

Missouri Medical Marijuana Regulatory Program Update

Presenter:

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Section for Medical Marijuana Regulation

Patient Services Director



Section for Medical Marijuana Regulation Article XIV

In 2018, Missouri voters approved a constitutional amendment Article XIV allowing Missouri to become the 33rd state to allow medical marijuana.

Article XIV is intended to allow state-licensed physicians to recommend marijuana for medical purposes to patients with qualifying medical conditions.



Section for Medical Marijuana Regulation Medical Marijuana Rules

Rules of Department of Health and Senior Services

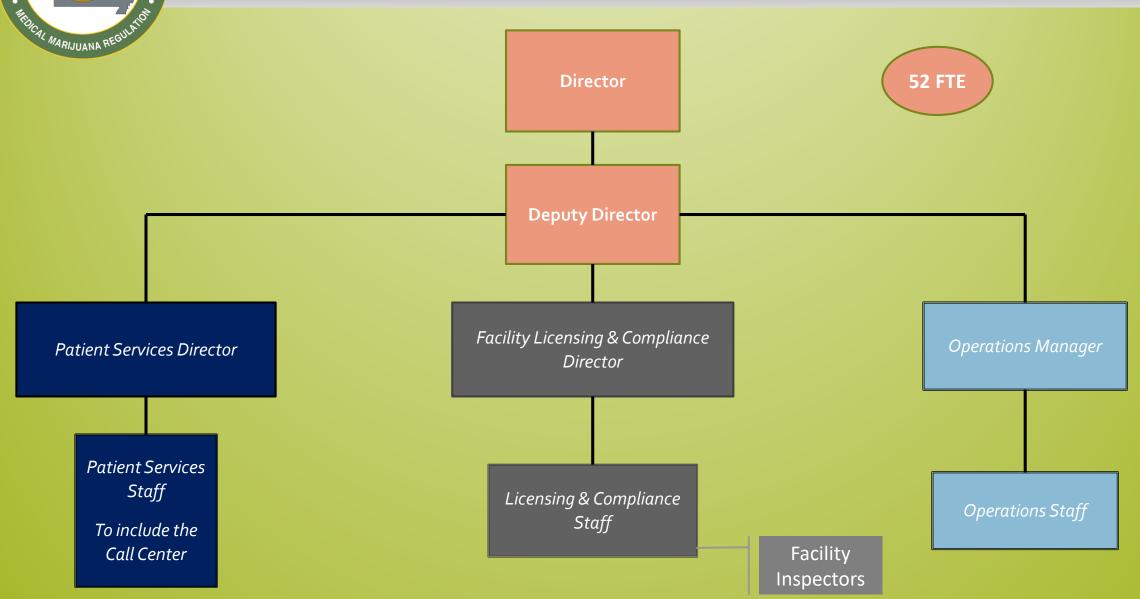
Division 30 - Division of Regulation and Licensure

Chapter 95 - Medical Marijuana

All Rules can be viewed at:

https://medicalmarijuana.mo.gov







Mission

To administer Missouri's Medical Marijuana Regulatory Program in alignment with the provisions of Article XIV of the Constitution, as determined by the will of the citizens of Missouri.



Vision

A program that provides safe and secure access to medical marijuana for qualifying Missouri patients through consistent regulation, enforcement, and education.

Strategic Priority #1

Make medical marijuana accessible for qualifying patients

Strategic Priority #2

Uphold safety and quality standards for medical marijuana

Strategic Priority #3

Regulate the medical marijuana industry to comply with Mo. law and keep communities safe



