



Quarterly ACMM Meeting Minutes

The mission of the Committee is to advise the Director of the Oregon Health Authority (OHA) on the administrative aspects of the Oregon Medical Marijuana program (OMMP), review current and proposed administrative rules of the program, and provide annual input on the fee structure of the program.

Date: June 30, 2015

Time: 10:00am-2:30pm

Location: Conference Room 2, Mckenzie Center, 28885 Chad Drive, Eugene OR 97408

Attendees:

ACMM Attendees: Arthur Richards, Ben Mackaness, Cheryl Smith, Brian Michaels, Laird Funk (via phone), Todd Dalotto, Sandee Burbank, Sarah Bennett, Paul Schmidt, Gerry Lehrburger (via phone), and Seth Crawford

OMMP/OHA Staff: Aaron Cossel, Steve Wagner, Gabriela Tanaka, Lynn Saxton, Gabriella Luther

Absent ACMM Members:

Members of the Public as listed on the Sign in sheet: Keith Mccann, Melissa Rivera, John Thompson, Kirsten Collins, Marrie Higgins, Lori Duckworth, Alan Cohn, Elvy Mussika, Dan Koozer, Sunnie Sanchez, Kelly Paige, Peter Kraymer

Summary of Meeting Action Items:

Action Item	Responsible Party
Revise and post March 11, 2015, meeting minutes on the OMMP website.	Gabriela Tanaka
E-mail Todd Dalotto the number of Physicians licensed in the state and the percentage of them who qualify patients for the OMMP	Aaron Cossel
Re-submit his data collection proposal to the OHA.	Seth Crawford
Create a list of issues to be addressed during the rules revision process.	ACMM Members
Seth Crawford will submit his credentials for consideration to the RMSAC.	Seth Crawford
Add the recommendations to the OMMP created during this meeting to the next meetings agenda.	ACMM Members /OMMP
Todd Dalotto and Seth Crawford will submit recommendations as to the composition of the RMSAC.	Todd Dalotto / Seth Crawford
Lynn Saxton will schedule an annual time when fee structure can be discussed.	Lynn Saxton

Summary of Meeting Motions:

Proposed Motion	Proposed by	Outcome
Motion to approve March 11,2015 Meeting Minutes	Sandee Burbank	Passed unanimously
Motion to table vote on acceptance of Expectations and Guidelines	Todd Dalotto	Passed with a majority



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Part 1: OMMP Administrative Reports with ACMM Discussion

Time	Agenda Topic	Person Responsible
10:00-10:15	Welcome and Introductions ➤ March 11,2015 Meeting Minute Approval	ACMM Chair: Ben Mackaness
Summary of Discussion		
<ul style="list-style-type: none">• March 11, 2015 Meeting Minutes Approval.• March 11, 2015 Minutes approved with a few minor revisions.• Meeting attendee introductions.		
Action Items	<ul style="list-style-type: none">• Gabriela Tanaka will revise and post the March 11, 2015, Meeting Minutes on the OMMP website.	
Conclusion(s)	<ul style="list-style-type: none">• Motion passed unanimously to approve March 11, 2015, Meeting Minutes pending requested changes.	



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Time	Agenda Topic	Person (s) Responsible
10:15-10:30	Uninterrupted Administrative Reports Continued: <ul style="list-style-type: none"> ➤ Statistics ➤ Program Update ➤ Budget Review 	OHA Administration: Aaron Cossel

Summary of Discussion

- **Statistics provided by Aaron Cossel**
 - Number of current OMMP Patients: 71,094
 - Number of current (unique) OMMP caregivers: 35,400
 - Number of current (unique) OMMP growers: 45,955
 - Number of registrations where patients list themselves as grower: 37,480*
 - Number of registrations where patients list someone else as a grower: 37,050*
 - Number of physicians with a current patient on the OMMP: 1,698
 - Number of out-of-state participants:
 - Patients: 1,934
 - Caregivers: 678
 - Growers: 633
 - **Condition Count: ****
 - Severe Pain: 67,904
 - Spasms: 20,060
 - Nausea: 9,913
 - Cancer: 3,991
 - PTSD: 4,652
 - Seizures: 1,969
 - Cachexia: 1,176
 - Glaucoma: 1,098
 - HIV/AIDS: 732
 - Alzheimer's Disease (agitation): 86
 - Severe Pain only: 38,994
 - PTSD only: 1,053

*Includes patients who have a current card and a renewal application pending.

