

# Medical Cannabis Policy Advisory Board Meeting Minutes

Tuesday, May 20, 2025, 3:00 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/pmn/>).

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

## Attendees

**Board members attending:** Kent Andersen, Nanette Berezhnyy, Cami Clark, CMHC, Desiree Hennessy, JD Lauritzen, Matthew Page, and Misty Smith, PhD.

**Board members excused:** Jimmy Higgs and Chris Morgan, APRN.

**DHHS/UDAF staff attending:** Richard Oborn, Trevor Eckhoff, Jeremiah Sniffin, Dr. Brandon Forsyth, Cody James, Aimee Isom, Brenda Holt, Clover Meaders, and Sara Lealos.

## Agenda

### 1. Welcome

Mr. Page acknowledged that there was a quorum so the meeting could proceed at approximately 3:03 pm and read the [introduction script](#).

### 2. Board approval of April 15, 2025 minutes

Mr. Page asked the Board if there were any proposed changes to the April 15, 2025 meeting minutes. Hearing none, Misty Smith made a motion to approve the minutes, which was seconded by Nanette Berezhnyy. The Board voted unanimously to approve the April 15, 2025 minutes as presented.

### 3. Board administrative business

Mr. Page was appreciative of the board's ability to reschedule due to the medical cannabis governance structure working group earlier in the day.

#### **4. DHHS and UDAF update**

DHHS updates:

- Mr. Oborn of the Department of Health and Human Services (DHHS) updated the Board on, and answered questions about, the following items:
- Outreach and education efforts.
  - This includes the CMC presenting at the Ogden Medical Surgical Society on May 15, 2025. Rich Oborn and Dr. Matt McIlff presented for one hour each. Fifty attendees and this is the third time presenting.
  - CMC also attended the Nurse Practitioner Pharmacology Conference on May 16, 2025. 200 attendees at this conference. Dr. Matt McIlff presented.
  - The CMC will be doing a new presentation on November 13, 2025 at the Rural Health Association of Utah conference in Saint George. This conference includes prescribers, hospital administrators, and mental health professionals who work in rural areas.
- Mr. Lauritzen asked Mr. Oborn about getting copies of these presentations at medical conferences to the MCPAB. Mr. Oborn said that Mr. Eckhoff can provide the MCPAB with those presentations as they become available.
- Mr. Oborn discussed implementation of bills that passed during the 2025 legislative session.
- Mr. Oborn mentioned that the CMC is in the process of purchasing the software to develop an education course for recommending medical provider (RMP) proxies. This course will provide an electronic verification system (EVS) patient information privacy requirements overview.
- Mr. Oborn discussed bills that become effective on July 1, such as the removal of the QMP registration requirement and reduction of the uniform transaction fee and medical cannabis patient card fee.
- Mr. Page asked about when the patient product inserts will be updated.
- Mr. Oborn said that the next updated version should be completed by the end of June.

UDAF updates:

- Dr. Forsyth and Mr. James of the Utah Department of Agriculture and Food (UDAF) updated the Board on, and answered questions about, the following items:

- Medical Cannabis Production and Pharmacy Licensing Board meeting that will be held on June 11, 2025. Information on these meetings can be found at <https://medicalcannabis.utah.gov/cannabis-production-establishment-licensing-advisory-board/>.
- UDAF is in the process of expanding the amount of pharmacy licenses per statute.
- Dr. Forsyth mentioned that they are working on administrative rule changes. The rules being developed focus on limiting redundancies.
- Mr. Laruitzen inquired about the recent rules presented in a previous meeting and when they will be published.
  - These rules were published in the 2025-10 bulletin.

## **5. Total yeast and mold limitations – Mr. Page – (3:20pm, 30 min)**

### **a. [Memo](#) - Mr. Page & Mr. Lauritzen**

The Board discussed the following about the presentation:

- The pros and cons about yeast and mold testing. Some pros discussed were addressing product quality issues and ensuring regulatory consistency.
- Some cons discussed were increased cost, inconsistent testing, variance in method testing such as false positives, regulatory complexity and limited direct health impact.
- The memo written by Mr. Page and Mr. Lauritzen proposes a study over twelve months on implementing this type of testing. It also asked to present this study to the MCPAB for their review.
- Mr. Lauritzen discussed his views on the topic. Specifically, a balance between over-regulation and ensuring products are safe.
- Ms. Smith discussed a study about the topic.
- Ms. Berezhnyy and Ms. Hennessy mentioned that they have never experienced mold or yeast in the products.