Section for Medical Marijuana Regulation Stakeholders



November 6, 2018 - Constitutional Amendment Approved

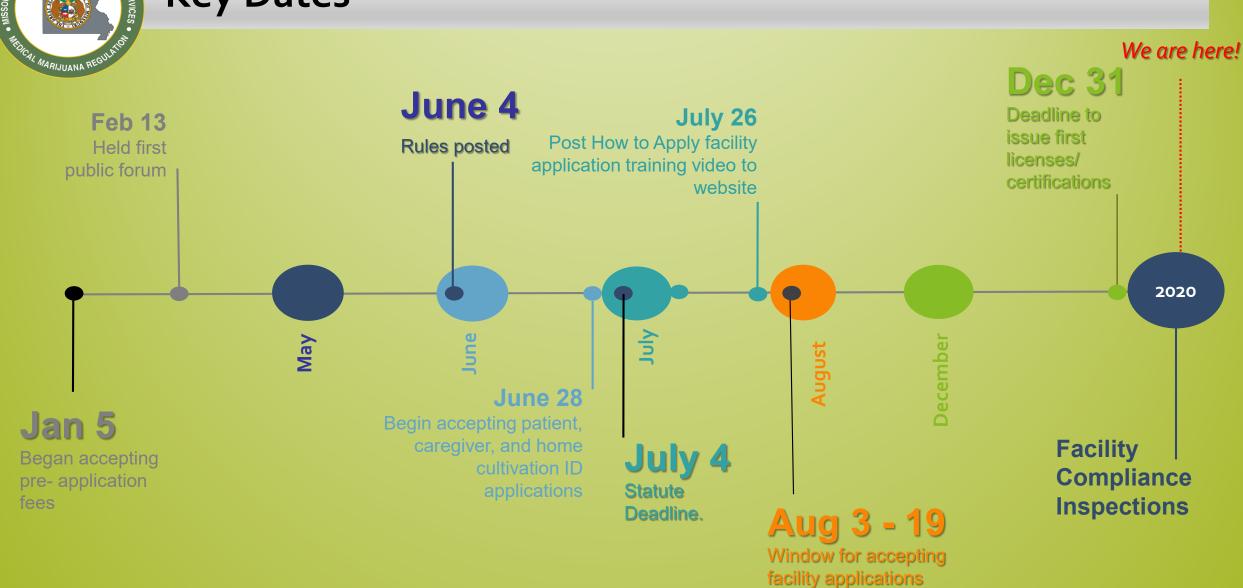
December 6, 2018 – Article XIV Effective

December 19, 2018 – DHSS announces program Director, Lyndall Fraker, and Deputy Director/Counsel, Amy Moore

January 5, 2019 – Begin accepting pre-filed fees



Key Dates





Program Accomplishments

Met all Constitutional deadlines for program implementation: Making available, accepting, and processing applications.

- Completed first program year: December 6, 2018 December 5, 2019.
 - First Annual Report to the Governor.
- Accepted and processed over 2,270 facility applications for licensure;
- Surpassed 60,000 patient applications this summer.
 - Approved over 50,000 patient applications since June 28, 2019;
 - Goal: 160,000-180,000 patients by the 3rd year.



Program Accomplishments

- MO Veteran's Fund Balance as of June 30, 2020: \$21,530,724.
- 21 months from start to open dispensaries
 - Nevada: 20, Illinois: 22, Arizona: 25, Ohio: 26, and Arkansas: 30
- 50 of 52 positions staffed.
- Robust website;
- Educational materials and video tutorials;
- Delivered over 112 public presentations 12/6/18 12/5/19;



Program Update

- Continuing implementation during covid
 - Minimum standard verifications
 - Commencement inspections
- March 26, 2020, added digital barcode to the back of patient & caregiver cards for added layer of security.
 - Only Department of Health & Senior Services has authority to issue patient and caregiver cards.
- Fees increased July 1, 2020.
 - Annual increase/decrease is required by Article XIV
- Regulation Changes



Regulation Changes

- The Department is always cognizant of the impact rule changes have on licensees; thus the Department will:
 - Communicate and seek input from licensees regarding potential rule changes;
 - Post any rule change to its website; and
 - Communicate directly with licensees regarding any rule change.

Draft Rules

DHSS Home » Licensing & Regulations » Medical Marijuana » draft-rules

The Department is proposing changes to the rules listed below. Any proposed changes appear as bolded text within the document. Interested individuals are encouraged to monitor this webpage as draft rule changes will be posted for public review to this page as soon as they are available. The public may submit written comments regarding the proposed changes using the **Suggestions Form** or by emailing **MedicalMarijuanaInfo@health.mo.gov**.

Proposed rule amendments filed with the Secretary of State appear on the Rule Amendments page.