**Count will be higher than the patient count as each patient may check more than one condition.



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Time	Agenda Topic	Person (s) Responsible
10:15-10:30	Uninterrupted Administrative Reports: <ul style="list-style-type: none"> ➤ Statistics ➤ Program Update ➤ Budget Review 	OHA Administration: Steve Wagner and Lynn Saxton

Summary of Discussion

Program Update *provided by Steve Wagner*

- **Personnel**
 - Steve Wagner stated the OHA has been in a hiring pause as position authority for each program is verified. The Oregon Medical Marijuana Program (OMMP) and the Oregon Medial Marijuana Dispensary Program have been granted exceptions from this process. Once House Bill 3400 is passed and a budget for that bill is put into place then the programs will be able to move ahead with filling vacancies.
 - Ben Mackaness asked if any positions have been filled. Gabriela Tanaka stated that a Public Service Representative 3 has been filled. This position will help with data entry and will answer phone calls.
 - Mr. Wagner stated that three positions are still open.
 - Mr. Wagner stated that the ACMM appointments are still pending on the passage of House Bill 3400. The make up of the committee may need to change if the ACMM's advisory authority extends beyond the registry program.
- **Program Statistics**
 - Mr. Wagner included a graph that tracks the number of application received by the OMMP. He stated that three weeks ago the OMMP received the highest number of mailed in application it has ever received.
 - Sarah Bennett asked if the OMMP has had any conversations regarding the possible financial ramifications to the OMMP regarding potential reductions in applicant numbers as recreational marijuana becomes available.
 - Mr. Wagner stated that those conversations have been had but it is difficult to project past your data.
 - Ms. Bennett asked why there is a backlog in processing cards.
 - Mr. Wagner stated that it is the regular seasonal volume influx that the OMMP experiences. The OMMP processing time has increased from a two week turn around period to just shy of 30 days.
 - Mr. Wagner stated that the OMMP is now posting on the website a weekly update of what date range the OMMP is currently processing.
 - Ms. Burbank stated that she is very appreciative of the website overhaul.
 - Todd Dalotto asked if there was a statistic of how many physicians are in the state and how many of them qualify patients for the OMMP.
 - Aaron Cossel will email that information to Mr. Dalotto.

Action Items	<ul style="list-style-type: none"> • Aaron Cossel will email Todd Dalotto the number of Physicians licensed in the state and the percentage of them who qualify patients for the OMMP.
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Quarterly ACMM Meeting Minutes

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Summary of Discussion Continued

OMMP Budget Review *provided by Steve Wagner*

- Mr. Wagner included the Financial Status Report in the committee member meeting folders.
- Mr. Mackaness asked if the Oregon Health Authority (OHA) Administration was aware of any other programs that fund other programs through recipient fees and if they personally thought that was fair.
- Lynn Saxton responded that as she is new to the OHA she does not yet know the genesis of the fees and how they are applied to other programs. She further states that she will not have a personal opinion on the matter until the legislative session adjourns and she has had a chance to review how the Public Health budget is allocated.

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Time	Agenda Topic	Person Responsible
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The Advisory Committee on Medical Marijuana is a statutorily mandated body (ORS 475.303) that provides the Oregon Health Authority with advice on the administrative aspects of the Oregon Medical Marijuana Program.

Web Address: healthoregon.org/acmm



Quarterly ACMM Meeting Minutes

10:30-11:45	Dialogue between ACMM and Administration <ul style="list-style-type: none"> ➤ Introduction, OHA Director Lynn Saxton ➤ Dispensary Program Progress Report ➤ Legislative Activity Update ➤ OLCC/ OMMP Interaction ➤ Retail Marijuana Scientific Advisory Committee 	ACMM Members and OHA Administration
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Summary of Dialogue:

Introduction, OHA Director Lynn Saxton

- Lynn Saxton stated that she has spent the last thirteen years of her career in the Medicare healthcare world working with emotionally and behaviorally disturbed children and their families using an evidence-based, outcome-driven model. She has also served on the Oregon Land Conservation and Development Commission and is currently on the Early Learning Counsel. She stated that she is a native Oregonian who went to Willamette University. She has in her tenure at the OHA focused on:
 - An agency restructure at the request of the legislature that is due to be complete in July.
 - Financial sustainability of Oregon’s health system transformation initiative.
 - Ensuring that actual change is occurring within the Oregon health system transformation initiative by utilizing metrics to drive success.

Ms. Saxton further stated that concurrent with this change they have had to keep up with new marijuana legislation. Ms. Saxton expects to work closely with the Oregon Liquor Control Commission (OLCC) and the Oregon Department of Agriculture (ODA) to collaborate and consolidate efforts to reduce unnecessary cost.

