Medical Cannabis Policy Advisory Board Meeting Minutes

Tuesday, August 18, 2:00 pm-5:00 pm

This meeting was held in person and virtually and was recorded. An audio copy of this recording can be found on the Utah Center for Medical Cannabis YouTube page: https://www.youtube.com/@UtahMedicalCannabis

Visit the board's website for more information on past meeting minutes and agendas (https://medicalcannabis.utah.gov/medical-cannabis-policy-advisory-board/).

Attendees

Board members attending: Kent Andersen, Nanette Berezhnyy, Cami Clark, CMHC, Anthony Griffiths, J. D. Lauritzen, Blake Smith, and Misty Smith, PhD.

UDAF staff attending: Cody James, Brandon Forsythe, Desiree Hennessy, Mark Fitu, Veronica Goedhart, Trevor Eckhoff, and Jeremiah Sniffin

Agenda

1. **Welcome**

Ms. Berezhnyy acknowledged that there was a quorum so the meeting could proceed at approximately 2:03 pm and read the introduction script.

2. **Board approval of June 2026 minutes**

Ms. Berezhnyy asked the board if there were any proposed changes to the July 21, 2026 minutes. There were no changes proposed. Mr. Smith motioned to approve the July 2026 minutes and Ms. Clark seconded the motion. The board voted unanimously to approve the July 2026 minutes.

3. **Board administrative business**
    a. Ms. Berezhnyy opened the board to discussion about the proposed changes to the board bylaws.

i. Mr. Eckhoff explained the changes to the bylaws. These changes were largely nonsubstantive and changed the statute references in the bylaws due to HB 389 of the 2026 legislative session.
ii. Mr. Smith made a motion to approve the new bylaws; Dr. Smith seconded the motion. The board voted unanimously through a voice vote to approve the bylaws.

b. The second item of administrative business was about filling the vacant patient advocate position on the board. There was board discussion about how long a seat can be vacant before being filled. Mr. Eckhoff explained that there is no statutory requirement but that UDAF will open the position for applications to the public and inform the board about this opening. The goal is to have that position filled by the September MCPAB meeting.
c. The third item of administrative business was about legislative committees. Ms. Berezhnyy is going to attend the Department of Health Interim Committee meeting on August 19, 2026. The board discussed when a medical cannabis working group meeting would take place. Mr. Eckhoff will find out when the next medical cannabis working group meeting is going to take place and notify the board.

4. UDAF update

a. UDAF updates: Dr. Forsythe informed the board about:
    i. Presenting about the medical cannabis and specialized products programs along with deputy commissioner Amber Brown at the NRAQ committee meeting on August 18.
    ii. Current program statistics
    iii. Collaborative study with DHHS about e-cigarettes confiscated at high schools. Out of 1,000 e-cigarettes confiscated, only one was medical cannabis. The board discussed this study.

5. Committee updates

The board provided updates from its committees.:

- Patient Access Committee: Ms. Clark discussed the non-patient survey presented during the July MCPAB meeting and next steps for the subcommittee. Dr. Hinton discussed the survey results and specifically cost and provider access as being the top two barriers for non-patients. Dr. Hinton mentioned program awareness to the public should be a focus of the program.

- Industry Committee: The committee has not met since their July meeting. However, the members of the subcommittee did collaborate on the medical cannabis advertising memo. They still plan to meet with industry. Mr. Blake praised how much communication is occurring within the industry about this subcommittee. Mr. Lauritzen added that there is a wide array of different industry stakeholders involved in subcommittee communication.
- Research & Education Committee:
    - Medical cannabis card examples and application walkthrough.
        - Amanda Hovermale, Business Analyst Software Administrator, presented on the different types of medical cannabis cards as well as providing a demonstration of how an application is submitted into the electronic verification system.
        - The board discussed this application process.
- Policy & Rules Committee: The board has not met, only informal discussions amongst the chairs of the subcommittees. Once a patient advocate representative is appointed, and there is a chair of the patient access committee, the subcommittee can formally meet.
- Sarah Stevens, a member of the general public, made a public comment.
    - The board discussed Ms. Steven's public comment.

6. **Draft rules: R66-2 Cannabis Processing & R66-3 Quality Assurance Testing on Cannabis**
    a. Cody James presented the administrative changes to R66-2 Cannabis Process and R66-3 Quality Assurance Testing on Cannabis.
    b. Mr. Smith and Mr. Larutizen asked clarifying questions around R66-2 and the remediation process and changing the chemical composition and product failure.
        i. Sarah Stevens, a member of the general public, made a public comment.
        ii. Dr. Forsythe addressed her public comment.
        iii. Mr. Smith addressed her public comment.

7. **Academic medical cannabis research license process**
    a. Dr. Forsythe presented the process for a researcher to apply for a medical cannabis research license as well as the packet that they would have to complete.
        i. Mr. Smith asked a clarifying question around the type of research that

can be conducted.

ii. Dr. Smith asked two clarifying questions. One, was about how the research licensee gains access to a product to test. The second question was about multiple licensees in the same location.

iii. Mr. Smith asked a clarifying question regarding how long the licenses last for.

iv. Mr. Lauritzen asked many how current academic medical cannabis licensees currently exist.

v. The board discussed barriers to academic research funding.

8. **Medical cannabis advertising**
   a. Mr. Lauritzen presented the memo about medical cannabis advertising that he and Mr. Smith wrote to the board. The memo came with the following recommendations:
      i. The board recommends that the legislature consider the following amendments:
         1. Utah Code section 4-41a-1104 be amended to allow medical cannabis pharmacies to advertise for medical cards and educational events.
         2. Utah Code section 4-41a-403 be amended to allow medical cannabis production establishments to advertise educational events.
         3. Amend Utah code section 4-41a-602 to authorize a processor to include a URL or QR code on product packaging or labeling that links to the processor’s website, consistent with applicable statutory requirements. Corresponding amendments to section R66-2-17 may be necessary to implement the statutory change.
         4. Amend Utah code section 4-41a-1102 and 4-41a-1104 to authorize medical cannabis pharmacies to sell or distribute branded or educational merchandise, subject to limitations established by statute or administrative rule.
         5. Utah Code section 58-1-513 be amended to allow recommending medical providers to advertise at educational events and events at which qualified medical providers offer medical cannabis recommendation services including medical card events at their clinic, a pharmacy, or other location.

ii. The board discussed his memo.
iii. The following individuals made public comment:
    1. Alan Roth with Curaleaf made a public comment.
    2. Sarah Stevens, a member of the general public, made a public comment.
iv. Board Action:
    1. Mr. Lauritezen made a motion for the board to make the recommendations listed in the memo.
    2. Dr. Smith suggested a slight alteration to recommendation #3 to include wording that includes a rule reference.
    3. The board approved this suggestion.
    4. Dr. Smith seconded the motion.
    5. Mr. Smith asked a clarifying question to Mr. James.
    6. The recommendation was approved by a roll call vote of 7-0, with one member absent. One board position was vacant at the time of the vote.

9. Next meeting's agenda

a. The board discussed agenda items for the September meeting. These included the quarterly report from the CUB.

10. Adjourn

Mr. Lauritzen motioned to adjourn the meeting. Mr. Smith seconded the motion. The board voted unanimously to end the meeting and the meeting adjourned at approximately 3:50 pm.