- 19 CSR 30-95.010 Definitions (2) (6/4/2020)
 Public comments will be accepted until 6-18-2020.
- 19 CSR 30-95.080 Dispensary Facilities (5-18-2020)
 Public comments will be accepted via the Suggestions Form until 6-8-2020.



Public Communication.

- The Call Center activated on May 31 and accepts calls Monday Thursday from 8:30 am to 3:30 pm CST (866-219-0165).
- Our email address: medicalmarijuanainfo@health.mo.gov.
- Updates are posted to our website as needed: https://medicalmarijuana.mo.gov



Medical Marijuana:

- Uses the marijuana plant or chemicals in it for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying medical condition.
- Contains tetrahydrocannabinol (THC) content of greater than 0.3% on a dry weight basis.
- Not the same as Hemp Extract, which contains less than 0.3% THC.



- Must be purchased from a dispensary licensed by the Department, or
- With authorization from the Department, cultivated by a patient or that patient's licensed caregiver.



Physician rights granted to State-licensed MD & DO who are in good-standing to practice:

- Discuss and recommend marijuana for medical purposes to patients with serious illnesses and medical conditions,
- Certify a patient as having a qualifying medical condition in a manner consistent with Article XIV,



Patient rights:

- Protections for licensed qualified patients and their licensed caregiver from criminal and civil punishment for legal possession
- Discuss freely with their physicians the possible benefits of medical marijuana use,
- Use medical marijuana for treatment under the supervision of a physician.



Patient Services

The Patient Services Team serves as the front line of the Missouri Medical Marijuana Program, answering phone and email inquiries, as well as processing patient and caregiver applications.

The Patient Services Team uses their expertise to assist applicants through the application process to create a streamlined, patient-centric customer experience for the qualified medical marijuana patients throughout the state of Missouri.

Contact Information

Section for Medical Marijuana Regulation

PO Box 570 Jefferson City, MO 65102-0570

Toll-Free Access Line: **866-219-0165** (8:30 am – 3:30 pm CST Monday-Friday)

Email for general inquiries: medicalmarijuanainfo@health.mo.gov

Email for medical marijuana facility: mmfacilities@health.mo.gov

Media Request Form



Patient Services – Statistics

Patient/Caregiver Application Stats – Morning of October 19, 2020

Total Applications Received to Date*	80,878		
 Patient Applications 	78,038		
 Caregiver 	2,840		
Applications	2,040		
Approved to Date*	65,484		
Denials	3,007		

*Program started receiving applications June 28, 2019

Projected Qualified Patients

120,000 -180,000 Qualified Patients within first 3 years



Fees

License Type	License Fees	Renewal			
Qualified Patient	\$25.58	\$25.58			
Additional Fee for Patient Cultivation	\$102.30	\$102.30			
Primary Caregiver for a Qualified Patient	\$25.58	\$25.58			

Patient and Caregiver Applications

The Department of Health & Senior Services (DHSS) only accepts patient/caregiver applications submitted through its secure, on-line registry.

How to Apply - Patient Information

DHSS Home » Licensing & Regulations » Medical Marijuana » how-to-apply-pi



NEW! Click below to apply or to update an approved application

Patient/Caregiver
Application Registration

- Only a parent or guardian who holds a primary caregiver identification card may obtain a cultivation license for a qualifying patient under the age of 18 unless the qualifying patient under the age of 18 is emancipated.
- Each qualifying patient may only have one cultivation license, either held by the qualifying patient or held by his or her primary caregiver.
- DHSS would like to remind the public that any physician certification they receive for medical marijuana must be no more than thirty days old at the time an individual applies for a patient identification card.

Click on the Patient/Caregiver Application Registration blue box located under the photograph to apply for your



Patient/Caregiver Applications

- Applications must be submitted electronically and include:
 - Completed Physician Certification Form
 - Color photo,
 - Government issued identification,
 - Proof of legal guardianship (if applicable),
 - Consent form (if applicable),
 - Written description of the patient cultivation facility security arrangements and processes (if applicable).
- DHSS will either approve or deny the application within 30 days of receipt of the completed application.



