



May 30, 2025

Medical Cannabis Production and Pharmacy Licensing Board
Utah Department of Agriculture and Food

4315 South 2700 West
Taylorsville, UT 84129

Dear Medical Cannabis Production and Pharmacy Licensing Board Members,

We, the [Medical Cannabis Governance Structure Working Group](#) (MCGSWG), are writing to inform you of legislative intent regarding the maintenance of geographic regions for the purpose of medical cannabis entity licensing.

Summary of Issue

The use of geographic regions for medical cannabis pharmacy licenses dates back to the initial round of license awards which took place in on [Friday, January 3, 2020](#). At that time, the Utah Department of Health (DOH) was responsible for awarding licenses, and utilized the geographic regions to assign these licenses as a result of the passage of [SB 1002 \(2019\)](#); the bill that established DOH's authority to divide the state into no less than four geographic regions.

Medical cannabis production and pharmacy licensing authority was later shifted from DOH to UDAF on July 1, 2023, through the passage of [HB 72 \(2023\)](#). The direction for the agency to divide the state into no less than four geographic regions for the purpose of medical cannabis pharmacy licensing was maintained in this transition.

As you are likely aware, UDAF has exercised their rulemaking authority in this area, and has established eight geographic regions ([R66-5-21](#)). Additionally, UDAF has exercised their rulemaking authority to create a criteria and process for the issuance of additional medical cannabis pharmacy licenses, which largely relies on an assessment of patient access in particular regions of the state ([R55-6-20](#)).

During the 2025 General Session, the legislature considered, and passed, [HB 54 \(2025\)](#). Among other things, this bill amended [UCA 4-41a-1005](#) and authorized the Medical Cannabis Production and Pharmacy Licensing Board to award two additional medical cannabis pharmacy licenses.

In an attempt to clean up statutory provisions that were outdated and no longer applicable, the geographic region authorization language was inadvertently stricken, removing UDAF's direction to divide the state into no less than four geographic regions for the purpose of medical cannabis pharmacy licensing.



Legislative Intent

It was **not** the intent of the sponsors of HB 54 (Rep. Dailey-Provost, Sen. Vickers) to remove the direction to UDAF to divide the state into no less than four geographic regions for the purpose of medical cannabis pharmacy licensing. Other references to the geographic regions in [UCA 4-41a-201.1\(9\)](#) and [4-41a-1206\(7\)](#) would have also been removed if that was the intent. The members of this MCGSWG would like to maintain this licensing provision – as it has been maintained since its inception in 2019 – and will be proposing legislation to reenact the geographic region language at the legislature’s earliest convenience.

For the time being, it is the hope of the members of the MCGSWG that UDAF exercise the rulemaking authority outlined in [UCA 4-2-103\(1\)\(i\)](#), in conjunction with the remaining statutory references to geographic regions ([UCA 4-41a-201.1\(9\)](#); [UCA 4-41a-1206\(7\)](#)), to maintain geographic regions for medical pharmacy licensing purposes. Additionally, this working group encourages the licensing board to continue to reference the geographic regions language described in R66-5-21 when making licensing decisions.

Please contact a member of the MCGSWG or working group staff if there are questions or concerns about this request.

Kind regards,

Walt Brooks
Representative; Executive Appropriations
Vice Chair

Jennifer Dailey-Provost
Representative; Minority Whip

Luz Escamilla
Senator; Senate Minority Leader

Derrin Owens
Senator

Evan Vickers
Senator

Raymond Ward
Representative