

# **Cannabis Research Review Board (CRRB)**

*Adopted September 12, 2022*

## ARTICLE I:

### Name

The name of this Board shall be the Cannabis Research Review Board, herein referred to as the "Board" created under Utah Code 26-61-201 according to House Bill 130, 2017 General Session of the Utah Legislature, operating within the Utah Department of Health and Human Services herein referred to as the "Department."

## ARTICLE II:

### Purpose

The Department is responsible for appointing members of the Board. The Board ensures objectivity in evaluating research and provides a peer-review process that guards against biased research in favor of or against particular outcomes.

## ARTICLE III:

### Members

Members of the Board shall be appointed by the Department's Executive Director and shall be chosen based on requirements listed in the "Cannabinoid Research Act" Section 26-59-201.

The Board shall consist of seven members. Members of the Board must include the following types of experts:

- a) Three individuals who are medical research professionals:
- b) Four physicians are registered as Qualified Medical Providers (QMP).
- c) One Board member shall be a member of the Controlled Substances Advisory Committee

## ARTICLE IV: Duties of the Board

### Section 1. The Board shall:

- 1) Review any available scientific research related to the human use of cannabis, a cannabinoid product, or an expanded cannabinoid product that:
  - a) was conducted under a study approved by an IRB; or
  - b) was conducted or approved by the federal government.
  - c) (i) was conducted in another country; and  
(ii) demonstrates, as determined by the Board, a sufficient level of scientific reliability and significance to merit the Board's review.
- 2) Based on the research described in Subsection (1), the Board shall evaluate the safety and efficacy of cannabis, cannabinoid products, and expanded cannabinoid products, including:
  - (a) medical conditions that respond to cannabis, cannabinoid products, and expanded cannabinoid products;
  - (b) cannabis and cannabinoid dosage amounts and medical dosage forms;
  - (c) interaction of cannabis, cannabinoid products, and expanded cannabinoid products with other treatments; and
  - (d) contraindications, adverse reactions, and potential side effects from the use of cannabis, cannabinoid products, and expanded cannabinoid products.
- (3) Based on the Board's evaluation under Subsection (2), the Board shall develop guidelines for treatment with cannabis, a cannabinoid product, and an expanded cannabinoid product that include:
  - (a) a list of medical conditions, if any, that the Board determines are appropriate for treatment with cannabis, a cannabis product, a cannabinoid product, or an expanded cannabinoid product;
  - (b) a list of contraindications, side effects, and adverse reactions that are associated with the use of cannabis, cannabinoid products, or expanded cannabinoid products;
  - (c) a list of potential drug-drug interactions between medications that the United States Food and Drug Administration has approved and cannabis, cannabinoid products, and expanded cannabinoid

products; and

(d) any other guideline the Board determines appropriate.

(4) The Board shall submit the guidelines described in Subsection (3) to the Division of Occupational and Professional Licensing director.

(5) Guidelines that the Board develops under this section may not limit the availability of cannabis, cannabinoid products, or expanded cannabinoid products permitted under Title 4, Chapter 41a, Cannabis Production Establishments, or Title 26, Chapter 61a, Utah Medical Cannabis Act.

Section 2. Four of the members appointed by the Executive Director shall serve an initial term of two years voluntarily and three of the Board members appointed shall serve an initial term of four years. Successor Board members shall serve a term of four years. The Department may remove a Board member without cause.

Section 3. Members of the Board shall serve without compensation but shall be reimbursed for their travel expenses and per diem incurred in their participation.

Section 4. Regular attendance and participation are vital to the purpose of the Board. Members accept the obligation to attend meetings either in person or by teleconference and shall provide advance notice if they are unable to do so. Repeat, unexcused absences may be considered an abdication of the appointment and may be grounds for terminating a member's appointment at the recommendation of the Board. To terminate the member's appointment, at least one member of the Board shall submit their recommendation to the other members of the Board, which shall approve or disapprove their recommendation by a majority vote.

Section 5. Any member of the Board may resign from the Board at any time by notifying the Chair in writing. They are encouraged to assist the Department in nominating a suitable replacement and are encouraged to remain until a suitable replacement has been accepted.

Section 6. Any member of the Board may be recommended for termination by a majority vote of the

Board or at the discretion of the Board Chair, as a result of:

- a) resignation;
- b) violation of the Board Bylaws;
- c) failure to disclose conflict of interest;
- d) Ineligibility of membership, including no longer maintaining the expertise or representing the category which was the basis for appointment;
- e) material misrepresentation or fraud in any statement to the Board or to the public;
- f) conviction of a felony;
- g) conviction of a misdemeanor, which is directly related to public health or education.
  - a. This includes, but is not limited to, rape, sexual abuse, actual or threatened use of a weapon, sale or distribution of a controlled substance, or its possession with intent to distribute.
- h) death or incapacitation.

Section 7. Notice shall be sent to the member, using the last email address on file, setting forth the expulsion and the reasons. Such notice shall be sent within fifteen days of the recommendation for termination. The Board shall submit in writing and within thirty days after sending the notice a recommendation in the form of a letter to the department's Executive Director stating the Board's recommendation for termination of membership. The member will be terminated by action of the Board Chair or Executive Director.

## ARTICLE V: Officers

Section 1. The Board shall nominate a Board member to serve as the Board Chair by a majority vote of the Board members. A Co-Chair shall be appointed by a majority vote of the Board if necessary to accomplish the duties assigned to the Board.