DHHS/UDAF staff clarified the following for the Board:

- Dr. Forsyth mentioned that they haven't seen any patient health impacts, but UDAF has seen a negative impact on the program overall.
- Dr. Forsyth mentioned that the majority of product complaints received are about mold and yeast. The hypothesis is that these complaints represent a vocal minority.

The Board took the following action on this agenda item:

- Vote: UDAF conduct a quality assurance testing study on total yeast and mold for a 12-month period. At the end of the period, present a data-driven recommendation to the Medical Cannabis Policy Advisory Board.
  - Motioned: Mr. Page.
  - 2nd: Mr. Lauritzen.
  - Roll call vote:
    - Kent Andersen: Yea
    - Nanette Berezchny: Yea
    - Cami Clark: Yea
    - Desiree Hennessy: Yea
    - Jimmy Higgs: Absent
    - JD Lauritzen: Yea
    - Chris Morgan: Absent
    - Matthew Page: Yea
    - Misty Smith: Yea

- 6. Job protections for medical cannabis patients, cont.** – Ms. Hennessy – (3:50pm, 30 min)
- a. [Memo](#) - Ms. Hennessy
    - i. [job protections in medical-only states](#)
    - ii. [job protections in adult-use states](#)

The Board discussed the following about the presentation:

- Ms. Hennessy discussed working with Mr. Andersen on reaching out to private entities about the topic of job protections for patients using medical cannabis.
- Mr. Lauritzen stated that while the proposed language from Ms. Hennessy mirrors the public sector language, it allows a private employer to still take action if necessary.
- Ms. Hennessy was supportive of Mr. Lauritzen's comments.
  - Ms. Hennessy mentioned that the one employer with which they discussed this topic was concerned that the proposed language was not comprehensive enough.
  - Mr. Andersen commented that the employer probably didn't want to insinuate any support for the proposed language.
    - Mr. Andersen hypothesized that some private employers likely already have some policy on medical cannabis protections for employees.
    - Mr. Anderson gave an impromptu report on his research on the topic.
      - He specifically wanted to see if there are already protections in place for drug testing and antidiscrimination laws. Some

guidance comes from the federal level, especially the Americans with Disabilities Act.

- Mr. Page asked if the potential move of cannabis to a schedule III substance affected employers polled.
  - Concern from businesses on regulatory control over them.
- Board members mentioned that patients or patients graduating college are concerned about getting a job while having a medical cannabis card.
- Mr. Andersen reported on the protections for employees in medical only and adult use states.

The Board took the following action on this agenda item:

- Vote: The legislature adopt the language proposed in [the memorandum from Desiree Hennessy](#) regarding private sector anti-discrimination of medical cannabis cardholders. It will replace [UCA 34A-5-115\(6\)](#) with the amended subsection (6) as set forth in the memorandum
  - Motion: Mr. Laruritzen.
  - 2nd: Mr. Page
  - Roll call vote:
    - Kent Andersen: Nay
    - Nanette Berezhnyy: Yea
    - Cami Clark: Yea
    - Desiree Hennessy: Yea
    - Jimmy Higgs: Absent
    - JD Lauritzen: Yea
    - Chris Morgan: Absent
    - Matthew Page: Yea
    - Misty Smith: Yea

**7. Medical cannabis THC limits** – Ms. Hennessy – (4:20pm, 30 min)

- a. [Memo](#) - Ms. Hennessy

The Board discussed the following about the presentation:

- Ms. Hennessy opened the discussion about the current state of the Utah medical cannabis program's THC limits.
  - Ms. Hennessy discussed the feedback from patients with chronic pain and the use of high THC products to treat their symptoms and that it is not only patients with high pain who try to access high THC products.
  - Mr. Page discussed the role of THC in product purity.

- Ms. Hennessy inquired how that affects the development of products.
- Mr. Page answered about how the product is made.
- Ms. Hennessy and Ms. Berezhnyy discussed products and purity.
- Ms. Hennessy argued that it is not patients complaining about THC limits; it is from outside the program.
- Mr. Lauritzen made the argument that having a hard cap on THC limits will drive patients to other states or the black market.

The following public members gave comments on this agenda item:

- Blake Smith with Zion Medicinal. Mr. Smith made a comment regarding negative comments on potency.
- Cole Fullmer with Salt Baked City made a comment regarding how products are categorized and that he rarely comes close to the allowable 20 gram limit.

**8. Next meeting's agenda** – Mr. Page – (4:50pm, 10 min)

- The board discussed items for the next meeting's agenda.

**9. Adjourn** – Mr. Page – (5:00pm)

Desiree Hennessy motioned to adjourn the meeting and Nanette Berezhnyy seconded the motion. The Board voted unanimously to end the meeting, and the meeting ended at approximately 4:30 pm.