



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: 10:00- 2:00pm
Location: Medford Library 205 South Central Ave Medford, OR 97501

Attendees:

ACMM Attendees: Arthur Richards, Ben Mackaness, Cheryl Smith, Brian Michaels, Todd Dalotto (on the phone), Sarah Bennett, and Seth Crawford (on the phone), Aligra Rainy, Tristan Reisfar

OMMP/OHA Staff: Steve Wagner (on the phone), Aaron Cossel, Gabriela Tanaka

Absent ACMM Members: Paul Schmidt

Members of the Public as listed on the Sign in sheet: Lori Duckworth, Jerry Robinson, Kristen Lee, Sean Chandler

Summary of Meeting Action Items:

Action Item	Responsible Party
Mr. Wagner will provide the ACMM a timeline for when the new rules can be reviewed.	Steve Wagner
Mr. Wagner will provide the grower survey to the ACMM for review and input.	Steve Wagner
Ms. Tanaka will try and obtain a timeline for when recommendations to the OLCC will be made by the OHA.	Gabriela Tanaka
Ms. Tanaka will make proposed edits to the June 30, 2015 meeting minutes and post them on the website.	Gabriela Tanaka
Mr. Cossel will speak with leadership about the possibility of a provider only hotline	Aaron Cossel
Ms. Rainy will convene the Education and Outreach subcommittee at a later date.	Aligra Rainy
Ms. Tanaka will send out travel reimbursement forms to the ACMM.	Gabriela Tanaka
Mr. Cossel will find out when the new qualifying condition goes into effect.	Aaron Cossel

Summary of Meeting Motions:

Proposed Motion	Proposed by	Outcome
Motion to postpone meeting minute review until after lunch	Sarah Bennett	Passed unanimously
Motion to accept meeting minutes with minor revision	Sarah Bennett	Passed unanimously
Motion to accept Expectations and Guidelines with minor revisions.	Aligra Rainy	Passed with a majority vote
Motion to appoint Aligra Rainy as the chair of the outreach/education subcommittee.	Sarah Bennett	Passed unanimously
Motion for the Outreach and Education Committee to write an open to the public and media to inquire as to who is accountable when the OMMP does not meet its 30 day processing time.	Cheryl Smith	Passed unanimously



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Part 1: OMMP Administrative Reports with ACMM Discussion

Time	Agenda Topic	Person Responsible
10:00-10:15 am	Welcome and Introductions <ul style="list-style-type: none"> ➤ Review of Prior Meeting Action Items ➤ June 30, 2015 Meeting Minute Approval 	ACMM Chair: Cheryl Smith
Summary of Discussion		
<p>Review of Prior Meeting Action Items <i>presented by Cheryl Smith</i></p> <ul style="list-style-type: none"> • Cheryl Smith reviewed the completion of last meeting’s action items. • Ms. Smith requested the committee to review the meeting minutes for the previous meeting • Sara Bennett moves to postpone reviewing the meeting minutes until after lunch. • Ben Mackaness seconds the motion. The motion passed unanimously. 		
Conclusion(s)	<ul style="list-style-type: none"> ▪ Motion passed to postpone meeting minute review until after lunch 	



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

Summary of Discussion

Program Update Presented by Steve Wagner

- Steve Wagner stated that the Oregon Medical Marijuana Program (OMMP) and the Medical Marijuana Dispensary program are working towards merging into one program and being co-located on one floor.
- Mr. Wagner thanked Ben Mackaness and Cheryl Smith for participating in the interview process for management positions.
- Mr. Wagner expects to have the department fully staffed by the first week of November.
- Mr. Wagner stated that OMMP has now been given permission to hire temporary staff. Mr. Wagner stated that Megan Lockwood is currently working with temp agencies to fill the positions. Mr. Wagner stated that the staff will assist in answering phones and processing cards.
- Mr. Wagner stated that beginning October 1st OMMP dispensaries will be allowed to participate in recreational marijuana sales. Mr. Wagner stated that the temporary rules for recreational sales will be filed in the coming week. Mr. Wagner stated that a new web page will go live on October 1st and it will house all Oregon Health Authority (OHA) marijuana information. Mr. Wagner stated that the website has been improved for ease of use through the use of analytics.
- Mr. Wagner stated that on November 15th there will be temporary rules for labeling, testing standards, dosing/serving size, accreditation. Mr. Wagner stated that he hopes to have a draft available so that the ACMM can review the rules. Mr. Wagner stated that he would provide a time frame regarding when the ACMM can expect to review the rules.
- Sarah Bennett asked Mr. Wagner if dispensaries must wait for confirmation of notification receipt from the OHA before they begin recreational sales.
- Mr. Wagner stated that the dispensaries do not need a confirmation from the OHA once they have submitted their recreational sales intention notification. Mr. Wagner stated that the OHA will issue confirmations for all notifications received.
- Ms. Bennett asked if the notification form can be submitted online or if it must be mailed.
- Mr. Wagner stated that the OMMD would prefer that the forms to be emailed.
- Mr. Wagner stated that there will be FAQ's available on the dispensary website that will answer questions that the public may have.
- Todd Dalotto asked if the ACMM would be serving as the rules advisory committee (RAC) for the new rules going into place.
- Mr. Wagner stated that the ACMM will be part of the RAC but it still will be supplemented with other individuals. A RAC will be needed for the permanent rules that come into place in March.
- Mr. Dalotto stated that he was concerned with the process of rule making. Mr. Dalotto stated that the temporary rules for early start were implemented very quickly and he would like to make sure that for future rules the ACMM will be able to meet as a committee to review the rules and aren't discouraged from discussing them within the committee.

