

# **Medical Cannabis Advisory Board Meeting Minutes\***

December 7, 2021

## **I. Introductory Remarks and Call to Order**

Stephanie Richmond PA-C called to order the regular meeting of the Medical Cannabis Advisory Board (MCAB) at 9:04 a.m. on December 7, 2021, using a WebEx Events Platform. General Instructions were given to panelists and attendees.

## **II. Roll call**

Stephanie Richmond conducted a roll call. The following persons were present:

Ariele Bauers	(absent)
Mordechai Bronner	<u>present</u>
Jean-Paul Dedam	<u>present</u>
Rachel Goodman	(absent)
Courtney Marquez	<u>present</u>
Allen Plymale	<u>present</u>
Davin Quinn	(absent)
Stephanie Richmond	<u>present</u>
Traci White	<u>present</u>

(Six of nine Medical Cannabis Advisory Board Members were present at this time, so quorum was met, and the meeting started.)

Concerns over quorum discussed and the decision was made to break with the agenda to discuss those items that required voting first, and then to proceed with the updates from MCP.

It was announced that Ariele Bauers was reappointed to a two-year appointment.

Minutes from the previous meeting held on 8-17-2021 were approved.

Rule amendments and changes discussed. Each revision was examined in hopes of understanding the language and why a change was considered. After a lengthy

deliberation a motion was made by Stephanie Richmond to adopt all rule revisions without modifications. This motion was seconded by Allen Plymale. A rollcall vote was then held:

Mordechai Bronner	<u>approved</u>
Jean-Paul Dedam	<u>approved</u>
Courtney Marquez	<u>approved</u>
Allen Plymale	<u>approved</u>
Stephanie Richmond	<u>approved</u>
Traci White	<u>approved</u>

**The MCAB recommended that all of the proposed rule revisions be adopted without modification by a vote of 5 – 0.**

### **III. Medical Cannabis Program (MCP) Update**

Patient Services Information:

Dr. Dominick Zurlo provided a slide presentation with regards to the Medical Cannabis Program. He reinforced what the goals of the Department of Health are and reviewed the purpose of the Lynn and Erin Compassionate Use Act. Given the impact of cannabis, agencies must interact with each other. This was demonstrated with a slide demonstrating interagency involvement between RLD, DOH, Environment Department, and Department of Agriculture. A slide showing the changes in staffing from 28 to 18 (13 transferred from NMDOH to RLD, 3 new positions added to the NMDOH-MCP). A slide showing number of participants in each county demonstrated how widespread the cannabis patients are. Currently there are 124,463 enrolled patients as of September 30, 2021. Patient enrollment continues to be steady with a 72 % increase in patient enrollment from 2019 to 2021. Of the 28 current conditions the most commonly enrolled conditions were PTSD, Sever Chronic Pain, and Cancer. Online Patient Portal introduced and how it has benefited patients and providers during COVID-19.

Patient Portal:

Dr. French discussed the new Online Patient Portal which has been created to help with the ease of enrollment into the MCP. After a brief introduction, Dr. French attempted to use a Test Provider profile and Test Patient profile to show step by step how to register for the online portal, how to complete an electronic application, and how to view one's sales history.

Discussion of Recommendations of the Secretary of Health. In response to the Secretary's Recommendations and lack of new petitions, Board discussed the idea that a MCAB member present a petition to add new conditions.

#### **IV. Public Comments**

Kristina Caffrey " Attorney for Ultra Health shared her interpretation of adequate supply and how it is affected by the Cannabis Regulation Act.

Amanda Fratzola " Ms. Fratzola was frustrated that the Secretary of Health did not approve each of the previously considered medical conditions to the list of qualifying conditions currently used to determine one's access to medical cannabis. She felt that by not adding these conditions, that patients were being forced to use cannabis without the oversight of a medical provider.

Candy Deaton " Ms. Deaton shared her frustration as it relates to the difficulties in obtaining a license for a microbusiness, all because she lives by a school.

Cullen Vujosevic " Mr. Vujosevic shared his concerns with regards to the lack of medical attention a medical cannabis patient would receive at a Recreational Cannabis Dispensary compared to that received at a Medical Cannabis Dispensary. Mr. Vujosevic was concerned that "budtenders" are not properly trained to provide cannabis for medical cannabis patients and he believes that the NMDOH should provide greater oversight and training to individuals working in dispensaries.

Duke Rodriguez " Mr. Rodriguez detailed how New Mexico is a "poor" state and continued to voice concern as to how patients would be able to pay for medical cannabis. Mr. Rodriguez did not believe NMDOH has the ability to set the adequate supply limit and viewed any attempt to limit adequate supply as a tax increase.

Kylie Safa " Ms. Safa shared her interpretation of the Cannabis Regulation Act and

her opinion that the NMDOH had no authority to set an adequate supply limit, because in her eyes, any purchase a medical cannabis patient makes is inherently medicinal and should therefore never be subjected to a tax.

Stephanie Richmond once again encouraged those individuals unable to make a public comment during the meeting that they would have the opportunity to offer public comment for the next 48 hours at the MCP web address. Stephanie also advised attendees to pay attention t

#### **V. Set date for next Medical Cannabis Advisory Board Meeting**

Stephanie Richmond canvassed the Board members and made a motion to hold the next MCAB Meeting on March 22, 2022. This motion was seconded by Allen Plymale.

#### **VI. Adjournment**

Stephanie Richmond PA-C adjourned the meeting at 10:59 a.m.

Minutes submitted by: Gary J. French, MD/ Medical Director NMDOH MCP

**\*(Please note that an audiovisual recording of the meeting in its entirety is available for viewing and can be found on the Medical Cannabis Program Webpage. These minutes are a short summary of the meeting's events and serve to highlight key features of the meeting.)**