

Therapeutic Cannabis Medical Oversight Board

January 4, 2023, DHHS Offices, 29 Hazen Drive, Concord (with Remote-Zoom option)

Meeting Minutes

Members Present: Virginia Brack, Heather Brown, Jerry Knirk (Chair), Jill MacGregor, Molly Rossignol, Tricia Tilley

Members Absent: Corey Burchman, Richard Morse, Seddon Savage, Lisa Withrow

DHHS Staff: Michael Holt, DPHS Program Administrator

Note: In-person quorum met

Meeting convened at 5:39 pm

Minutes

Minutes from 12/7/22 meeting were approved

Motion: Tilley; Second: Brack; Vote: 5-0 (Rossignol abstained)

2023 Legislative Initiatives

LSR 2023-0342 Home cultivation for TCP patients and caregivers

Question: Does the Board want to weigh in on this bill? (as distinct from taking a position on the bill)

Discussion:

- Does this bill fit within the Board's statutory charge?
- One member said no; another said the Board's charge has been a moving target over the past couple years; one member reminded that the Board chose to include "patient issues" as part of their charge, culminating with a "patient listening session" at the end of 2021, where this topic figured prominently.
- One member expressed support for the bill, based on access, cost of product, and product availability.
- One member suggested that the Board could choose to weigh in, limited to relaying the experience of patients as reported to the Board.
- One member said they were "leaning against" support based on a "health perspective"
- One member said they were "not opposed" but thought it was a Board charge issue
- ATC representatives present were asked about their position on the bill: Prime ATC representative said that they very supportive

Motion approved to weigh in on this bill.

Motion: McGregor; Second: Brack; Vote 6-0

Discussion on the details of the legislation:

- ATCs will be allowed to sell seedlings to patients
- The independent testing lab will be able to test cannabis brought in by patients and caregivers, not just samples from the ATCs

- There is an “affirmative defense” provision in the bill that is unrelated to home cultivation.
- Limitations include: the cultivation location must be at the patient/caregiver’s residence and must reported to the Department, and this information is available to local and state law enforcement if needed; either the patient or the caregiver may cultivate, but not both; if a caregiver cultivates, then the caregiver may only have one patient, not 5.
- Question: is this a safety risk for children in the home? Answer: Flower is less a risk than infused products with regard to accidental poisonings.

Motion approved to support the concept of the bill, which is to allow TCP patients and caregivers to cultivate cannabis, based on access, cost, and availability, not necessarily every technical aspect of the proposed legislation.

Motion: Knirk; Second: Brown; Vote: 6-0

LSR 2023-0766 Cannabis product labeling

Language not made available for Board to review

Patient Survey

- Responses to the pilot survey administered by the ATCs to patients were reviewed. No edits made based on pilot administration.
- Edits suggested by one member were discussed, including adding basic demographic data and adding a question about “function/activity”. Both were added.
- Inclusion of patient contact information was discussed, and was removed in favor of including optional Registry ID Number.
- Discussion about administration of survey. Holt offered to inquire about use of the Department’s Survey Monkey account for this purpose.

TCMOB 2022 Annual Report

Draft 2022 Annual Report, drafted by Knirk, was reviewed.

Motion to approve report contents was approved, with understanding that formatting/editorial matters would be worked on.

Motion: Brown; Second: Brack; Vote: 5-0 (Tilly had left the meeting)

Public Comments

Public member thanked the Board for their vote on the home cultivation bill.

Meeting adjourned at 7:30pm