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



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10:15-10:30	Administrative Reports: <ul style="list-style-type: none"> ➤ Program Update ➤ Statistics ➤ Budget Review 	Steve Wagner Aaron Cossel Steve Wagner

Summary of Discussion

- Mr. Wagner stated that he did not intend to discourage discussion amongst the ACMM.
- Mr. Dalotto stated that he had received an email response requesting that comments not be shared with the group.
- Mr. Wagner stated that he had simply requested that the comment be sent to the MEDMJ email address as that is where the comments were being consolidated.
- Gabriela Tanaka stated that Tracy Candela has requested that the ACMM participate in the testing of the new Marijuana website. Ms. Tanaka stated that further information about the website testing can be found in the meeting packets.

Action Item(s)	<ul style="list-style-type: none"> ▪ Mr. Wagner will provide the ACMM a timeline for when the new rules can be reviewed.
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Summary of Discussion Continued

- **Statistics provided by Aaron Cossel**

- Number of current OMMP Patients: 74,974
- Number of current (unique) OMMP caregivers: 36,093
- Number of current (unique) OMMP growers: 47,610
- Number of registrations where patients list themselves as grower: 40,161*
- Number of registrations where patients list someone else as a grower or has no grower: 39,328*
- Number of physicians with a current patient on the OMMP: 1,704
- Number of MDs and DOs licensed in Oregon: 15,973
- Number of out-of-state participants:
 - Patients: 2,493
 - Caregivers: 717
 - Growers: 809
- **Condition Count: ****
 - Severe Pain: 71,659
 - Spasms: 21,620
 - Nausea: 10,521
 - Cancer: 4,393
 - PTSD 5,190
 - Seizures: 2,061
 - Cachexia: 1,215
 - Glaucoma: 1,167
 - HIV/AIDS: 794
 - Alzheimer’s Disease (agitation): 84
 - Severe Pain *only*: 40,537
 - PTSD *only*: 1,184

**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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10:15-10:30	Administrative Reports: <ul style="list-style-type: none"> ➤ Program Update ➤ Statistics ➤ Budget Review 	Steve Wagner Aaron Cossel Steve Wagner
Summary of Dialogue Continued:		
<ul style="list-style-type: none"> • Ms. Smith asked Mr. Wagner if there was a plan regarding the expected loss of medical marijuana growers once recreational sales are in full force. • Mr. Wagner stated that the OMMP does not have anything in place for this scenario. Mr. Wagner asked if there were suggestions of what could be implemented that would fall within the scope of the OMMP. • Ms. Rainy stated that increasing the longevity of the card would go a long way to ensure that patients can keep their growers. Ms. Rainy stated that with the current fees and twelve month card validity patients are not able to keep up with their registrations. • Ms. Bennett stated that the current legislation states once a grandfathered grower loses a patient the grower can't add a new patient. Ms. Bennett asked if that can be changed administratively or if that would require a legislative change. • Mr. Wagner stated that would have to be changed legislatively. Mr. Wagner stated that this rule applies to the number of plants that can be at a grow site and its related grandfathering clause. • Mr. Dalotto stated that the only thing that changed was the number of plants that can be grown at a location. Mr. Dalotto asked if there are any limitations as to the number of patients that grow at a grow site or how many grow sites a grower can have. Mr. Dalotto stated that growers are telling their patients that the OHA is forcing them to fire patients. • Mr. Wagner stated that the OHA has not told growers to fire their patients. Mr. Wagner stated that he does not have a good answer on that particular part of the legislation as it doesn't take effect until later in the timeline. Mr. Wagner stated that he understands that a challenge exists regarding the production of medical marijuana but it may be a challenge for legislation. Mr. Wagner stated that the OHA will be sending out a survey to growers, dispensaries and processors asking if they intend to continue as medical marijuana providers or if they will change over to supply the recreational market. Mr. Wagner stated that once the survey is ready it will be sent to the ACMM for review and input. • Ms. Smith stated that there is currently a presumption that a grower is growing the maximum number of plants per patient. Ms. Smith stated that there are many growers that only grow one or two plants per patient. • Ms. Wagner stated that the early drafts of the legislation had wording regarding this presumption but that may have changed so he is reluctant to give a definitive answer until he has reviewed the current legislation further. • Mr. Dalotto stated that his concern is that if there is still a legal opportunity for growers to continue growing for patients then they should be made aware of said opportunities. 		
Action Items	<ul style="list-style-type: none"> ▪ Mr. Wagner will provide the grower survey to the ACMM for review and input 	