Patient Services – Physician Certification Form

MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES SECTION FOR MEDICAL MARIJUANA REGULATION MEDICAL MARIJUANA REGULATORY PROGRAM PHYSICIAN CENTIFICATION FORM PHYSICIAN CENTIFICATION FORM									
PHYSICIAN C	ERTIFICATION	FORM							
	This form does not constitute a prescription for medical marijuana.								
This form should be completed in its entirety for qualifying patients who do not require more than the standard amount of four ounces of medical marijuana per month. If a higher amount is required, please complete Physician Certification Form MO 580-3277.						nount of four MO 580-3277.			
The date of the physician certification must be no earlier than thirty (30) days before the date the patient will apply for a patient identification card or renewal. Please see instructions below for further details regarding: [1] physician name, [2] license type, and [3] physician signature.						for a patient ise type, and			
QUALIFYING PATIENT INFOF	RMATION	FIRST NAME				MINOR	No.		
LAUT WAIL		r mar rever.					. IOURL		
SOCIAL SECURITY NUMBER				DATE OF BIRTH	(MM-DD-Y	777)			
IS THE PATIENT 18 YEARS OR OLDER?									
□Yes □No									
PHYSICIAN INFORMATION PHYSICIAN NAME AS ADDEADS ON LICENS	BE [1]			E-MAIL ADDRES	S				
LICENSETYPE [2] ☐ MD ☐ DO	MISSOURI ISSUED LICEN	NSE NUMBER			OFFICE	HONE NU	WEER		
OFFICE ADDRESS			CITY			STATE	ZIP CODE	COUNT	Y
QUALIFYING PATIENT'S QUA	ALIFYING MEDICA	L CONDITIC	ON						
Cancer									
□ Epilepsy									
Glaucoma									
☐ Intractable migraines unresponsive to other treatment									
☐ A chronic medical condition that causes severe, persistent pain or persistent muscle spasms, including but not limited to those associated with multiple sclerosis, seizures, Parkinson's disease, and Tourette's syndrome (Please specify underlying chronic medical condition):									
Debilitating psychiatric disorders, including, but not limited to, post-traumatic stress order, if diagnosed by a state licensed psychiatrist (Diagnosing psychiatrist):					ed psychiatrist				
☐ Human immunodeficie	ency virus or acquir	red immune d	eficiency synd	rome					
☐ A chronic medical condition that is normally treated with a prescription medication that could lead to physical or psychological dependence, when a physician determines that medical use of marijuana could be effective in treating that condition and would serve as safer alternative to the prescription medication. (Please specify chronic medical condition):									
A terminal illness (Ple	ase specify the te	rminal Ilines	8):						
In the professional judgment of a physician, any other chronic, debilitating or other medical condition, including, but not limited to hepatitis C, amyotrophic lateral sclerosis, inflammatory bowel disease, Crohn's disease, Huntington's disease, autism, neuropathies sickle cell anemia, agitation of Alzheimer's disease, cachexia, and wasting syndrome (Please specify debilitating disease or medical condition):									
MO 580-3305 (12-19)								DH	SS-MMRP-09 (12-19)

Physician certifications must be complete.

- Physician's name;
- Licensee number and whether licensed to practice medicine or osteopathy;
- Physician's business address, telephone number, and email address;
- Qualifying patient's name, date of birth, and social security number;
- Qualifying patient's qualifying condition;
- Physician Certification allows patient to purchase to purchase in a 30-day period up to four ounces of unprocessed marijuana or its equivalent.



- Cancer;
- Epilepsy;
- Glaucoma;
- Intractable migraines unresponsive to other treatment;
- A chronic medical condition that causes severe, persistent pain or persistent muscle spasms, including but
 not limited to those associated with multiple sclerosis, seizures, Parkinson's disease, and Tourette's
 syndrome;
- Debilitating psychiatric disorders, including, but not limited to, post-traumatic stress disorder, if diagnosed by a state licensed psychiatrist;
- Human immunodeficiency virus or acquired immune deficiency syndrome;
- A chronic medical condition that is normally treated with a prescription medication that could lead to
 physical or psychological dependence, when a physician determines that medical use of marijuana could
 be effective in treating that condition and would serve as a safer alternative to the prescription medication;
- A terminal illness; or
- In the professional judgment of a physician, any other chronic, debilitating or other medical condition, including, but not limited to, hepatitis C, amyotrophic lateral sclerosis, inflammatory bowel disease, Crohn's disease, Huntington's disease, autism, neuropathies, sickle cell anemia, agitation of Alzheimer's disease, cachexia, and wasting syndrome.