- Ms. Burbank stated that a few years back the ODA contacted the ACMM because they were concerned about the pesticides being used by growers but nothing came of that conversation.
- Ms. Burbank stated that the OMMP has not allowed the ACMM to contact legislature as a body regarding medical marijuana and patient health.
- Mr. Dalotto stated that a few years back Bob Wolf with the ODA worked with Mr. Dalotto, who is a horticulturist, to draft a letter regarding the risks of pesticide use. The legal counsel of the OMMP advised the OMMP to not distribute this letter. Mr. Dalotto also stated that the ACMM worked on a similar letter with Portland General Electric regarding the dangers of high voltage usage but once again the OHA was advised not to distribute the letter.
- Mr. Dalotto stated that the ACMM would like the OMMP fees to be as low as possible and he feels as if the ACMM has been cut out of the fee structure discussion by the OMMP.
- Ms. Saxton asked Mr. Dalotto if he know approximately what percentage of OMMP card holders qualify for reduced fees.
- Mr. Dalotto stated approximately half of OMMP patients qualify for reduced fees.



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Summary of Dialogue continued:

Introduction, OHA Director Lynn Saxton Continued –

- Ms. Saxton stated that the OHA will be looking at fee processes so that they are clear and robust across the agency. She stated that the OHA will be setting up fee structure protocols and they intend to be transparent with interested parties.
- Ms. Burbank stated that in the past the ACMM was deliberately kept out of the fee discussion with legislation.
- Ms. Saxton stated that her experience with fee discussions is to first have a process that everyone understands on how fees are set, then to show what the direct impact is of those fees to everyone involved. Ms. Saxton further stated that the OHA is currently working on looking at the fees found in various programs.
- Ms. Bennett stated that the fees for patients who receive Social Security Disability should be reduced. Ms. Bennett further stated that the process to obtain cards takes too long and patients are dying before completing the process.
- Ms. Saxton stated that the push to enroll people in Medicaid has provided the OHA with lots of data. This data is being used to improve and continue their success in getting people enrolled in Medicaid. Ms. Saxton stated that we will need data from the OMMP to determine how to best improve the program and reduce processing times.
- Cheryl Smith stated that the ACMM believes the processing times provided by the OMMP do not correspond with the turnaround times they are seeing in the field.
- Ms. Saxton stated that is the kind of data that the OMMP needs in order to improve processes.
- Ms. Burbank stated that the OMMP only accepts calls four hours a day. Ms. Burbank would like the phone hours extended.
- Mr. Wagner stated that he can increase the phone hours but that will increase how long it takes to process applications.
- Ms. Saxton stated that this is where the opportunity exists to go to the legislature and advise them that the expectations set by them will require a different funding structure.



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Summary of Dialogue continued:

Introduction, OHA Director Lynn Saxton Continued-

- Mr. Mackaness stated that he believes it is discriminatory that patients with OMMP cards cannot be employed or own childcare centers but people who use marijuana recreationally do not face the same restrictions.
- Ms. Saxton stated that her vote on the Early Learning Council was consistent with legal counsel at that stage in marijuana legalization. Ms. Saxton stated that she intends to be transparent in how decisions for the OMMP are made and that she hopes to work collaboratively with the ACMM but that does not guarantee that the ACMM and the OMMP will agree on all issues. Ms. Saxton stated that in order for committees to be successful there needs to be a clear and mutually agreed upon agenda with specific in scope issues set for discussion so that the appropriate data can be presented.



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Summary of Dialogue:

Dispensary Program Progress Report- Presented by Steve Wagner

- Seth Crawford asked if there are data available from dispensaries on medical marijuana sales. Mr. Crawford would like to have data on number of flowers being sold, extracts, and unique patients. Mr. Crawford stated that these data could assist in making projections on the number of patients participating in the OMMP post legalization.
- Ms. Sarah Bennett stated that every dispensary has all of that data. They have to keep records of every transfer in order to comply with current statute.
- Mr. Wagner stated that the data may be very easy to request but compiling and analyzing those data is a different task that requires staffing.
- Mr. Crawford stated that if that data were made publicly available he could have graduate students compile and analyze the data.
- Mr. Wagner stated that would it would require a conversation in order to assure that the data received was de-identified.
- Mr. Crawford asked if the data collection request is a legislative decision or can it be made administratively.
- Mr. Wagner stated that it will depend on how House Bill 3400 is enacted as there has been reticence in the past to the idea of the OHA having detailed information on marijuana sales. Mr. Wagner stated that the OHA may not have authority to collect data regarding the transfer of marijuana to patients from dispensaries.
- Ms. Saxton stated that the ACMM can present to the OMMP a template of what kind of data they are seeking. It may be more acceptable if it is the providers seeking data on marijuana sales.
- Mr. Crawford stated that he provided such a template last year and was told that this was not something that could be done.
- Ms. Smith requested that Mr. Crawford resubmit that proposal.
- Arthur Richards asked who the OHA was getting pushback from in regards to the data collection.
- Ms. Saxton stated the legislature is trying to sort out who is collecting data and for what purpose. Senator Edwards has a group that the OHA will be responsible for convening to compile data that looks at the industry going forward. Ms. Saxton stated that she would like to hear what concerns the ACMM has regarding data but she cannot make commitments until she knows what the funding will be for this group.