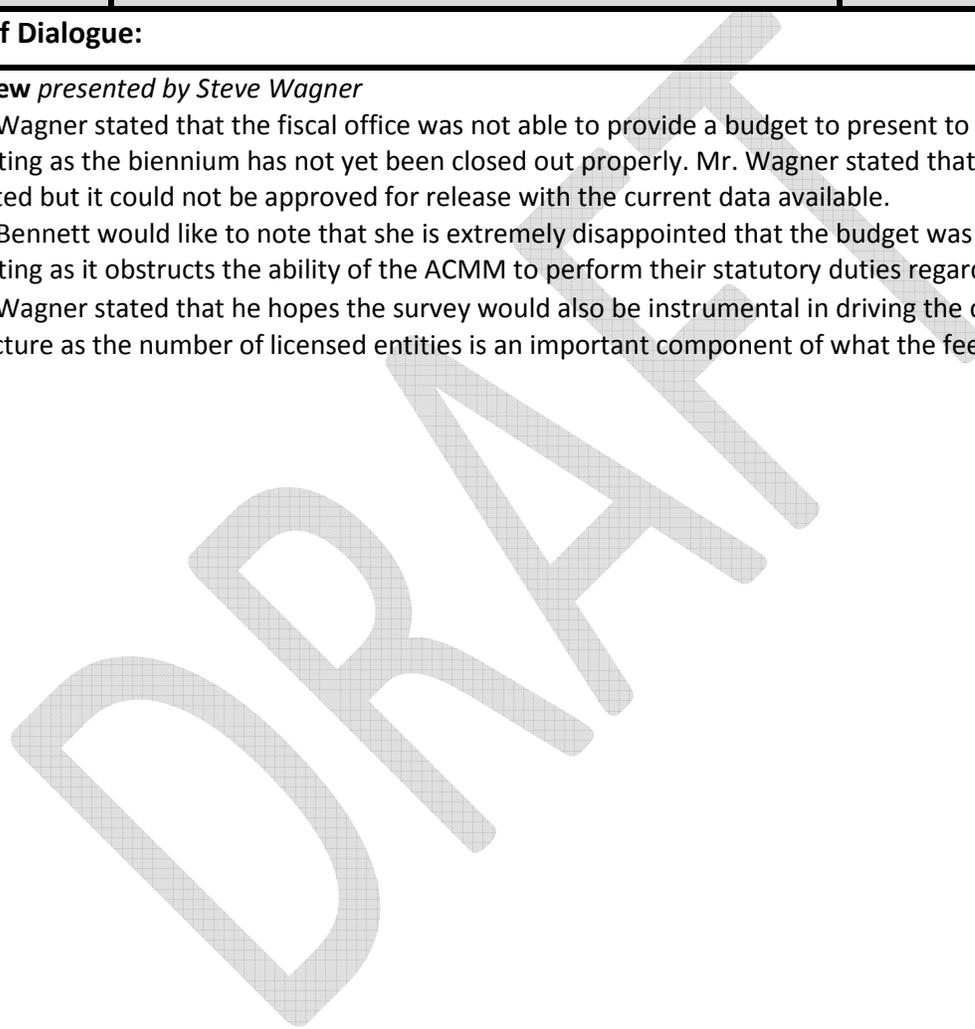
Quarterly ACMM Meeting Minutes

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10:15-10:30	Administrative Reports: <ul style="list-style-type: none">▪ Program Update▪ Statistics▪ Budget Review	Steve Wagner Aaron Cossel Steve Wagner

Summary of Dialogue:

Budget Review presented by Steve Wagner

- Mr. Wagner stated that the fiscal office was not able to provide a budget to present to the ACMM in time for this meeting as the biennium has not yet been closed out properly. Mr. Wagner stated that a budget document was drafted but it could not be approved for release with the current data available.
- Ms. Bennett would like to note that she is extremely disappointed that the budget was not available for this meeting as it obstructs the ability of the ACMM to perform their statutory duties regarding fee structure.
- Mr. Wagner stated that he hopes the survey would also be instrumental in driving the conversation on fee structure as the number of licensed entities is an important component of what the fee structure is.





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Time	Agenda Topic	Person Responsible
10:30-11:15	Dialogue between ACMM and OHA: <ul style="list-style-type: none"> ▪ Update on Hiring and Reorganization ▪ Update on Rulemaking ▪ Scientific Advisory Committee Update ▪ Grower Residency Requirement/ ODA Pesticide Memo 	ACMM Members and OHA Administration

Summary of Dialogue:

Update on Hiring and Reorganization *presented by Steve Wagner*

- Mr. Wagner stated that he went over the hiring and reorganization update during the program update.

Update on Rulemaking *Presented by Steve Wagner*

- Mr. Dalotto asked if the ACMM will be discussing the rule making that is in process as there are rules that go into effect on October 1st, January 1st, and March 1st.
- Mr. Wagner stated that the rules that go into effect on January 1st have to be completed and filed by November 15th. Mr. Wagner stated that those rules would cover accreditation, labeling, testing and standard dose/serving size. Mr. Wagner stated that those are still in draft they should be available in October but will not align with ACMM meetings.
- Mr. Dalotto asked if the January 1st rules are temporary rules or permanent
- Mr. Wagner stated that those rules are temporary. Mr. Wagner stated that the rules due on March 1st are permanent rules. Mr. Wagner stated that temporary rules are not required to have a rules advisory committee but are available for review and input online.
- Mr. Dalotto stated that one of the main purposes of the ACMM is to advise on current or proposed rules. Mr. Dalotto stated that if the OMMP is currently in a rush to get these temporary rules out then it is the best time to involve the ACMM. Mr. Dalotto stated that if the ACMM is left to just review a draft of the rules and submit comments individually instead of having an opportunity to meet as a committee to discuss the rules then he doesn't see how the ACMM can provide meaningful input.
- Ms. Smith stated that she disagreed with Mr. Dalotto. Ms. Smith stated that she finds it more helpful to be able to examine the rules and formulate her opinions on them at home. Ms. Smith stated that the ACMM can still discuss via phone and email. Ms. Smith stated that if they talk about rule making during an ACMM meeting it would take up the whole meeting and they would not be able to talk about anything else.
- Ms. Bennett asked if the ACMM can schedule a special meeting or schedule a meeting with Mr. Wagner directly.
- Mr. Wagner responded that the ACMM could schedule a special meeting but he would have to investigate what rules they would have to follow as ACMM meetings are usually public meetings and it may impact timeframe. Mr. Wagner stated that he has reviewed every comment received on the rules and assured that they are all considered.
- Mr. Smith asked if Mr. Dalotto felt comfortable with the idea of a special meeting.
- Mr. Dalotto responded that he would like the ACMM to review the rules before they become a proposed draft. Mr. Dalotto stated that after the proposed draft is issued there are generally very few changes made.



