

James Pyles

Paul Davies

Rachel Rhodes

**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

Heather Nelson, Assistant Attorney General

David Kloos Director, Bureau of Enforcement and Compliance

Lori Dodson, Director of Compliance for Independent Testing Laboratories

Kristen Shreves, Patient and Caregiver Registries

**CALL TO ORDER**

Chairman Lopez called the meeting to order at 2:05 pm and welcomed the attendees. Chairman Lopez asked Myesha McQueen to conduct a roll call, 11 members were present and a quorum was achieved.

**APPROVAL OF THE MINUTES**

Chairman Lopez asked if Commissioners had time to review the draft minutes of the November 4, 2016 meeting. He then asked for a Motion to Approve the Minutes, which was offered by Commissioner Rosen-Cohen and seconded by Commissioner Smith. The November 4, 2016 minutes were approved unanimously. Chairman Lopez asked if Commissioners had time to review the draft minutes of the July 5, 2017 meeting. He then asked for a Motion to Approve the Minutes, which was offered by Commissioner Rosen-Cohen and seconded by Commissioner Marshall. The July 5, 2017 minutes were approved unanimously.

**EXECUTIVE DIRECTOR’S REPORT**

Executive Director Patrick Jameson began by welcoming the new Chairman Brian Lopez and new Commissioners. He wanted to acknowledge the hard work of the previous commissioners, some who had dedicated 5 years of service to developing the medical cannabis program. Specifically, he wanted to thank the former Chairman Dr. Paul Davies for his support and leadership and for assisting the new Chairman during the transition. Mr. Jameson also thanked Vice Chairman Harry (Buddy) Robshaw for his support and dedication. He noted that Chief Robshaw has borne the brunt of some unfounded attacks on his character regarding Commission matters in the past, and commented that he handled all of these attacks as a true professional, and that his service is appreciated by the entire Commission.

Mr. Jameson is very optimistic about the progress in getting the new industry off the ground, and this is directly due to the previous commissioners’ hard work, expertise and dedication. It has always been the intention of the State of Maryland to have a world class medical cannabis program, and the new Commissioners will accomplish this by building on the work of the previous Commissioners, with the ultimate goal of helping thousands of sick people get relief. Mr. Jameson reiterated that this is a new and changing industry and it may take several years to reach full maturity. He noted further that the Commission has made tremendous progress, and that 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.

Executive Director Jameson reported that the Bureau of Enforcement and Compliance has been working diligently to complete all background investigations. The Commission wants to see all of the pre-approved companies become successful, but will tightly regulate the industry.

Mr. Jameson is very impressed with the seriousness and professionalism in which these companies intend to operate, and stated that this industry will have a real economic impact once these companies are fully operational. While speaking with the Town Manager in Hancock, Maryland, it was made clear the Medical Cannabis companies are bringing significant economic development to many parts of that region.

August 14, 2017 was the final day of the Stage Two approval process for Growers and Processors. This process has included completing financing arrangements, zoning, construction, hiring and training, and being prepared to open. The Commission has investigated the applicants’ financial background for their principals, directors and investors of 5% or more. The applicants then notify the Commission when they are ready for inspection of the premises and operations, if they have provided all of the necessary information to the Commission and the Bureau of Enforcement and Compliance. The Bureau will then inspect the facility and review all of the SOP’s and training. The Commission has consistently reminded the industry applicants that it is incumbent upon them, the applicant, to have all occupancy and building permits and zoning approvals completed prior to requesting final inspection from the Commission. Numerous announcements have been made to the applicants to submit their Stage Two applications in a timely manner. The Bureau of Enforcement and Compliance has submitted for the Commissioners review and consideration of licensure for the following companies: Blair Wellness Center LLC (Worcester County) for a Processor License, Curio Cultivation LLC (Baltimore County) for a Grower license and Curio Manufacturing LLC for a Processor License (Baltimore County), Freestate Wellness LLC (Howard County) for a Grower License, Harvest of Maryland LLC (Washington County) for a Grower License, HMS Health LLC (Frederick County) for a Grower License, Holistic Industries LLC (Prince George’s County) for a Grower and Processor License, Green Leaf Medical LLC (Frederick County) for a Grower License, Maryland Compassionate Care and Wellness LLC-DBA Grass Roots (Carroll County) for a Grower and Processor License, and Temescal Wellness of MD (Baltimore City) for a Grower License. On the date of this meeting two Grower inspections were being conducted at Grow West MD LLC (Garrett County) and SunMed Growers LLC (Cecil County).

