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MCPAB - Agenda Item #7 (Industry Committee Legislative Recommendations)

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Fellow Board Members,

I hope you're all having a good week. Before next week's meeting, I'd like to preview for you our discussion regarding the Industry Committee's legislative recommendations. As we've noted, over the last few months, the Industry Committee has met monthly with members of Utah's medical cannabis industry. For the last two months, the Industry Committee has discussed legislative changes that we believe will help improve patient access and streamline the statutory framework for medical cannabis without materially reducing patient safety, diversion controls, product testing, or regulatory oversight.

To ensure we don't cast too wide of a net, we have decided to bucket our legislative priorities based on industry feedback and the potential impact those changes could have on Utah's program. We have settled on three buckets. The first bucket contains priorities that have the broadest industry support and are likely to have the greatest impact on the overall program. Bucket two contains newer legislative priorities that will need to be workshopped with lawmakers and UDAF before they can be inserted into a bill. That said, these are important priorities, and the industry plans to be opportunistic with these items before and during the 2027 legislative session. Finally, bucket three contains other priorities intended to simplify the regulatory environment for licensees without compromising patient safety, security, or the overall regulation of the program. These items, while important, are not priorities that the industry plans to pursue in 2027. They are intended for future legislative sessions.

Bucket 1 -

- **Provider Discretion** - Expand the qualifying conditions list to allow providers to recommend cannabis at their discretion for conditions not currently identified or to add individual conditions like sleep disturbance, general anxiety disorder, or major depressive disorder;
- **Telehealth** - Authorize telehealth for all new and renewing patients, not just those patients renewing with the same provider or those persons living in an assisted living facility or who are on hospice/have a terminal illness;
- **Two Year Medical Cards** - Extend the validity date for medical cannabis cards from one to two years; and
- **Definition of Tier Two Cannabis Processing Facility** - Amend the definition of a “Tier two cannabis processing facility” to authorize such a licensee to engage in additional operations beyond just packaging and labeling.

Bucket 2 -

- **Pharmacist Check** - Strike the requirement that a pharmacist review each individual transaction;
- **Testing** - Adopt a revised testing framework (similar to CO); and
- **Dosage Form Definition** - Replace the specific definition of dosage form with a more general standard.

Bucket 3 -

- **Operating Plans and Transport Requirements** - Simplify the process to change operating plans and streamline transportation requirements
- **Single Industry Agent Card** - Create a single industry agent card and replace individual employee registration cards with a system that puts the responsibility for tracking agents on the licensee; and
- **Substantial Compliance Model** - Adopt a substantial compliance safe harbor whereby licensees who substantially comply with the laws/rules and timely correct a violation are not subject to further administrative action.

I want to thank each one of you for your contribution to the Board. I look forward to discussing these items with you next week. If anyone would like to chat before the meeting, please call me. Have a nice weekend.

Best,

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