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Summary of Dialogue Continued:

Dispensary Program Progress Report Continued:

- Mr. Crawford stated that he is offering to do the data analyzes for free through OHSU.
- Ms. Saxton requested that Mr. Crawford re-submit his proposal for review. She stated the ACMM should look at Senator Edwards’ bill if there is interest in data collection.
- Mr. Richards asked why an OMMP patient cannot, under current law, be allowed to use a dispensary until they have the actual cards in hand.
- Mr. Wagner stated that the dispensary rules specifically state that a patient must present an OMMP card and valid ID to purchase from a dispensary. Mr. Wagner stated that those rules will be up for review as new rules are drafted to accommodate House Bill 3400.
- Mr. Richards stated that the statue does not require that an OMMP card be shown to enter a dispensary it is only indicated in the administrative rules.
- Mr. Mackaness requested Ms. Saxton’s commitment to change the rule that requires patients to present an OMMP card to purchase from a dispensary to make allowance for patients who are in the application process and have proof of application.
- Ms. Saxton stated that she cannot give her commitment to that rule change as House Bill 3400 has not yet passed and she has not yet looked at that data. Ms. Saxton requested that the ACMM create a list of issues that they would like addressed during the administrative rules revision process.
- Mr. Wagner stated that the OHA is awaiting a decision on the dispensary moratoria issue. House Bill 3400 may allow counties to reinstate dispensary moratoria. Mr. Wagner stated that currently there are about 299 registered dispensaries.
- Ms. Smith asked Mr. Wagner to comment on the information that many dispensaries are closing.
- Mr. Wagner stated that this is an anecdotal report that many dispensaries are at or below profit margins.
- Ms. Smith asked if Mr. Wagner if dispensaries were closing en masse.
- Mr. Wagner responded that he has not yet seen dispensaries closing en masse and the dispensary program has been seeing renewals starting to come in.
- Mr. Dalotto stated that he has been following the published dispensary statistics and sees that 45-50 dispensary applications are received per month but only one or two new dispensaries are listed. Mr. Dalotto would like to know what accounts for that disparity. Mr. Dalotto asked if this is due to dispensaries not waiving their confidentiality rights.



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Summary of Dialogue Continued:		
Dispensary Program Progress Report Continued: <ul style="list-style-type: none">▪ Mr. Wagner stated that dispensaries frequently do not wave their confidentiality rights until they realize they are not listed. Mr. Wagner stated that a formal analysis has not been done on this issue		
Action Items	<ul style="list-style-type: none">• Seth Crawford will re-submit his data collection proposal to the OHA.• The ACMM is to create a list of issues they would like addressed during the rules revision process.	



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Summary of Dialogue Continued:

Legislative Activity Update- *Presented by Steve Wagner*

- Mr. Wagner stated that House Bill 3400 is scheduled for a final reading today and is likely to move forward. Mr. Wagner stated that the bill would authorize a number of changes in the medical and retail programs, specifically that it will allow licensure of processors and labs. Mr. Wagner further stated that this will enable the OHA to ensure a safer product. Mr. Wagner stated that the OHA will set the testing standards for labs and product labeling; the OLCC will set the standards for packaging. Lastly Mr. Wagner stated that House Bill 3400 does not have fiscal allocations within; a separate funding bill will have to also be passed.
- Mr. Richards asked if House Bill 3400 has any limitations regarding co-location or proximity of recreational and medical dispensaries.
- Mr. Wagner stated that no language regarding those issues is in the current bill. Mr. Wagner stated that another bill deals with co-location for the October 1st early start recreational deadline.
- Mr. Dalotto asked if any other bill has passed or is being considered regarding the OMMP fee structure.
- Ms. Saxton stated that the discussion on how to fund the compliance process is live and ongoing. She stated that currently it is funded through fees there are no current discussions on any other programs being funded by OMMP fees.
- Mr. Wagner stated that the OMMP fee structure and what programs are funded through those fees is part of a bigger budget bill that goes through Ways and Means committee.