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Summary of Dialogue Continued:

- Ms. Bennett stated that she did not agree with Mr. Dalotto as she would like a proposed draft for review as it is not the responsibility of the ACMM to draft rules
- Mr. Dalotto stated that the first draft of the rules should mostly be a copy of the statutes, as this would provide a skeleton framework that the ACMM can then use to fill in the gaps. Mr. Dalotto stated that input on completed drafts don't seem to have much affect.
- Ms. Bennett asked Mr. Wagner if it is possible to obtain a copy of the "skeleton framework" that Mr. Dalotto is requesting prior to it being published.
- Mr. Wagner stated that currently they are working on a third draft and he is not comfortable releasing that draft until final discussions have been completed. Mr. Wagner stated that just this morning they just had a discussion with laboratories, Mr. Wagner stated that he appreciates that the ACMM would like to be involved in every aspect of rulemaking but what the OHA is looking for right now is input on the third and not the final draft of the rules.
- Ms. Smith stated that she understands the frustration that Mr. Dalotto is experiencing but she feels that even if he were on a RAC that he would feel his input was being disregarded.
- Mr. Dalotto asked if any changes were made to the proposed rule draft for the October 1st start date.
- Mr. Wagner responded that yes there were changes made to that draft.
- Mr. Dalotto asked if that draft can be shared before it was published.
- Mr. Wagner responded in the negative. He stated that the primary comments that were received were in regards to the residency requirements constitutionality.
- Ms. Bennett asked who is providing comments and recommendations for these rules.
- Mr. Wagner stated that he has received comments from the ACMM on retail, he presumes that he will receive comments from them on the other rule drafts.
- Ms. Smith stated that the rules are in their third draft and she would like to know who provided comments on the first two drafts.
- Mr. Wagner stated that comments have been provided by internal staff, technical advisory groups, and other agency experts.
- Ms. Smith stated that she is dissatisfied with this process. Mr. Smith stated that the ACMM represents the industry in so many areas and that they should be used more.
- Mr. Wagner stated that he understands her frustration and her perspective that the OHA isn't listening to comments received after a certain draft stage. Mr. Wagner stated that all he can really say is that OHA does reads through all of those comments and they make changes accordingly.



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Summary of Dialogue Continued:

- Mr. Dalotto stated that he is concerned when he hears that the primary comment received by the OHA was about the constitutionality of residency requirements; when his comment, and the comments of others he has spoken to, were about the pregnancy warnings issued by the OHA. Mr. Dalotto does not see any medical need to provide such a warning nor does he think the OHA has authority to issue such a warning.
- Mr. Wagner stated that was the second most common comment received by the OHA. Mr. Wagner stated that the OHA has public health authority and responsibility to protect the public.
- Mr. Dalotto stated that the OHA has a responsibility to implement science based recommendations or actions to protect public health. Mr. Dalotto stated there is no scientific data available that states there is a risk posed to a mother or a fetus from cannabis. Mr. Dalotto stated that there are many mothers and pregnant women who use cannabis medicinally for symptoms associated with pregnancy. Mr. Dalotto stated that discouraging women from using a safe and effective treatment poses more of a risk than not doing anything.
- Mr. Wagner stated that he disagrees with Mr. Dalotto; he. Mr. Wagner stated that there is evidence that states THC passes the placental barrier and THC has an impact on a developing brain.
- Mr. Dalotto stated that this is why the ACMM needs to be meeting so the issues can be discussed with science information.
- Ms. Smith stated that this would be a good time to segue way into the Retail Marijuana Scientific Advisory Committee (RMSAC).



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Summary of Dialogue:

- Ms. Wagner stated that he did not have much information available on the RMSAC meetings. Mr. Wagner stated that Gabriela Tanaka may have more information.
- Ms. Tanaka stated that the meeting minutes and agenda for the last few RMSAC meetings are included in the meeting packets.
- Mr. Wagner excused himself as he had to attend another meeting.
- Ms. Bennett asked if it was possible to obtain the literature reviewed during the RMSAC meetings.
- Ms. Tanaka stated that the RMSAC agenda that has been emailed to the ACMM and is available on the RMSAC website has links to the data reviewed.
- Ms. Bennett asked if all the members of the RMSAC were in attendance.
- Ms. Bennett asked if Gerry Lehrburger has attended any of these meetings.
- Mrs. Tanaka stated that she does not think he has attended the meetings. Ms. Tanaka stated that the meeting minutes will state which members were in attendance.
- Ms. Tanaka explained that the table provided is not all the information that the RMSAC uses in its discussion. Ms. Tanaka explained that it is a reference tool for the literature already provided. Ms. Tanaka stated that the last meeting was focused on a white paper created by the OHA with recommendations to the OLCC that is currently in draft.
- Ms. Smith asked if the ACMM would like to take some time to review the RMSAC information provided
- Ms. Mackaness stated that the ACMM doesn't have any input so it would not be relevant to discuss it.
- Ms. Bennett asked if the RMSAC information temporary or permanent.
- Ms. Tanaka stated that these are recommendations that the RMSAC will provide to the OHA. Ms. Tanaka stated that these recommendations may be used by the OHA in their recommendations to the OLCC.
- Ms. Smith stated that the RMSAC meetings are public meetings and can be attended by any ACMM member.
- Ms. Bennett asked when the OHA will be making its recommendations to the OLCC.
- Ms. Tanaka stated that she does not have that timeline available but will try and obtain one for the ACMM.
- Ms. Smith asked if the Department of Agriculture memo went to all growers.
- Mr. Cossel stated that he is not certain if the memo went to patients that are their own growers only.
- Ms. Smith stated that she knows several growers who haven't received this memo.
- Mr. Cossel stated that we used the mailing address listed for a grower on registrations and that a lot of the mail was returned not deliverable.



