

# Medical Cannabis Policy Advisory Board Meeting Minutes

Tuesday, November 19, 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, and Cami Clark, CMHC.

**Board members excused:** Chris Morgan, APRN.

**DHHS/UDAF staff attending:** Richard Oborn, Abigail Hodgson, Trevor Eckhoff, Jeremiah Sniffin, Aimee Isome, Mark Fitu, Sara Lealos, Sarah Dash, Ashley Moretz, and Cody James.

## Agenda

### 1. Welcome

Mr. Page acknowledged that there was a quorum so the meeting could proceed at approximately 2:00pm. Mr. Page also went over the board's [intro script](#).

### 2. Board approval of October 2024 minutes

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

### 3. Board administrative business

Mr. Page had no board administrative business to discuss.

#### 4. DHHS and UDAF update

DHHS Updates:

- Mr. Oborn of the Department of Health & Human Services (DHHS) updated the board on, and answered questions about, the following items:
  - current program statistics and auditing procedures;
  - Electronic Verification System (EVS) updates;
  - an update on DHHS administrative rule R383-16 Targeted Marketing Requirements and its hearing on November 20th; and
  - outreach and education efforts by DHHS.

UDAF updates:

- Mr. James of the Utah Department of Agriculture & Food (UDAF) updated the board on, led a discussion about, and answered questions pertaining to, the following items:
  - the future inclusion of kratom regulation under the Industrial Hemp and Medical Cannabis Division;
  - upcoming cultivation license renewals;
  - the upcoming launch of the new Inventory Control System (ICS);
  - [questions for the 2025 medical cannabis market analysis patient survey](#);
  - [Draft rule R66-10: Closed Door Pharmacies](#); and
  - [Draft rule R66-29: Compliance Procedures](#).

#### 5. Medical cannabis use by participants in problem-solving courts

Mr. Drechsel, Assistant State Court Administrator, gave a presentation to board members on medical cannabis use by participants in problem-solving courts. He discussed the requirements of Utah Code § 78A-2-231, the difficulties it has posed for state problem-solving courts, the proposal detailed in his [memo](#), and answered questions from board members.

Board members also discussed a [memo](#) written by Utah Patients Coalition (UPC) and a [memo](#) written by KindlyMD.

The board discussed the following about the presentation:

- The need for problem-solving courts to work with a patient's Qualified Medical Provider (QMP).
- How problem-solving courts address prescription controlled substance use.

- The potential utilization of the Compassionate Use Board (CUB) to help consult with problem-solving courts.
- Progress within the drug treatment and mental health communities in using medical cannabis and other medication-assisted therapies as a treatment method.
- Risks with medical cannabis use.
- Ms. Clark noted that there should be guardrails put in place to protect patients, but there are cases where an individual with a medical cannabis card shows symptoms or is diagnosed with cannabis use disorder and may be exhibiting concerning use. She also noted the treatment community has made progress with acknowledging cannabis as a treatment option.
- Mr. Drechsel commented that it could be helpful to have a designated QMP to consult with problem-solving courts so there would be more consistent decision making, but funding this could be difficult.

The following public members gave comments on this agenda item:

- Tim Pickett with KindlyMD;
- Shane Ericksen with Empathetics Wellness Clinic and Men's Tribal House;
- Justin Ariolla with Life Elevated Processing; and
- Mindy Vincent with Utah Harm Reduction Coalition.

The board took the following action on this agenda item:

- Vote: Table medical cannabis use by participants in problem-solving courts.
  - Motioned: Ms. Hennessy
  - 2nd: Ms. Clark
  - Roll call vote:
    - Nanette Berezhnyy: Nay
    - Cami Clark: Yea
    - Desiree Hennessy: Yea
    - JD Lauritzen: Nay
    - Matthew Page: Yea
    - Misty Smith: Yea
    - Jimmy Higgs: Yea

## **6. Impact of cannabis on opioid prescriptions in chronic pain: insights from recent research in Utah**

Ms. Grant and Dr. Lucero from Management Science Associates (MSA) [presented](#) results of a study that assessed the impact of cannabis on opioid prescriptions for patients with chronic pain. Board members discussed the study and accompanying [report](#) from MSA.

The board discussed the following about the presentation:

- If the Cannabis Research Review Board (CRRB) could review the study.
- Collaboration with the University of Utah Center for Medical Cannabis Research to expand the study.
- Studies the University of Utah Center for Medical Cannabis Research is currently working on an expected release of findings.

The following public members gave comments on this agenda item:

- Tim Picket with KindlyMD;
- Narith Panh with Dragonfly Wellness;
- Valerie Ahanonu with the University of Utah Center for Medical Cannabis Research; and
- Jerry Cochran with the University of Utah Center for Medical Cannabis Research.

## **7. Medical cannabis payment providers**

Mr. Christensen and Ms. Vallejos from the Division of Finance gave a presentation to board members on medical cannabis payment providers. They discussed items in their [memo](#) and answered questions from board members.

The board discussed the following about the presentation:

- Industry consensus that payment providers should not be approved by the Division of Finance.
- Duplication of efforts when financial institutions already meet requirements of existing law.
- Feedback for the Division of Finance on how to improve the proposal.

The board took the following action on this agenda item:

- Vote: Make a recommendation to lawmakers to amend Utah Code § 4-41a-108, which requires the Division of Finance to approve payment providers in the medical cannabis space, to no longer require the Division of Finance to do that approval process.
  - Motioned: Mr. Lauritzen
  - 2nd: Ms. Hennessy

- Roll call vote:
  - Nanette Berezhnyy: Yea
  - Cami Clark: Yea
  - Desiree Hennessy: Yea
  - Jimmy Higgs: Yea
  - JD Lauritzen: Yea
  - Matthew Page: Yea
  - Misty Smith: Yea

### **8. Next meeting's agenda**

Board members discussed potential agenda items for the next meeting as well as the meeting schedule throughout the legislative session. Mr. Eckhoff noted that the Utah Judicial Council may provide a revised copy of their proposal regarding medical cannabis use by participants in problem-solving courts for the board to discuss at its next meeting.

### **9. Adjourn**

Mr. Lauritzen 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 4:40pm.