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Summary of Dialogue:

OLCC/ OMMP Interaction- *Presented by Steve Wagner*

- Mr. Wagner stated that he speaks with Steve Marks from the OLCC frequently and has a standing Thursday meeting with him to discuss any pertinent issues. Mr. Wagner stated that he similarly also has a standing Friday meeting with the ODA. Mr. Wagner stated that they have worked to keep the processes and rules surrounding growers and processors similar for consistency. Mr. Wagner stated that they also sit down outside of those meetings to speak about specific issues such as pesticide usage in marijuana.
- Mr. Mackaness asked if a cannabis grower is involved in the conversations they have regarding pesticide use.
- Mr. Wagner stated that the current conversations are internal and growers will be invited to speak when the process reaches technical advisory groups.
- Mr. Dalotto stated that the ACMM is a qualified and knowledgeable group that can be drawn upon during the discussions between the OHA and the OLCC.
- Ms. Sarah Bennett stated that the ACMM is eager to engage with the OHA during this process.



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Summary of Dialogue Continued:

Retail Marijuana Scientific Advisory Committee- Presented by Steve Wagner

- Mr. Wagner stated that the Retail Marijuana Scientific Advisory Committee (RMSAC) was convened to provide scientific input regarding recreational marijuana use to the OHA. RMSAC has been reviewing available data from peer reviewed articles on subjects such as serving size, recommendations to pregnant women and breastfeeding mothers then providing recommendations to the OHA on those subjects. Mr. Wagner stated that there is currently a paucity of data on the subject.
- Laird Funk stated that there is a study by Melanie Dreher of pregnant Jamaican women that states the effects of marijuana by that population.
- Mr. Seth Crawford stated that he does not recognize any of the members of RMSAC. Mr. Crawford stated that there isn't a paucity of data regarding the effect of cannabis. Mr. Crawford further stated that it seems RMSAC isn't reviewing scientific data but merely the recommendations that other states have put forth regarding serving size and inebriation. Mr. Crawford stated that for example there is no mention of the difference between THC and THCA and the effects of THCA.
- Mr. Wagner stated that the RMSAC meetings are public and Mr. Crawford is welcome to attend.
- Ms. Saxton asked Mr. Wagner if there are any vacancies on the committee.
- Mr. Wagner responded that the OHA controls that committee and can make any changes they would like to its makeup.
- Ms. Saxton requested that the ACMM submit any names of people they feel would be a good fit for the RMSAC.
- Mr. Crawford stated that he would like to recommend himself.
- Ms. Saxton requested that he submit his credentials to Mr. Wagner for consideration.
- Mr. Dalotto stated that he would work with Mr. Crawford to submit comments and recommendations on the composition of the RMSAC.
- Mr. Richards asked if any of the MDs listed as members of RMSAC are physicians who recommend medical marijuana.
- Mr. Wagner stated that Dr. Gerry Lehrburger is on the RMSAC. Mr. Wagner stated that when the RMSAC was created its intention was to mitigate any possible negative health effects that recreational marijuana might have on the populace.



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Summary of Dialogue Continued:		
Retail Marijuana Scientific Advisory Committee continued: <ul style="list-style-type: none"> ▪ Mr. Lehrburger stated that the RMSAC is a good idea but it seems to be risk oriented. Mr. Lehrburger stated that the RMSAC should broaden their scope to the benefits of medical marijuana. ▪ Ms. Smith stated that medical and recreational marijuana will share similar risks so she does not understand why RMSAC would only focus on recreational marijuana. ▪ Ms. Burbank stated that the RMSAC does not appear to be providing any educational information regarding usage and effect of cannabis to new users. ▪ Mr. Lehrburger stated that the RMSAC should be weighing the risk and benefits of marijuana use and providing that information to physicians. ▪ Mr. Dalotto stated that he feels it is important that the OMMP provide better financial reporting so that the ACMM can perform its statutory obligations. ▪ Mr. Wagner stated that it is a difference of opinion regarding the level of detail that the ACMM needs to perform within its intended scope. ▪ Mr. Dalotto requested that the discussion on OMMP fee structure occur every year at a set time so the ACMM can prepare. ▪ Ms. Saxton stated that the OMMP budget is tied to the Governor's budget so she cannot commit to doing so by the summer. Ms. Saxton can give an annual time when fee structure can be discussed. 		
Action Items	<ul style="list-style-type: none"> • Seth Crawford will submit his credentials for consideration to the RMSAC. • Todd Dalotto and Seth Crawford will submit recommendations as to the composition of the RMSAC. • Lynn Saxton will schedule an annual time when fee structure can be discussed. 	

Time	Lunch Break
11:45-12:45	

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Web Address: healthoregon.org/acmm



Quarterly ACMM Meeting Minutes

Part 2: Committee Business

Time	Agenda Topic	Person Responsible
12:45-12:55	Expectations and Guidelines	Cheryl Smith

Summary of Discussion:

Expectations and Guideline- *Presented by Cheryl Smith*

- Ms. Smith has provided a document that outlines the expectations and guidelines of the ACMM in the meeting folders.
- Ms. Smith requested that the ACMM please review the provided document and asked if there were any questions. There were no questions regarding the content of the document.
- Ms. Burbank asked if the retiring members were still considered active since new members have not yet been appointed.
- Mr. Mackaness responded in the affirmative.
- Ms. Bennett asked Mr. Wagner if all ACMM applicants have been sent letters regarding appointment delay.
- Mr. Wagner stated that he is not certain.
- Ms. Burbank stated that Tawana Nichols said in the last meeting that letter had been sent out to all applicants.
- Mr. Dalotto moved to table a vote on acceptance of this document until the next meeting.



