

NOTICE OF PUBLIC HEARING

The New Mexico Department of Health (Department) will hold a public hearing on the proposed repeal and replacement of 7.34.4 NMAC, and the proposed amendment of Department rule sections 7.34.2.7 and 7.34.3.7 NMAC. The hearing will be held on January 16, 2020 at 9:00 a.m. in the auditorium of the Harold Runnels Building, located at 1190 St. Francis Drive in Santa Fe, New Mexico. This is the second public hearing concerning the proposed rule revisions.

The proposed rule revisions include new provisions in 7.34.4 NMAC concerning reciprocity for individuals who hold proof of authorization to participate in the medical cannabis program of another state of the United States, the District of Columbia, a territory or commonwealth of the United States, or a New Mexico Indian nation, tribe or pueblo.

The proposed rule revisions also include provisions in 7.34.4 NMAC for the establishment and operation of cannabis consumption areas for qualified patients, that are operated by licensed nonprofit producers.

The proposed rule revisions also include various modifications to the licensing requirements at 7.34.4 NMAC for licensed nonprofit producers, manufacturers, couriers, and laboratories, including but not limited to:

- Cannabis testing standards and requirements, including but not limited to microbiological, mycotoxin, residual solvent, and THC potency testing, new requirements for testing for pesticide residue and end products testing, and new sampling standards;
- Cannabis packaging and labeling requirements;
- Application requirements and licensing standards for nonprofit producers, manufacturers, laboratories, and couriers;
- Fees for couriers and manufacturers;
- Provisions concerning compliance by licensees' employees with the NM Parental Responsibility Act; and
- Disciplinary actions and appeals for producers, manufacturers, laboratories, and couriers.

The proposed rule revisions also include revisions to definitions at sections 7.34.2.7, 7.34.3.7, and 7.34.4.7 NMAC.

Proposed regulations are available at: <https://nmhealth.org/about/asd/cmo/rules/>

The legal authority for the proposed rule amendments is at Subsection E of Section 9-7-6 NMSA 1978, and Subsection A of Section 26-2B-7 NMSA 1978.

Free copies of the full text of the proposed rule amendments can be obtained online from the New Mexico Department of Health's website at <http://nmhealth.org/about/asd/cmo/rules/> or from Andrea Sundberg using the contact information below.

The public hearing will be conducted to receive public comment on the proposed repeal and replacement of various sections of Parts 7.34.2, 7.34.3, and 7.34.4 NMAC. Any interested member of the public may attend the hearing and submit data, views, or arguments either orally or in writing on the proposed rule amendments during the hearing. Written public comment may also be submitted prior to the date of the hearing. Please submit any written comments regarding the proposed rule amendments to the attention of :

Andrea Sundberg
NM Department of Health
Medical Cannabis Program
P.O. Box 26110
Santa Fe, NM 87502-6110

Or at:

MCP.comment@state.nm.us

Written comments must be received by the close of the public rule hearing on January 16, 2020. All written comments will be published on the agency website at <http://nmhealth.org/about/asd/cmo/rules/> within 3 days of receipt, and will be available at the New Mexico Department of Health Medical Cannabis Program for public inspection.

If you are an individual with a disability who is in need of special assistance or accommodations to attend or participate in the hearing, please contact Andrea Sundberg by telephone at (505) 827-2318. The Department requests at least ten (10) days advance notice to provide requested special accommodations.