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Summary of Dialogue Continued:

- Ms. Bennett asked if the mail should have been forwarded to the new address.
- Mr. Cossel stated that the mail would have been sent out under bulk rates and that does not include mail forwarding service.
- Tristan Reisfar asked if the new grower residency forms should be used by all growers moving forward.
- Mr. Cossel stated that they should be used, as applicable, if a grower cannot prove residency with their Oregon ID. Mr. Cossel stated that it is only necessary for new applications but that will change on January 1st.
- Ms. Bennett asked what it means to the growers if this memo states that no pesticide is labeled for use on marijuana. Ms. Bennett asked if the department of agriculture is going to perform inspections.
- Ms. Smith stated that the memo is only informational.
- Mr. Dalotto stated that this memo doesn't make a distinction between commercial and non commercial crops. Mr. Dalotto stated that pesticides for commercial crops must be registered with the Department of Agriculture, they must be labeled for appropriate use and applied by someone who has a pesticide applicator license. Mr. Dalotto stated that a non commercial crop is only restricted by label instructions. Mr. Dalotto does not list any safer alternatives or organic methods. Mr. Dalotto would recommend that the Department of Agriculture should speak with a marijuana horticulturalist.
- Ms. Tanaka stated that there is an email at the bottom of the memo if anyone would like to contact the Department of Agriculture with comments.
- Ms. Smith asked if the ACMM is ready to vote on the expectations and guidelines created by Ms. Smith and Tawana Nichols.
- Ms. Bennett asked why Ms. Nichols was not present.
- Ms. Smith stated that her position has been eliminated. Ms. Smith stated the OHA is undergoing a reorganization.

Action Item(s)	<ul style="list-style-type: none"> ▪ Ms. Tanaka will try and obtain a timeline for when recommendations to the OLCC will be made by the OHA.
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Time	
11:15-12:30	Lunch Break



Quarterly ACMM Meeting Minutes

Part 2: Committee Business

Time	Agenda Topic	Person Responsible
12:36-12:41	Expectations and Guidelines	Cheryl Smith

Summary of Dialogue Continued:

- Ms. Smith asked if everyone has had a chance to review the minutes.
- Mr. Dalotto stated that he would like to add on page 15 that Ms. Saxton will set up a time when a fee structure will be discussed with the ACMM. Mr. Dalotto also stated that he and Mr. Crawford would submit comments and recommendations on the member composition of the RMSAC.
- Ms. Bennett asked if on that will be an action item.
- Ms. Smith stated yes and she would like that meeting to be for the December meeting.
- Ms. Bennett motioned to accept the minutes with changes.
- Mr. Mackaness seconded the motion. The motion passed unanimously.
- Ms. Smith asked if everyone has had a chance to review the Expectations and Guidelines presented at the last email.
- Mr. Dalotto stated that he has not had a chance to review it today.
- Mr. Crawford stated that at the last meeting Ms. Smith had requested that all comments be emailed to her.
- Ms. Rainy motioned to approve the rules. Mr. Reisfar seconded the motion.
- Ms. Smith asked if there was any discussion. Mr. Mackaness and Mr. Dalotto abstain from the vote. Vote passed with a majority.

Action Item(s)	<ul style="list-style-type: none"> • Ms. Tanaka will make proposed edits to the June 30, 2015 meeting minutes and post them on the website. 	
Conclusion(s)	<ul style="list-style-type: none"> • Motion to accept meeting minutes with minor revision passed unanimously. • Motion to accept Expectations and Guidelines passed with a majority vote. 	
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12:41-1:14	Subcommittee and Guidelines: <ul style="list-style-type: none"> ▪ Horticulture and other reports ▪ Outreach/ Education ▪ OMMP Recommendations 	Gerry Lehrburger Cheryl Smith Cheryl Smith
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Summary of Dialogue Continued:

Horticulture and other reports:

- Ms. Smith stated that there is no current horticultural report.

Outreach/ Education

- Ms. Smith stated that she was the chair of this subcommittee but would like to resign.
- Ms. Bennett motioned that Ms. Rainy become chair of this subcommittee.
- Mr. Mackaness seconded that motion. The motion passed unanimously.
- Ms. Smith stated that the following people are still on this committee: Lori Duckworth, Sarah Bennett, Arthur Richards.
- Ms. Bennett asked Ms. Rainy to speak about the Outreach/Education committee.
- Ms. Rainy stated Outreach and Education means a lot to her dispensary owner and as a patient. Ms. Rainy stated that she would like to set up a certification program that provides education to the public. Ms. Rainy stated that she would like to work towards setting standards in dispensaries.
- Ms. Bennett asked if this would fall under the scope of the OMMP or if it would fall under the OMMD.
- Ms. Smith stated that she believes the OMMP and the OMMD are merging per Mr. Wagner’s earlier information.
- Ms. Bennett stated that dispensaries and clinics need direct access to the OMMP and not the regular number. She asked Mr. Cossel if that would be possible.
- Mr. Cossel stated that he would bring that back to leadership for consideration. Mr. Cossel stated that his direct number is available but he would not be able to handle a large call volume.
- Ms. Rainy asked what kind of information clinics and dispensaries would be looking for, because if they are common questions they should be going to the internet or to the regular number.
- Mr. Cossel stated that if a clinic or dispensary is calling about a patient there will need to be a release on file. Mr. Cossel provided his phone number to ACMM members and stated that the ACMM could also send him an email as he is often away from his desk.
- Ms. Bennett stated that she expects clinics to get bigger and may require more support.
- Mr. Cossel stated that he spoke with Mr. Wagner and there has been talk about hiring people specifically for answering the phones. Mr. Cossel stated that this program is complicated so a large amount of training would be involved.
- Mr. Reisfar asked if there has been any reduction in the number of calls received since the website is now listing what day is currently being reviewed.
- Mr. Cossel responded in the negative.
- Ms. Rainy stated that this is likely because patients can’t access dispensaries until they have their card in hand.