Patient and Caregiver Rules

Patient, Caregiver and Patient/Caregiver Cultivation Identification Card Requirements

- 19 CSR 30-95.010 (12) Enclosed Locked Facility
- 19 CSR 30-95.030 (2) Application Requirements
- 19 CSR 30-95.030 (3) Application Processes
- 19 CSR 30-95.030 (3)(B) Denial and Revocation
- 19 CSR 30-95.030 (4) Qualifying Patient Cultivation
- 19 CSR 30-95.030 (5) Purchase and Possession limits
- 19 CSR 30-95.110 Physicians



Purchase and Possession

Purchase and Possession Limits:

- Licensed Patients with one physician certification: Purchase up to 4 ounces in a 30 day period, and can possess up to a 60 day supply (8 ounces).
- Licensed Patients with two physician certifications: Authorizing for more than standard 4 ounce amount may purchase up to that amount of in a 30 day period, and can possess up to a 60 day supply of the certified amount above 4 ounces.
- Licensed Patient Cultivators, or Caregivers licensed to Cultivate may possess up to a 90 day supply of dried, unprocessed marijuana per 19 CSR 30-95.030 (5)(B)2.
- Per 19 CSR 30-95.030 qualifying patient not shall consume marijuana for medical use in a public place, unless otherwise provided by law. 19 CSR 30-95.010 defines a public place.



Patient and Caregiver Cultivation

Patient Cultivation Plant Limits per 19 CSR 30-95.030 (4)

- 6 flowering, 6 non flowering, 6 clones (plants under 14 inches) for one qualifying patient
- 12 flowering, 12 non flowering, 12 clones for two qualifying patients sharing one Enclosed Locked Facility.
- 18 flowering, 18 non flowering, 18 clones when one of the qualifying patients sharing a space with another qualifying patient also as a primary caregiver, holds a patient cultivation card for another qualifying patient.



Patient and Caregiver Cultivation

Patient/Caregiver Cultivation:

- Must take place in an Enclosed Locked Facility under 19 CSR 30-95.010(12).
- Provide location to Department in their application
- Provide a description of the security arrangements and processes that restricts access to qualifying patients and their primary caregivers
- Provide the name and license number of patient and name and license of primary caregiver when sharing space.
- Attest that licensee will provide access to the Department upon request.
- Notify the department within 10 days of the change of location (update application)
- Must remain in the control of the licensed patient cultivator or their caregiver



Patient Services - Compliance

Patient/Primary Caregiver/Home Cultivator Complaints

Complaints regarding individuals who may be patients, primary caregivers, or patient/home cultivators of medical marijuana will be received pursuant to the Department's authority to enforce Article XIV, Section 1, and the associated regulations. Complaints regarding patients, primary caregivers, and/or patient/home cultivators must be submitted using the Medical Marijuana Patient/Primary Caregiver/Home Cultivator Complaint Form.



- Department has authority to enforce compliance to Article XIV and regulation
- Official Department complaint form must be completed and emailed to:

mmcomplaints@health.mo.gov

https://health.mo.gov/safety/medicalmarijuana/complaint-form.php

A separate form should be submitted for each complaint unless the same individual(s) are involved. **Email your** completed form and any attachments to: mmcomplaints@health.mo.gov; Attn: Patient/Caregiver Complaint.



Patient Services - Compliance

Verification of a valid card holder - Law Enforcement

- Section 1.3. (5) of Article XIV Requires that the Department maintain the confidentiality of patient information and allows for the release of information to law enforcement agencies for the purpose of verifying that a person who presents a card is a valid card holder.
- 19 CSR 30-95.025 (1)(A) provides further clarification on the specific access law enforcement will have for purposes of verification of a patient, caregiver, or patient cultivation card or that an individual is lawfully in possession of marijuana.
- The department has provided access for verification through MULES.
- It is important to note that the Constitution and the rules do not provide an avenue for law enforcement to obtain verification of a potential card holder prior to the direct interaction with a person in possession, or when presented a card for the purposes of verifying legal possession and validity of a card.



