

Medical Cannabis Policy Advisory Board Meeting Minutes

Tuesday, March 19, 2024, 2:00pm-5:00pm

This meeting was held in person and virtually.

This meeting was recorded. An audio copy of this recording can be found on the Utah Public Notice Website (<https://www.utah.gov/pmn/>).

Visit the board's website for more information on past meeting minutes and agendas (<https://medicalcannabis.utah.gov/>).

Attendees

Board members attending: JD Lauritzen, Matthew Page, Nanette Berezny, Desiree Hennessy, Misty Smith, PhD, Kent Andersen, Jimmy Higgs, Chris Morgan, APRN, and Cami Clark, CMHC.

DHHS/UDAF staff attending: Richard Oborn, Abigail Hodgson, Trevor Eckhoff, Jeremiah Sniffin, Dr. Brandon Forsyth, Cody James, Sara Lealos, Aimee Isom, Alyssa Smalles, Dr. Michelle Hofman, Ashley Moretz, Mark Fitu, and Sarah Dash.

Agenda

1. Welcome

Mr. Lauritzen acknowledged that there was a quorum so the meeting could proceed at approximately 2:02pm.

2. Board approval of February 2024 and March 7, 2024 minutes

Mr. Lauritzen asked the board if there were any proposed changes to the [February 2024 minutes](#) by the board. There were no changes proposed. Mr. Page motioned to approve the minutes and Ms. Berezny seconded the motion. The board voted unanimously to approve the February 2024 minutes.

Mr. Lauritzen asked the board if there were any proposed changes to the [March 7, 2024 minutes](#) by the board. There were no changes proposed. Mr. Page motioned to approve

the minutes and Mr. Morgan seconded the motion. The board voted unanimously to approve the March 7, 2024 minutes.

3. Board administrative business

Mr. Lauritzen led a discussion with board members about how to present agenda items during board meetings. Board members discussed who the appropriate person to present policy items would be and talked about possible solutions for the future. Board members were in agreement that there can be more involvement from board members who have expertise on specific topics and who are supportive of specific law changes. Mr. Oborn indicated that it is appropriate for the DHHS policy analyst to conduct research on topics as requested by the Board and to report the results of the research to a Board member who would be the one to orally present on a proposal to change a particular statute. The Board also discussed the role of regulatory agencies.

4. DHHS and UDAF update

DHHS updates:

- Mr. Oborn shared updated information on program statistics, changes to current Department of Health and Human Services (DHHS) software system, and operations of the University of Utah Center for Medical Cannabis Research. Mr. Oborn also reminded board members of the upcoming Cannabis Research Review Board's (CRRB) meeting on April 9, 2024.

UDAF updates:

- Dr. Forsyth and Mr. James shared updates on changes to current Utah Department of Agriculture & Food (UDAF) administrative rules regarding testing for THC-O-acetate (THC-OAc).

The board discussed the following about this agenda item:

- Mr. Page discussed impacts of testing for THC-OAc in products on cultivators and processors and asked about the potential for an emergency UDAF rule change which would allow some current products with THC-OAc into the market.

DHHS/UDAF staff clarified the following for the board:

- Dr. Forsyth commented that there needs to be adequate justification provided to the Utah Office of Administrative Rules to enact any additional emergency rule change related to THC-OAc.

The public gave the following comments about this agenda item:

- Alex Belisle from Pure UT Processing commented that his company had a bulk oil tested and proceeded to use that oil in three separate vape products. Two of these products were passed and one product failed, even though they all originated from the same bulk oil. Alex stated his concerns with the rule change on testing THC-OAc and suggested the limit for allowable acetates be raised until more research has been conducted on THC-OAc.
- Blake Smith from Zion Pharmaceuticals commented that he does not believe there should be an increase in the allowable limit of THC-OAc in medical cannabis products, as there is research stating acetate forms have been shown to be unhealthy. He stated that processors attested that they could provide clean and safe material that would not endanger patients, and that the rule should not be amended.

- **Utah legislative session debrief**

Mr. Lauritzen gave an update on Utah's 2024 legislative session bills that are relevant to Utah's medical cannabis program. This presentation included updates the following topics:

- Felony convictions
- Medical cannabis processor advertising and processor marketing
- Medical cannabis dosage forms
- Pharmacy ownership
- Legal dosage limit exceptions
- Business tax credits and decoupling
- Capping medical cannabis processor license
- Telehealth renewals

DHHS/UDAF staff clarified the following for the board:

- Mr. James stated that the industrial hemp bills that were signed by the governor are taking precedence over medical cannabis rule changes, but hopes to have drafts of rule changes to MCPAB at next month's meeting or at the May meeting.

5. Final packaging for vape cartridges

Mr. Lauritzen gave an update on packaging for vape cartridges. His comments included:

- Concerns expressed by processors on final packaging procedures.
- Concern by processors of microbial contamination in vape cartridges.

The board discussed the following about the presentation:

- Current storage processes of vape cartridges by medical cannabis processors.
- Ways to alleviate UDAF's concerns with packaging, labeling, and storage of vape cartridges.
- Concerns from processors regarding testing and storage of vape cartridges.

The board took the following action on this agenda item:

- Vote: Recommend to UDAF a change in the rule that will allow vape cartridges to undergo final testing in bulk as opposed to in final packaging.
 - Motioned: Mr. Lauritzen
 - 2nd: Mr. Page
 - Roll call vote:
 - Kent Andersen: Yea
 - Nanette Berezhnyy: Yea
 - Cami Clark: Yea
 - Desiree Hennessy: Yea
 - Jimmy Higgs: Yea
 - JD Lauritzen: Yea
 - Chris Morgan: Yea
 - Matthew Page: Yea
 - Misty Smith: Yea

6. Card renewals with a pharmacist

Mr. Lauritzen invited Mindy Madeo of Beehive Farmacy to present a statute change recommendation to allow card renewals with a pharmacist under a collaborative practice agreement. Her presentation included the following:

- Concerns with the current card renewal process with Qualified Medical Providers (QMPs).
- Why she believes pharmacists are qualified to complete card renewals if a patient's QMP enters into a collaborative practice agreement.
- Collaborative practice agreements in Utah.
- Possible framework on how to conduct card renewals with a pharmacist.
- Some of the benefits to medical cannabis patients.

The board discussed the following about the presentation:

- Ms. Hennessy voiced her desire for doctors to discuss medical cannabis with all of their patients.

- Mr. Morgan noted his concerns about Ms. Madeo's proposal, stating that allowing patients to renew their medical cannabis cards with a pharmacist may increase initial visit costs for patients, drive QMPS from the medical cannabis program, and decrease revenue for QMPs.
- Collaborative practice agreements and their applicability to medical cannabis.
- Ms. Clark commented that there should be discussion on patients with mental health issues renewing a card with a pharmacist.

7. Next meeting's agenda

Mr. Lauritzen encouraged board members to reach out to board staff with agenda recommendations.

8. Adjourn

Ms. Bereznyh motioned to adjourn the meeting and Dr. Smith seconded the motion. The board voted unanimously to end the meeting, and the meeting ended at approximately 4:03pm.