Quarterly ACMM Meeting Minutes

	Agenda Topic	Person Responsible
12:55-1:55	Subcommittee and Other Reports: <ul style="list-style-type: none"> ▪ Horticulture Research & Safety Report ▪ Legislative Report ▪ Outreach/ Education 	Todd Dalotto Anthony Taylor Cheryl Smith

Summary of Discussion:

Horticulture Research & Safety Report- Presented by Todd Dalotto

- Mr. Dalotto stated that the subcommittee does not have anything to report at this time because they have not received feedback regarding data request since the departure of Tom Burns.
- Mr. Wagner stated that he would be the one who the requests go to and he has not seen any such data requests.
- Mr. Dalotto stated that he sent an email a couple months ago that listed what Mr. Burns has reported in the past and was found useful. Mr. Dalotto stated that this is the kind of information they requesting.
- Mr. Wagner stated that the dispensary report provided in this meeting is the data that they have available. Mr. Wagner asked what the purpose of horticulture committee is.
- Mr. Dalotto stated that he is speaking with regards to the dispensary subcommittee. Mr. Dalotto stated that the subcommittee exists to facilitate cardholders' interactions with dispensaries. Mr. Dalotto stated that the graphs presented did fulfill some of his request but he would still like information regarding logged complaints about dispensaries.
- Mr. Wagner stated that the system available does not have a way of creating a report for dispensaries with the information that Mr. Dalotto is requesting. Mr. Wagner stated that that system will likely have to change with the passage of HB 3400 and the new requirements that bill presents.
- Mr. Dalotto stated that he sees value in the committee's existence but would like more communication with the dispensary program in order to be successful.
- Mr. Wagner stated that it is a possibility that the ACMM's purview may be extended to include the dispensary program with the passage of HB 3400, but at this time he does not have that information as it was changing from day to day while legislation was in session.
- Mr. Mackaness stated that he would like to know if there is any action that the OHA can currently take on products that have been reported by the Oregonian to contain pesticides.
- Mr. Wagner stated that batches of medical marijuana are not homogenous and there are currently no set laboratory testing criteria. Mr. Wagner asked if Mr. Mackaness is advocating that the OHA tell dispensaries how they should handle their inventory.
- Mr. Mackaness stated that he would like the OHA to work with the ACMM to educate dispensary owners regarding pesticide use. He would like the OHA take a proactive in advocating for patient's rights.



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Summary of Discussion Continued:

Horticulture Research & Safety Report continued:

- Ms. Bennett stated that she would like, as a dispensary owner, to work with the OMMP in speeding up the application process so patients can have faster access to their medication. Ms. Bennett stated that this committee is a good venue in which to discuss any obstacles that patients face while interacting with the OMMP and the dispensary program.
- Ms. Smith asked for clarification from Mr. Wagner as to whether the ACMM might be expanding their scope to include the dispensary program.
- Mr. Wagner stated that the dispensary program and the OMMP will be combined.
- Ms. Smith asked if the OMMP will have an educational message on how to consume marijuana responsibly that will mirror the OLCC message to recreational users.
- Mr. Wagner stated that the OHA is not an advocate for medical marijuana. Mr. Wagner stated that the ACMM can assist in helping figure out departmental priorities, within the set constraints. Mr. Wagner stated that if the ACMM thinks the phone hours should be expanded and take priority over application processing he can do that.
- Ms. Burbank stated that she would like it all. Ms. Burbank stated that she would like the phone hours to be expanded and for the applications to all be processed at a faster pace. Ms. Burbank stated that the program creates enough funds to enact this.
- Mr. Wagner stated that legislature sets the budget that the OMMP has to work with. Mr. Wagner would like to provide the level of customer service that Ms. Burbank proposes. Mr. Wagner stated that it would be useful to be able to do horticultural research and think about educational materials for patients and physicians that the ACMM proposes but the OMMP has to work within their budgetary constraints.
- Mr. Richards stated that the educational piece for physicians is important because right now physicians are unwilling to recommend medical marijuana for fear of their prescribing privileges being revoked.
- Mr. Wagner agrees with Mr. Richard's sentiment but states that the OMMP must still work within their current resources and will have to shortly focus on processing and growing certifications.