Patient Services - Compliance

Verification of a valid card holder – Employers/Agencies

Due to a confidentiality provision in Article XIV, we are required to maintain the confidentiality of patient information. The only exception to this is when law enforcement needs us to verify whether a particular person is in possession of a valid medical marijuana ID card. There is not currently a similar exception for employers. However, licensed patients can provide additional verification of a valid card which may include the following:

- A copy of the official email approval notification received from the Medical Marijuana
 Regulatory Program (MMRP) registration system and the official licensee downloaded from
 the card holder's account. Samples of these official documents are attached. Licensees may
 also send requests for a copy of their official email notification to
 medicalmarijuanainfo@health.mo.gov or to support-mo@mycomplia.com
- A statement sent by email from the department to the licensed patient verifying that they are a valid card holder. Requests for verification statements must be sent from the patient's email on file with the department to medicalmarijuana@health.mo.gov.



Patient Services – Patient and Caregiver Cards

Patient Digital Card



PAT000007

MEDICAL MARIJUANA
QUALIFYING PATIENT

Rebecca Ann Johnson

Date of Birth: 09/27/1991 <u>Low Income</u>

License Expiry: 06/13/2020

THIS IDENTIFICATION CARD IS THE PROPERTY OF THE STATE OF MISSOURI AND HAS BEEN ISSUED FOR THE EXCLUSIVE USE OF THE INDIVIDUAL WHOSE NAME APPEARS ON THE FRONT. IT IS NOT TRANSFERABLE AND SHALL BE SURRENDERED UPON TERMINATION OF PARTICIPATION. REPORT ITS LOSS, DESTRUCTION, OR THEFT PROMPTLY TO THE STATE. IF FOUND PLEASE DESTROY.



1013/3/1584128785131

Caregiver Digital Card



CAR000039

MEDICAL MARIJUANA
PRIMARY CAREGIVER

biff wellington

Date of Birth: 12/22/1980

On behalf of Qualifying Patient joe king

License Expiry: 03/16/2021

THIS IDENTIFICATION CARD IS THE PROPERTY OF THE STATE OF MISSOURI AND HAS BEEN ISSUED FOR THE EXCLUSIVE USE OF THE INDIVIDUAL WHOSE NAME APPEARS ON THE FRONT. IT IS NOT TRANSFERABLE AND SHALL BE SURRENDERED UPON TERMINATION OF PARTICIPATION. REPORT ITS LOSS, DESTRUCTION, OR THEFT PROMPTLY TO THE STATE. IF FOUND PLEASE DESTROY.



1401/2/158437705568

- Card holder must have with them when possessing or purchasing
- Law Enforcement has access for verification through MULES per Section 1
 of Article XIV and 19 CSR 30-95.025 (1)(A)



Section for Medical Marijuana Regulation Medical Marijuana Rules

Cultivation Authorization

- Posted in cultivation space near the plants
- Plants should be clearly labeled with the patients name
- Manually processed by Patient Team Member, attached in regulator documents

CULTIVATION AUTHORIZATION This authorization shall be clearly displayed within the enclosed cultivation area and in close proximity to the marijuana plants as required by 19 CSR 30-95.030.				
Cultivation Licensee on file with the Department: ☐PATIENT ☐ CAREGIVER				
PATIENT NAME	PATIENT LICENSE NUMBER			
FIRST CAREGIVER NAME	FIRST CAREGIVER LICENSE NUMBER			
SECOND CAREGIVER NAME	SECOND CAREGIVER LICENSE NUMBER			
CULTIVATION ADDRESS	CULTIVATION LICENSE EXPIRATION			
Medical Marijuana Regulation • PO Box 570 • Jefferson City, MO 65102-0570 • Phone: (866)219-0165 • Email: medicalmarijuanainfo@health.mo.gov				



Patient Services

Missouri Marijuana Equivalency Units (MMEs)

Monthly Purchase Limits - Qualified patients are allowed to purchase up to 4 oz. (32 MMEs) of compliant product per month.

Marijuana 3.5 grams Marijuana Concentrate 1 gram THC Infused Product 100 mg

- A common purchase quantity of marijuana is 3.5 grams which is equal to 1 MME.
- This means that 1 MME is also equivalent to 1 gram of marijuana concentrate or 100 mg of THC infused product.