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12:41-1:14	Subcommittee and Guidelines: <ul style="list-style-type: none"> ▪ Horticulture and other reports ▪ Outreach/ Education ▪ OMMP Recommendations 	Gerry Lehrburger Cheryl Smith Cheryl Smith
Summary of Discussion Continued:		
<ul style="list-style-type: none"> • Mr. Cossel agreed with Ms. Rainy. • Ms. Smith asked Ms. Rainy if there was anything she would like to add about outreach and education or if she would like to convene subcommittee at a later date for a report during the next meeting. • Ms. Rainy stated that she will convene subcommittee to meet at a later date. • Mr. Mackaness stated that if Ms. Rainy would like to have anyone else appointed to this subcommittee it must occur during a meeting of the ACMM. 		
Action Items (s)	<ul style="list-style-type: none"> ▪ Mr. Cossel will speak with leadership about the possibility of a provider only hotline. ▪ Ms. Rainy will convene the Education and Outreach subcommittee at a later date. 	
Conclusion(s)	<ul style="list-style-type: none"> ▪ Motion to appoint Aligra Rainy as the chair of the outreach/education subcommittee has passed unanimously. 	



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12:41-1:14	Subcommittee and Guidelines: <ul style="list-style-type: none"> ▪ Horticulture and other reports ▪ Outreach/ Education ▪ OMMP Recommendations 	Gerry Lehrburger Cheryl Smith Cheryl Smith

Summary of Discussion:

OMMP Recommendations presented by Cheryl Smith

- Ms. Smith stated that in the last meeting the ACMM came up with recommendations for the OMMP, a list of which is in the meeting packets. Ms. Smith stated that regarding nominations to RMSAC Mr. Crawford and Mr. Mackaness will provide their qualifications for consideration.
- Ms. Smith stated that the ACMM hoped to have an answer from Lynn Saxton regarding fee structure discussion. Ms. Smith stated she will contact Carla Orcutt for a fee proposal.
- Ms. Bennett would like to know what the status is on data collection.
- Mr. Crawford stated that the idea was to collect information on sales figures from dispensaries for flowers, concentrates etc., to get an idea of how much was going through the dispensary system. Mr. Crawford stated that the second part was to complete a survey of growers in the program to get an idea of how much people are producing and what methods they are using.
- Ms. Rainy asked if that has been completed.
- Mr. Crawford stated that this was proposed a year ago but it was not accepted.
- Ms. Rainy stated that a survey was attempted but only nine dispensary owners responded.
- Ms. Smith asked if they would like to continue with this recommendation.
- Mr. Crawford stated that he would be happy to resubmit the proposal. Mr. Crawford stated that he just hasn't received a positive response.
- Mr. Mackaness stated that a new director and three managers are in the process of being hired. Mr. Mackaness stated that one of the managers is in charge of statistics. Mr. Mackaness stated that the OMMP is being reorganized and will double in size to sixty staff members, including senior staff. Mr. Mackaness stated the ACMM will have the strongest impact if they go down to the offices and cordially meet with the new administrative staff. Mr. Mackaness stated that he understands that there is a sea change in opinion and there is hope that actions may change. Mr. Mackaness stated that the OMMP may find it helpful to create a strong relationship with new leadership. Mr. Mackaness stated that the ACMM should open up their calendars and be available to the new OMMP staff.
- Ms. Bennett asked who should be contacted in order to schedule these appointments.
- Mr. Mackaness stated that the conversation should be had at a different time.
- Ms. Smith stated that the data collection proposal should wait until the new people are hired and the dust has settled.
- Mr. Mackaness stated that they should wait two weeks after new management is hired to have face to face interaction with them.
- Ms. Bennett asked if Mr. Mackaness thinks the ACMM should hold off on all of these recommendations.
- Mr. Mackaness stated that the recommendations should be fleshed out and they can be made during these face to face meetings. Mr. Mackaness stated that as a group the ACMM should focus on the biggest issues.