Two state-wide laboratories will potentially be ready for approval within the next two weeks. As for the remaining Grower, Processor and Dispensary pre-approved applicants, per Maryland Code 10.62.08.06 Section E for Growers, 10.62.19.05 Section E for Processors and 10.62.25.06 Section E for Dispensaries all state the Commission ***may*** rescind the pre-approval for grower, processor, or dispensary license if they are not operational within one year of pre-approval. It is understood that building a manufacturing or processing plant can be a difficult process, and localities in Maryland have different zoning processes and requirements, but would like to reiterate that the Commission has no legal authority to get involved in any local zoning issues. Zoning issues are the exclusive domain of each jurisdiction. Mr. Jameson would like to urge the Commissioners to evaluate any pre-approved applicants for review on a case by case basis that did not make the deadline. In order to facilitate this process, the Bureau of Enforcement and Compliance has requested that any company that is not going to be operational by the August 14, 2017 deadline submit a detailed letter to the Commission. The new Commissioners may be interested in any zoning issues, or any other problems that may be outside of the pre-approved applicants’ control. The Commission has requested detailed explanations, including accounting of time necessary for completion, anticipated timelines and monies expended to date. However, failure to execute on a business plan or individual financial issues may not be a reasonable reason for an extension, but Mr. Jameson will leave this decision up to the Commissioners. It is known that there is a group of companies awaiting their chance at licensure and Mr. Jameson urges the Commission to move quickly within the next two weeks to resolve this matter. Dispensaries must be operational by December 8, 2017.

As reported in the press, the Bureau of Enforcement and Compliance is investigating any conflicts of interest between subject matter experts and applicants. Prior to Mr. Jameson’s arrival the Commission signed a Memorandum of Understanding with the Regional Economic Studies Institute of Towson (RESI). The memorandum provided that RESI would manage the entire application process. The Commission takes its role concerning the integrity of the Medical Cannabis program and a fair application process very seriously and has been closely monitoring any and all situations of non-compliance to ensure the public trust. The Commission has since requested all the applicants to disclose any known relationships at the time of their application with any of RESI subject matter experts. The Commission is aware of some ties that RESI subject matter experts may have had with some unsuccessful applicants. The Bureau of Enforcement and Compliance is currently investigating these issues as well as one Processor to evaluate a potential conflict of interest. The Commissioners will evaluate all available background information prior to their deliberative process before issuing any licenses. Mr. Jameson would also like it known that each subject matter expert only scored one portion of each category of an application, so each expert had a limited area they scored.

Mr. Jameson explained the Commission is trying to be a very customer service-oriented agency and wanted to acknowledge Fakiza Rahman, Quality Assurance Manager. She and her team oversee the part of the program where thousands of calls and thousands of emails have been responded to since April. Fakiza and her team have been able to provide good customer service to thousands of potential patients. The number of registered patients is now over 9,000, with over 12,000 to be registered in the very near future. There are 321 registered caregivers with 81 pending. To date 401 providers have registered, which includes all categories of providers.

Mr. Jameson expressed there are numerous policy issues that need immediate resolution, and he looks forward to working with the new Policy committee chairman to resolve these matters.

**COMMITTEE REPORT**

Chairman Lopez explained that since the Commission has many new members it was necessary to reconstitute the committees, and is pleased to announce that chairs have been appointed to all committees, and they will be meeting more frequently starting next month.

**Final Review Subcommittee Report: Commissioner Saundra Washington**

Commissioner Washington 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 Freestate Wellness 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 4-0, determined that the applicant has met the requirements and recommends to the Commission that they issue a Grower license to Freestate Wellness LLC. Commissioner Rosen-Cohen offered a Motion to issue a Grower license to Freestate Wellness. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Grower license.

