

Petition Submission and Technical Evidence Instruction

The Medical Cannabis Advisory Board may accept and review petitions from any individual or association of individuals requesting the addition of a new medical condition, medical treatment or disease for the purpose of participating in the medical cannabis program and all lawful privileges under the act. Except as otherwise provided, a petitioner filing a petition shall file the petition and a copy with the Medical Cannabis Program staff by either personal delivery or certified mail.

Complete petitions may be received at any time and will be scheduled for the next Medical Advisory Board Meeting. Please note that petitions must be **received** by the Medical Cannabis Program at least 30 days prior to the Medical Advisory Board meeting. However, to ensure inclusion with the public notice they must be submitted at least **35 calendar days** before the Advisory Board is scheduled to meet. Copies of the agenda can be obtained 72 hours prior to the meeting.

For a petition to be processed and forwarded to the Advisory Board, the following information shall be submitted to the medical cannabis program staff.

Petition format: All petitions must adhere to the following format: All documents, except for exhibits shall be prepared on 8 & ½ x 11-inch white paper double sided. If possible and where appropriate, the first page of every document shall contain a heading and caption. Petitions should be submitted unbound, to allow for scanning and copies. The Department also recommends submission of all petitions and materials in a readable electronic format. The petitioner shall include within the documents a narrative addressed to the Advisory Board that includes:

1. A caption stating the name, address and telephone number of the petitioner and the medical condition, medical treatment or disease sought to be added to the existing medical conditions;
2. An index of the contents of the petition
3. An introductory narrative of the individual or association of individuals requesting inclusion of a new medical condition, medical treatment, or disease to include the individuals' relationship or interest for the request, whether that interest is professional or as a concerned citizen;
4. A statement of the proposed benefits from the medical use of cannabis specific to the condition being requested;
5. Any additional supporting documents, testimonials, or scientific documentation, including copies of any scientific documentation cited in petition; and

Statement of intent to present technical evidence:

If the petitioner wishes to present technical evidence at the hearing, the petition shall include a statement of intent. The statement of intent to present technical evidence shall include:

- (a) The name of the person filing the statement;
- (b) The name of each witness;

- (c) An estimate of the length of the direct testimony of each witness;
- (d) A list of exhibits, if any, to be offered into evidence at the hearing; and;
- (e) A summary or outline of the anticipated direct testimony of each witness.

Public comment period: The advisory board may provide for a public comment period. Public comments may be by written comments, verbal, or both.

(a) Written comment: Any individual or association of individuals may submit written comment to the advisory board either in opposition or support of the inclusion of a medical conditions, medical treatments or diseases to the existing list of debilitating medical conditions contained under the act. All written comments shall adhere to the requirements of Subsection F of this section.

(b) Public comment: Any member of the general public may testify at the public hearing. No prior notification is required to present general non-technical statements in support of or in opposition to the petition. Any such member may also offer exhibits in connection with his testimony, so long as the exhibit is non-technical in nature and not unduly repetitious of the testimony.

For more detailed information on the petition process, see the New Mexico Administrative Code at 7.34.2.9 NMAC, which can be found at www.nmhealth.org/go/mcp

Please submit two copies of the petition as the information will be redacted to protect the identity of the petitioner. Only the Medical Cannabis Program staff will know the identity of the petitioner, unless the petitioner wishes to meet with the Medical Advisory Board at the actual hearing. The Board is not available for individual meetings prior to the hearing.

All petitions should be either hand delivered or mailed to the address listed below:

Mailing Address:

Department of Health
Medical Cannabis Program
PO Box 26110
Santa Fe, NM 87502

Physical Address:

Department of Health
Medical Cannabis Program
1190 St. Francis Dr. Suite N-1320
Santa Fe, NM 87502