Section 2. Duties of the Chair shall be to:

- a) preside at all meetings of the Board;
- b) approve and present meeting agendas;
- c) observe and enforce the bylaws and policies of the Board; and

- d) perform all such other duties of the office as provided by these bylaws or prescribed by the Board.

Section 3. In the absence of the Chair at any meeting in which a quorum is present, duties of the co-chair will be to preside in the absence of the chair and other duties as assigned by the chair.

## ARTICLE VI: Department Staff

Section 1. The Board shall be supported by select Department staff from the Center for Medical Cannabis or designees.

Section 2. Duties of the Department or designees responsible for assisting the Board shall be:

- a) prepare meeting documents under the direction of the Chair;
- b) attend Board meetings as non-voting members;
- c) notify and announce to the public the time and place of the Board meeting, including the posting of the meeting agenda, within 24 hours of such meetings;
- d) schedule and reserve meeting rooms and equipment as needed for Board meetings;
- e) assist the Chair in the planning of meetings and development of agendas;
- f) arrange for the recording, maintenance, and distribution of accurate minutes of all Board meetings;
- g) attend to official correspondence;
- h) maintain and update the Utah Cannabis Research Review Board website;
- i) serve as a liaison to the Chairperson and the Department through participation in meetings, conference calls, and emails;
- j) assists in the development and handling of the annual

- recommendations of the Board to the Department and other parties;
- k) handle reimbursement of travel and per diem for Board members; and
  - l) hire and supervise an intern to assist the Board in the completion of duties.

## ARTICLE VII: Meetings

Section 1. The Board shall meet as often as necessary to accomplish the duties assigned to the Board.

Section 2. A majority of Board members constitute a quorum. A vote of a majority of the quorum at any Board meeting is necessary to take action on behalf of the Board based on the following guidelines:

- a) No proxy or absentee voting shall be allowed.
- b) Members may fully participate in a meeting via teleconference.
- c) Any meeting may be canceled by the Chair when in consultation with the Department staff, the Chair determines the meeting is not needed or when there will not be a quorum present.
- d) Any meeting may be canceled by the Chair at any time due to inclement weather or an emergency situation.

Section 3. In the absence of a quorum, any business transacted is null and void, except to take measures to obtain a quorum or to reschedule another meeting.

Section 4. All meetings of the Board shall be open to the public in accordance with regulations of the Open and Public Meetings Act. Closed meetings may be held in accordance with UCA §52-4-205.

- a) Notice of all meetings shall be posted on the Public Meeting Notice website.
- b) Members of the general public may comment or give testimony with the following limitations:
  - 1) Prior to their statements, each person testifying must fully disclose COI, including any association or financial relationship with a grower, processor, manufacturer, marketer or seller of hemp, cannabis, or cannabinoid/extended cannabinoid or synthesized cannabinoid products, or an organization that

lobbies for or on behalf of such.

2) Only one person from an organization may testify.

3) Comments are limited to meeting agenda items. Unsolicited testimony is limited to two (2) minutes

Section 5. All decisions and recommendations shall have been adopted by the Board's majority vote.

Section 6. No individual member shall make a statement of policy that purports to be that of the Board unless the Board shall have adopted such policy, but no one shall be prohibited from stating their personal opinions, provided they are clearly identified as such.

#### ARTICLE VIII: Voting and Balloting Procedures

Section 1. In any instance in which a majority vote is called for, the Chairperson shall issue a call for a voice vote, or, a show of hands. Voting may take place through email correspondence when necessary. No other proxy or absentee voting shall be allowed.

Section 2. Each Board member, including the Chair, has one vote.

#### ARTICLE IX: Parliamentary Authority

Meetings shall be generally conducted in keeping with Robert's Rules of Order but shall be as informal as circumstances permit.

#### ARTICLE X: Adoption of Bylaws

These Bylaws shall take effect immediately upon a majority vote of the Board

## ARTICLE XI: Amendment of Bylaws

Section 1. The Bylaws may be amended in whole or in part at a meeting of the Board by majority vote, provided that such amendment was submitted to members of the Board for review prior to the meeting at which such amendment is to be voted on by the Board.

Section 2. Adopted amendments shall take effect immediately upon adoption.

## ARTICLE XII: Conflict of Interest

Section 1. A potential conflict of interest is any direct and immediate interest or relationship, including financial interest, with persons or businesses regulated by or directly affected by decisions of the Board or organizations that may present requests or issues before the Board. The interest of a spouse or other members of the immediate family/household or the interest of any other person which is constructively controlled by the member is included.

Section 2. It is incumbent on each Board member to identify whether they have a conflict of interest by:

- a) Oral disclosure of the conflict before discussion and then participating in the discussion but not the vote;
- b) Oral disclosure of the conflict at the beginning of the discussion with no participation in discussion or the vote; or,
- c) Oral disclosure of the conflict and physically withdrawing from the meeting when an action is being discussed and voted upon.

Section 3. A Board member who has a potential conflict of interest to a matter before the Board, as described above, may:

- a) Recuse them self from participation in the Board's discussion of the matter and from voting with the Board on the matter; or



- b) Disclose the potential conflict of interest and seek a determination by the Board about how to proceed in the matter.

If the member chooses not to recuse themselves, the Board may determine:

- a) Whether the circumstances constitute a conflict of interest such that the Board member shall be recused from voting with the Board on the matter; and
- b) If the Board member has a conflict of interest, whether the Board member shall also be recused from participation in the Board's discussion of the matter