Quarterly ACMM Meeting Minutes

Time	Agenda Topic	Person Responsible
12:55-1:55	Subcommittee and Other Reports: <ul style="list-style-type: none"> ▪ Horticulture Research & Safety Report ▪ Legislative Report ▪ Outreach/ Education 	Todd Dalotto Anthony Taylor Cheryl Smith

Summary of Discussion:

Legislative Report- Presented by Anthony Taylor

- Anthony Taylor introduced himself as Co-Founder and Legislative Liaison for Compassionate Oregon, a patient advocacy group.
- Mr. Taylor stated that Senate Joint Memorial 12 urges that the senate and state agencies send a letter to the federal government to resolve the banking issues and to reclassify Marijuana so that it is no longer a Schedule I substance.
- Mr. Taylor stated that the House has also printed Senate Bill 460, which deals with early recreational marijuana sales.
- Mr. Taylor stated that they have also printed HB 2041, which would move the tax on recreational marijuana from producers to consumers at a rate of 17%, with local authority having the option of adding a 3% tax as well. The bill also addresses how the revenues will be distributed to the OLCC, OHA, and DOA. Mr. Taylor stated that this bill precipitated OLCC raising their licensing fees.
- Mr. Wagner stated that the bill may have been changed so that the OLCC can only get revenue from the fees and not from taxes.
- Mr. Taylor concurred and stated that OLCC is looking at an increase in licensing fees to \$7500 to accommodate not getting tax revenue.
- Mr. Taylor stated that HB 3400 passed today and will need to go to the Governor's office.
- Mr. Taylor stated that also printed was SB 844, which will set up research, will include some expungment, patient rights, and palliative caregiver protection. Mr. Taylor stated that this bill is currently in Ways and Means.
- Mr. Wagner stated this SB 844 has a lot of power because of who is sponsoring the bill.
- Mr. Taylor stated that HB 3400 will not affect most of the people who are growing marijuana for themselves or for a family member. Mr. Taylor stated that if a grower cultivates more than 12 plants, then reporting restrictions will apply. Mr. Taylor stated that there are currently no limits on commercial grows but it will be addressed in rules. Mr. Taylor stated that HB 3400 created a certification for medical marijuana processors under the OMMP's authority.
- Ms. Bennett clarified that this would include the making of edibles, along with waxes and oils, for sale to dispensaries.



Quarterly ACMM Meeting Minutes

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12:55-1:55	Subcommittee and Other Reports: <ul style="list-style-type: none"> ▪ Horticulture Research & Safety Report ▪ Legislative Report ▪ Outreach/ Education 	Todd Dalotto Anthony Taylor Cheryl Smith

Summary of Discussion Continued:

Legislative Report Continued:

- Mr. Wagner stated that it is important to note that marijuana is no longer considered an adulterant. Mr. Wagner stated that edibles are now considered a food that is subject to regulations that apply to food everywhere under DOA authority. Mr. Wagner stated that this is important to the health and safety of consumers but is also important to dispensaries that are now selling food, or processors that are now making food.
- Mr. Taylor stated that this bill also restricts the number of plants a medical marijuana address may produce. Mr. Taylor stated that if a grow site is currently producing for up to 16 patients then it is grandfathered in and may continue, but if the grow site loses a patient, that patient cannot be replaced. Mr. Taylor noted that this restriction applies to land zoned for farm use. Mr. Taylor stated that the limits change when grow sites are in residential areas. Mr. Taylor stated that the bill also removes the height limit on immature plants. Mr. Taylor stated that the bill also asks the OHA to establish and maintain a tracking and reporting system for marijuana and marijuana products. Mr. Taylor stated that the bill gives the OHA authority of testing, labeling and dosage. Mr. Taylor stated that the only downside is that it requires growers to obtain a land use compatibility statement. Mr. Taylor stated that if the land is not found to be compatible the grower will have two years to find compatible land or ask for a change in the compatibility statement.
- Ms. Smith asked if this applied to outdoor grows.
- Mr. Taylor responded that it is primarily aimed at outdoor grows.
- Ms. Burbank asked whether she and three of her family members grew at one farm site, each as their own growers, would be acceptable.
- Mr. Taylor stated that if the address is growing more than twelve plants those growers would have to report.
- Mr. Wagner concurred that if the three growers are at the same address then a grow site certification would be required.
- Mr. Smith asked whether there is a presumption that each grower will grow the maximum allowed quantity of six plants per patient.