Quarterly ACMM Meeting Minutes

Time	Agenda Topic	Person Responsible
12:41-1:14	Subcommittee and Guidelines: <ul style="list-style-type: none"> ▪ Horticulture and other reports ▪ Outreach/ Education ▪ OMMP Recommendations 	Gerry Lehrburger Cheryl Smith Cheryl Smith

Summary of Discussion Continued:

- Ms. Bennett asked if this would be a good time to discuss the other recommendations. Ms. Bennett stated that she would like to have the rules changed so that cancer patients can access dispensaries with the safety packet and that those patients get prioritized during application processing.
- Mr. Reisfar stated that beginning October 1st patients will be able to access flower but most seriously sick patients want concentrates or oil because they are not looking to get high. Mr. Reisfar stated that he would like every patient with a safety packet to have access to those products and then come the New Year have that scenario re-evaluated for abuse. Mr. Reisfar stated that the sickest patients do not have the luxury of the two months that it is taking to get cards. Mr. Reisfar stated that since this would just be a change to the rules he thinks it could be done quickly and easily.
- Ms. Smith stated that it was a change to the interpretation of the rules that cause patients to not be able to access dispensaries with safety packets.
- Mr. Reisfar stated that the change in those rules have been cruel and he has had two patients die before they could receive their OMMP cards. Mr. Reisfar stated that there are ways to work around this scenario but it would involve a law violation.
- Ms. Bennett stated that if the state would like to reduce the black market and get their fees then it would behoove them to have this available for immediate access.
- Mr. Mackaness stated that the administrative rules will be created with the new administration and they will be under pressure to do so quickly. Mr. Mackaness stated that the current course of action is ineffective.
- Ms. Bennett stated going back to the sickest of patients many do not smoke and find the other options more acceptable.
- Mr. Reisfar stated that many of the cancer patients have never used marijuana before and are only doing so because of desperation.
- Mr. Cossel stated that there has not been a recent change in policy but a clarification of the policy. Mr. Cossel stated that the rules in place were written when Tom Burns was still in office. Mr. Cossel stated that the idea was to insure authenticity and prevent forged documents or applications that have never been turned in. Mr. Cossel stated that the dispensaries were not aware of that so a clarifying memo was sent to the dispensaries.
- Ms. Smith stated that the confusion lies in the fact that the police will accept the safety packets but dispensaries cannot accept them.
- Ms. Bennett stated that in HB3460 it specifically stated your OMMP identification. Ms. Bennett stated that in the OMMA the definition of OMMP identification included the safety packet but that definition did not carry over into HB3460.



Quarterly ACMM Meeting Minutes

Time	Agenda Topic	Person Responsible
12:41-1:14	Subcommittee and Guidelines: <ul style="list-style-type: none"> ▪ Horticulture and other reports ▪ Outreach/ Education ▪ OMMP Recommendations 	Gerry Lehrburger Cheryl Smith Cheryl Smith

Summary of Discussion:

- Ms. Smith stated that there may have also been confusion because a lot of places were accepting just the green certified mail receipt and were not requiring the safety packet. Ms. Smith stated that this wasn't a change it was in rules it was just a change in what the dispensaries were accepting versus what the police accepted.
- Mr. Reisfar stated to add to the confusion dispensaries were tolerated long before they were legalized.
- Mr. Cossel stated that he doesn't know what the police would be tolerant of but these are the dispensary rules.
- Ms. Bennett stated that the ACMM should recommend that the rules be amended to encompass the definition in OMMA as opposed to what is currently in HB3460.
- Ms. Smith stated that Ms. Bennett could make a motion to issue such a recommendation.
- Mr. Mackaness stated that this was done in the last meeting.
- Ms. Bennett moved that the ACMM draft administrative rules recommending changes to redefine "OMMP identification card" in the current rules to encompass the definition in the OMMA, which includes proof of certified mail copy of OMMP application paperwork as sufficient to enter a dispensary for immediate access of medicine.
- Ms. Rainy seconded the motion.
- Ms. Smith asked if she can send that information to the head of the OHA as well.
- Ms. Tanaka will send the words of the motion to Ms. Smith for a letter draft.
- Mr. Dalotto stated that this is already the law and it's just the interpretation made by the attorney general's office that is at issue.
- Ms. Smith stated that the interpretation made by the attorney general's office is the law and it's what citizens abide by.
- Mr. Dalotto stated that he defers to the attorney.
- Ms. Smith stated that she's an ex-attorney. Motion passed unanimously.

Conclusion(s)	<ul style="list-style-type: none"> ▪ Motion for the ACMM to draft administrative rules recommendation changes to redefine "OMMP identification card" in the current rules to encompass the definition in the OMMA, which includes proof of certified mail copy of OMMP application paperwork as sufficient to enter a dispensary for immediate access of medicine. Passed unanimously.
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Quarterly ACMM Meeting Minutes

Time	Agenda Topic	Person Responsible
1:14-1:44	Committee Concerns: <ul style="list-style-type: none"> ▪ Processing times and patient access to medicine 	Tristan Reisfar

Summary of Discussion:

- Mr. Reisfar stated that with processing times ever increasing and October 1st looming he thinks it is important to get the safety packet accepted as OMMP identification.
- Ms. Smith asked Mr. Cossel if the applications being received by the OMMP have started their seasonal slow down.
- Mr. Cossel stated that it's difficult to tell because last month we received the largest number of applications ever received, so it is difficult to project demand. Mr. Cossel said that there was the thought that demand would drop off once recreational marijuana was legalized but clearly that hasn't occurred. Mr. Cossel stated that cancer, HIV and hospice applications are prioritized and processed immediately as an internal policy.
- Ms. Bennett requested that this priority be extended to patients with epilepsy as this is a very critical condition.
- Mr. Cossel stated that the request on making safety packets acceptable OMMP Identification may be better received if it was narrower in scope.
- Ms. Bennett asked what the accountability is for the OMMP processing cards over 30 days.
- Mr. Cossel stated that was not a question that he could answer.
- Ms. Smith asked how the ACMM would like to approach this issue. Ms. Smith asked if a letter should be written by the Outreach and Education committee to the OMMP that would ultimately go to the attorney general's office. Ms. Smith made a motion to write a formal letter to Lynne Saxton or to the attorney general's office to inquire about who is accountable if the OMMP does not meet its 30 day card processing time.
- Ms. Bennett seconded the motion.
- In discussion Mr. Mackaness stated that if a formal request is made to the attorney general's office then the response given will become a binding administrative rule. Mr. Mackaness stated that the question posed to the attorney general's office must be carefully considered because if the answer given isn't one you like it will still be considered binding. Mr. Mackaness stated that a letter being written to the attorney general should also be reviewed by legal council. Mr. Mackaness stated that the ACMM may want to speak to Brian Michaels regarding the possibility of litigation against the State of Oregon. Mr. Mackaness stated that filing of the litigation may be enough to create change in action.
- Mr. Cossel agreed with Mr. Mackaness any response from the attorney general's office will be considered a formal opinion.
- Ms. Smith wanted to know how the attorney general's office could respond in a way that the ACMM did not like.



