

Medical Cannabis Policy Advisory Board Meeting Minutes

Tuesday, July 16, 2024, 2:00 pm-5:00 pm

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/pmnl/>).

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 Berezhnyy, 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, Sara Lealos, Sarah Dash, Aimee Isom, Trevor Brown, and Cody James.

Agenda

1. Welcome

Mr. Page acknowledged that there was a quorum so the meeting could proceed at approximately 2:03pm and read the board introduction [presentation](#).

2. Board approval of June 2024 minutes

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

3. Board administrative business

Mr. Page stated that there was no board administrative business that needed to be discussed.

4. DHHS and UDAF update

DHHS updates:

- Mr. Oborn of the Department of Health & Human Services (DHHS) updated the board on the following items:
 - process and software updates;
 - current medical cannabis studies and surveys being conducted;
 - presentation and outreach efforts; and
 - current program statistics and auditing procedures.

UDAF updates:

- Mr. James of the Utah Department of Agriculture & Food (UDAF) updated the board on the following items:
 - process and software updates; and
 - testing and rule procedure updates.

5. Agenda item

Mr. Page led a follow-up discussion of UDAF's draft [R66-2: Cannabis Processing](#) rule with board members. Mr. James stated the department's views on the draft rule. Mr. Lauritzen also discussed a [memo](#) that he drafted stating his opinion on the draft rule and strain name regulations in other states. Ms. Hennessy and Ms. Berezhnyy shared their support of the arguments in Mr. Lauritzen's memo, and stated their concern of overregulation creating roadblocks for patients to access their medication.

DHHS/UDAF staff clarified the following for the board:

- Mr. James stated that he wants to have further discussion with processors on strain names and why names are changed.

The following public members gave comments on this agenda item:

- Brandon Elder and Jesse Angeles of Cannabis School podcast stated their opposition to regulating strain names.
- Narith Panh of Dragonfly Wellness stated his opposition to regulating strain names.
- Alex Iorg of WholesomeCo stated his opposition to regulating strain names.

The board took the following action on this agenda item:

- Vote: Recommend that subsection (20) of R66-2-15 in the R66-2 draft rule be removed entirely.

- Motioned: Mr. Lauritzen
- 2nd: Ms. Hennessy
- Roll call vote:
 - Kent Andersen: Yea
 - Nanette Berezhnyy: Yea
 - Cami Clark: Nay
 - Desiree Hennessy: Yea
 - Jimmy Higgs: Nay
 - JD Lauritzen: Yea
 - Chris Morgan: Yea
 - Matthew Page: Yea
 - Misty Smith: Yea

6. DHHS Rule R383-16

Mr. Oborn presented DHHS's R383-16 draft rule [Targeted Marketing Requirements for QMPs](#) with board members and led a discussion with board members. Dr. Smith and Mr. Morgan provided suggestions for language continuity and exceptions for business names. Mr. Lauritzen and Mr. Oborn discussed the purpose of the rule and what impact the rule would have on medical cannabis clinics.

DHHS/UDAF staff clarified the following for the board:

- Mr. Oborn clarified the need for the draft rule and how the rule would affect QMPs; and
- how DHHS works to keep patients and providers updated on rule changes.

The following public members gave comments on this agenda item:

- Tim Pickett of KindlyMD expressed concern about QMPs challenging their employers if the employer violates the proposed rule.

The board took the following action on this agenda item:

- Vote: Recommend that subsection (3)(u) of R383-16-2 in the R383-16 draft rule be removed and to change "marijuana" in subsection (o) to "cannabis."
 - Motioned: Mr. Andersen
 - 2nd: Mr. Lauritzen
 - 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

7. Illicit product testing

Mr. Lauritzen presented his [memo](#) to board members on illicit product testing. Board members showed their support and Mr. James shared his desire to have ongoing conversations on this topic. Dr. Smith noted that hemp derived products should also be included in the testing, if possible. Mr. Eckhoff and board members also discussed drafting a proposal for a statutory change, and what would be included in the change.

The public gave the following comments about this agenda item:

- Narith Panh of Dragonfly Wellness expressed support for educating patients and the public about the dangers of illicit cannabis use compared to medical cannabis from licensed producers.

1. Next meeting's agenda

Board members discussed potential agenda items for August's meeting.

2. Adjourn

Mr. Page 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 3:45pm.