Quarterly ACMM Meeting Minutes

Time	Agenda Topic	Person Responsible
12:55-1:55	Subcommittee and Other Reports: <ul style="list-style-type: none"> ▪ Horticulture Research & Safety Report ▪ Legislative Report ▪ Outreach/ Education 	Todd Dalotto Anthony Taylor Cheryl Smith

Summary of Discussion Continued:

Legislative Report Continued:

- Mr. Taylor stated that that is the assumption.
- Ms. Burbank asked if this applies to the plants currently in the ground.
- Mr. Wagner stated that the grow site restrictions do not apply until next year and the grandfathering clause goes back to December 31st of 2014. Mr. Wagner stated that there is a request to IT to pull this data as it is not currently available.
- Ms. Bennett would like to clarify when reporting must begin.
- Ms. Smith clarified that reporting will go into effect next year.
- Mr. Taylor asked what kind of system will be in place to notify growers that a grow site permit is required.
- Mr. Wagner stated that will be decided during the rules making process on which the ACMM can advise.
- Mr. Taylor asked if the OHA will provide the forms that will need to be completed for reporting.
- Mr. Wagner stated that this is part of the dialogue that is currently occurring and he hopes the reporting will be computerized and can piggy-back on the system that OLCC has. Mr. Wagner stated that the OHA's interest is in being able to trace problematic product.
- Ms. Smith stated that the reality of creating these regulations is that if they get too difficult you risk pushing people back into the black market.
- Mr. Taylor stated that he believes the tracking component of this bill will be a boon to the program and participants, as it will provide necessary data on supply and demand.
- Mr. Taylor stated that the OHA must advocate for medical marijuana patients in order to run this program effectively.
- Mr. Crawford stated that HBI 2668 is currently in the joint House Ways and Means committee and pertains to the industrial hemp moratorium. Mr. Crawford stated that the bill allows the existing twelve licensees, who meet the requirements, to have their licenses for the next 2-3 years. It requires ODA to work through OSU to complete research on the compatibility of industrial hemp with recreational marijuana growsites.



Quarterly ACMM Meeting Minutes

Time	Agenda Topic	Person Responsible
12:55-1:55	Subcommittee and Other Reports: <ul style="list-style-type: none"> ▪ Horticulture Research & Safety Report ▪ Legislative Report ▪ Outreach/ Education 	Todd Dalotto Anthony Taylor Cheryl Smith

Summary of Discussion:

Outreach/ Education- Presented by Cheryl Smith

- Ms. Smith stated that with the legislature in session and the discussion over HB 3400 there is no Outreach/ Education report.
- Ms. Bennett stated that the educational material that the OLCC is presenting advising of the negative impacts of marijuana makes it difficult, for youth in particular, to reconcile with marijuana being seen as a medicine. Ms. Bennett stated that the message regarding marijuana from the OLCC and the OMMP must be consistent and clear so as not to confuse the public.
- Mr. Wagner stated that the education the OHA will provide to minors will very intentionally focus on risks and there will be reliance on doctors and parents to speak to underage patients regarding the benefits.
- Ms. Bennett stated that if the message that is provided by the OHA is deemed by the public to be untrue then the OHA will lose credibility.
- Ms. Smith stated that a new application handbook is now available and should answer any questions patients may have regarding the application process.



Quarterly ACMM Meeting Minutes

Time	Agenda Topic	Person Responsible
1:55-2:15	Recommendations to OHA	ACMM Members
Summary of Discussion continued:		
<p>Recommendations to OHA- Presented by Cheryl Smith</p> <ul style="list-style-type: none"> ▪ Ms. Smith stated that the recommendations that she has written down during this meeting are: <ul style="list-style-type: none"> ○ Data collection. ○ Change in the rules to allow cancer patients to go to a dispensary. ○ The director of the OMMP needs a new administrative assistant. ○ Increase staffing to get cards out on time. ○ Provide nominees for the RMSAC. ○ Fee structure ○ Prioritizing patients according to qualifying condition so the sickest get their cards the fastest. ▪ Mr. Wagner requested that this be placed on the agenda for next time. ▪ Mr. Richards stated the problem of patients being unable to access dispensaries can be easily fixed with a rule change that would allow for “safety packets” to be permissible proof as is stated in statute. ▪ Mr. Cossel stated that the statute Mr. Richards is referencing pertains to law enforcement who are able to contact the OMMP and verify the validity of the safety packet. Mr. Cossel stated that dispensaries cannot contact the OMMP. ▪ Mr. Richards stated that he disagrees on how that statute is interpreted. ▪ Mr. Dalotto stated that the OMMP should communicate to physicians and patients that if a patient has a need to have a card expedited then the physician should make a note of that in the comments of the Attending Physician Statement. 		
Action Items	<ul style="list-style-type: none"> • Add the recommendations to the OMMP created during this meeting to the next meetings agenda. 	



Quarterly ACMM Meeting Minutes

Part 3: Public announcements and comments

Time	Agenda Topic	Person Responsible
2:00-2:30	Public Announcements and Comments	Members of the Public

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