Commissioner Washington continued her report regarding the second entity review, Green Leaf Medical LLC, to consider the report provided by Senior Investigator Mark Rodeheaver. The investigative summary, financial summary, 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 4-0, determined the applicant has met the requirements and recommends that the Commission issue a Grower license to Green Leaf Medical LLC. Commissioner Rosen-Cohen offered a Motion to issue a Grower license to Green Leaf Medical LLC. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Grower license.

Commissioner Washington reported that the third review was of entity Harvest of Maryland 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 4-0, determined the applicant has met the requirements and recommends that the Commission issue a Grower license to Harvest of Maryland LLC. Commissioner Rosen-Cohen offered a Motion to issue a Grower license to Harvest of Maryland LLC. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Grower license.

Commissioner Washington reported that the fourth review was on HMS Health 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 4-0, determined the applicant has met the requirements and recommends that the Commission issue a Grower license to HMS Health LLC, with the stipulation that a fence is erected according the application. Commissioner Rosen-Cohen offered a Motion to issue a Grower license to HMS Health LLC 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 Washington reported that the fifth review was on Temescal Wellness of MD 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 4-0, determined the applicant has met the requirements and recommends that the Commission issue a Grower license to Temescal Wellness of MD. Commissioner Rosen-Cohen offered a Motion to issue a Grower license to Temescal Wellness of MD. Commissioner Smith seconded this motion. The Commission voted unanimously to issue the Grower license.

Commissioner Washington reported that the sixth review was on Curio Cultivation LLC (Grower) and Curio Manufacturing LLC (Processor) 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 4-0, determined the applicant has met the requirements and recommends to the Commission to issue a grower and processor license to Curio Cultivation LLC and Curio Manufacturing LLC, respectively. Commissioner Rosen-Cohen offered a Motion to issue a Grower license to Curio Cultivation LLC. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Grower license. Commissioner Rosen-Cohen offered a Motion to issue a Processor license to Curio Manufacturing LLC. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Processor license.

Commissioner Washington reported that the seventh review was on Holistic Industries 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 4-0, determined that the applicant has met the requirements and recommends that the Commission issue a Grower and Processor license to Holistic Industries. Commissioner Rosen-Cohen offered a Motion to issue a Grower license to Holistic Industries. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Grower license. Commissioner Rosen-Cohen offered a Motion to issue a Processor license to Holistic Industries. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Processor license.

Commissioner Washington reported the eighth review was on Maryland Compassionate Care and Wellness, DBA Grass Roots, 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 4-0, determined that the applicant has met the requirements and recommends that the Commission issue a Grower and Processor license to Maryland Compassionate Care and Wellness (DBA Grass Roots). Commissioner Rosen-Cohen offered a Motion to issue a Grower license to Maryland Compassionate Care and Wellness (DBA Grass Roots). Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Grower license. Commissioner Rosen-Cohen offered a Motion to issue a Processor license to Maryland Compassionate Care and Wellness (DBA Grass Roots). Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Processor license.

Commissioner Washington reported the ninth review was on Blair Wellness Center 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 4-0, determined that the applicant has met the requirements and recommends to the Commission to issue a processor license to Blair Wellness Center. Commissioner Rosen-Cohen offered a Motion to issue a Processor license to Blair Wellness Center. Commissioner Abdeshahian seconded this motion. The Commission voted unanimously to issue the Processor license.

Chairman Lopez announced the next commission meeting will take place August 28, 2017 at the same location at the Harford County Council Building Council Chambers, 212 S. Bond Street, 1st Floor, Bel Air, Maryland 21014 at 2 pm. He advised there are a lot of inspections in the near future and the Final Review Committee will need time to review requests and they will do their best to move things through in a timely manner.

**New Business**

Chairman Lopez asked those attending if they had any new business to discuss. Commissioner Gontrum asked Mr. Jameson if the limit of 15 processors would be lifted. Mr. Jameson explained that it was never meant to be a permanent cap and if the Commission decides, it could be brought up in a couple of weeks. Chairman Lopez advised this issue would be tabled until the next meeting.

**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 2:58 pm.