Quarterly ACMM Meeting Minutes

Time	Agenda Topic	Person Responsible
1:14-1:44	Committee Concerns: <ul style="list-style-type: none"> Processing times and patient access to medicine 	Tristan Reisfar

Summary of Discussion Continued:

- Mr. Mackaness that neither he nor the ACMM knows what the answer from the attorney general’s office will be but the ACMM must be aware of the potential outcomes.
- Ms. Bennett stated that they will look into who the appropriate person is to ask this question of. Ms. Bennett stated that this falls within scope of the ACMM as it affects patient success.
- Ms. Smith asked if there was any more discussion on this motion.
- Mr. Dalotto asked if the motion could be repeated as he was having a hard time hearing over the phone.
- Ms. Smith stated that the motion was for a formal letter to be drafted, addressed to Lynne Saxton or the attorney general’s office, that would ask what the recourse is if the OMMP does not meet its 30 day card processing time frame.
- Mr. Dalotto asked if the letter would be to Ms. Saxton or will it also be directed to the attorney general’s office as well.
- Ms. Bennett asked if it would be enough to draft the letter to Ms. Saxton.
- Mr. Dalotto stated that the attorney general’s office could be cc’d on the letter and cc any other applicable senior staff.
- Mr. Mackaness stated that it can be an open letter to the public and the media.
- Ms. Smith amended her motion to include that this be an open letter to the public.
- Ms. Bennett seconded the motion. The motion passed unanimously.
- Ms. Smith stated that the ACMM will have a chance to see this letter before it goes public.
- Ms. Smith asked the ACMM if there were any other items to discuss.
- Mr. Dalotto asked if there was anything to report on the state of the hiring process.
- Ms. Smith stated that there are confidentiality contracts that are signed by those on the panels so it may prevent information being shared with the rest of the ACMM.
- Mr. Dalotto asked if it is a good process in general and if good evaluative questions are being asked.
- Mr. Mackaness stated that he was requested to provide any questions that the ACMM would like asked during the interview process. Mr. Mackaness stated that the interview process consisted of eight questions delivered by five participants. Mr. Mackaness stated that there was an interview coordinator who did not participate in the actual interview but presented the interview process to the interviewers and coordinated the schedule. Mr. Mackaness stated that the interview candidates were prescreened by human resources. Mr. Mackaness stated that there were no questions related to cannabis. Mr. Mackaness stated that after the questions were asked the interview panel then rated each candidate with performance metrics.



Quarterly ACMM Meeting Minutes

Time	Agenda Topic	Person Responsible
1:14-1:44	Committee Concerns: <ul style="list-style-type: none"> Processing times and patient access to medicine 	Tristan Reisfar

Summary of Discussion Continued:

- Mr. Mackaness stated that then three candidates were chosen for a second interview. Mr. Mackaness stated that the interview coordinator did ask the panel a question about patient advocacy. Mr. Mackaness stated that the coordinator did seem open to receiving additional questions for the candidates. Mr. Mackaness requested that the group email him any questions they think should be included in the interview. Mr. Mackaness stated that the only thing he thought was missing was representation of cannabis knowledge and patient advocacy. Mr. Mackaness stated that there is a new budget and a new structure for the OMMP and he is willing to share that structure via email. Mr. Mackaness stated that he could not share job descriptions as they are confidential.
- Ms. Smith stated that reimbursement forms were not included in the packet.
- Ms. Tanaka stated that she would send out those forms but that they should currently all still be sent to Megan Lockwood and any questions regarding reimbursements should go to her as well.
- Ms. Bennett asked if the application form has been changed to reflect the new qualifying condition.
- Mr. Cossel stated that doesn't go into effect until January.
- Ms. Bennett stated that she has a patient who has applied under the new qualifying condition and they are awaiting a response from the OMMP.
- Mr. Cossel stated that he will have to check on the timeline of when that condition goes into effect.
- Mr. Mackaness took the opportunity to thank the whole OMMP department for continuing to perform their duties and giving their all during a time of great change.
- Ms. Smith presented a poster she obtained at the state fair that warned about the effects of marijuana on pets.

Action(s)	<ul style="list-style-type: none"> Ms. Tanaka will send out travel reimbursement forms to the ACMM. Mr. Cossel will find out when the new qualifying condition goes into effect.
Conclusion (s)	<ul style="list-style-type: none"> A motion was passed for the Outreach and Education Committee to write an open to the public and media to inquire as to who is accountable when the OMMP does not meet its 30 day processing time.



Quarterly ACMM Meeting Minutes

Part 3: Public announcements and comments

Time	Agenda Topic	Person Responsible
1:44- 2:00	Public Announcements and Comments	Members of the Public

DRAFT