(See reverse side)

(Example Purchase) 7 grams of marijuana + 4 grams of marijuana concentrate + 200 mg of THC infused products.

7 grams of marijuana = $7 \div 3.5 = 2$ MMEs

4 grams of concentrate = $4 \div 1 = 4$ MMEs

200 mg of THC infused product = 200 ÷ 100 = 2 MMEs

2 + 4 + 2 = 8 MMEs

32 MMEs – 8 = 24 MMEs remaining from monthly allotment (From above example)

Missouri Department of Health and Senior Services medicalmarijuana.mo.gov • Toll-free 866-219-0165 #203 09/2019



Patient Services

The public can order the Patient Information booklet and the Missouri Medical Marijuana Equivalency card free of charge from the Department's warehouse.

Medical Marijuana in Missouri



Patient Information

What you need to know...



Minimum Standards Review

A facility can request their commencement inspection once the Department has completed their Minimum Standards Review.

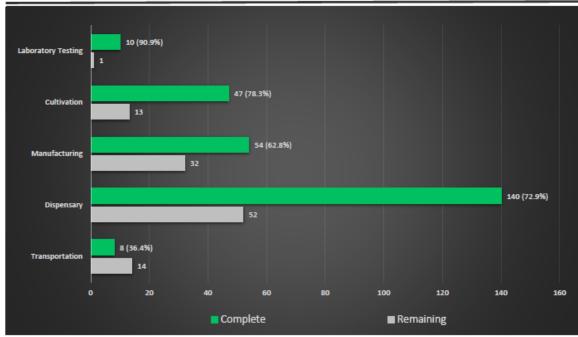
A facility will be granted final approval to operate upon passing a commencement inspection. If the facility does not pass a commencement inspection within 1 year of license issuance, then license may be revoked.



Missouri Department of Health and Senior Services Section for Medical Marijuana Regulation



Medical Marijuana Facility Minimum Standards Reviews Complete vs Remaining by Facility Type



<u>Note 1:</u> Delays in finalizing the Minimum Standard Compliance review could be due to the Department's need for documentation from facilities to complete the review.

<u>Note 2:</u> as of August 7, 2020, the total number of active licensed/certified facilities requiring a Minimum Standards Review is 371 - this figure is subject to change in the event additional certifications are awarded for transportation facilities, which are continuously open for application submission.

August 7, 2020

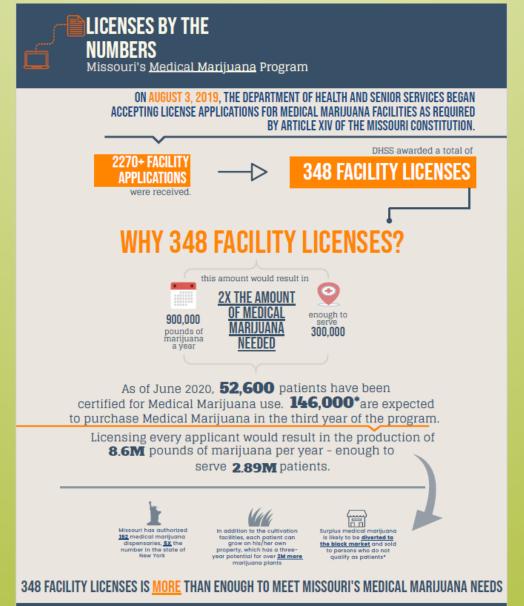


On-Going Certifications

- Facility Agent ID Cards
 - All owners, officers, managers, contractors and employees of a licensed cultivation, dispensary, manufacturing, testing, or transportation facility.
- Transportation Certification
 - The Department will issue certifications for all eligible Transportation entities.
- Seed to Sale Certification
 - The Department will issue certifications for all eligible Seed to Sale entities.



Licenses By The Numbers



*https://health.mo.gov/safety/medical-marijuana/pdf/mu-market-study.pdf



Licensed Facilities by Type

Cultivation: 60

Dispensaries: 192

Manufacturing: 86

Testing: 11

Interactive map and facility progress reports available on website at

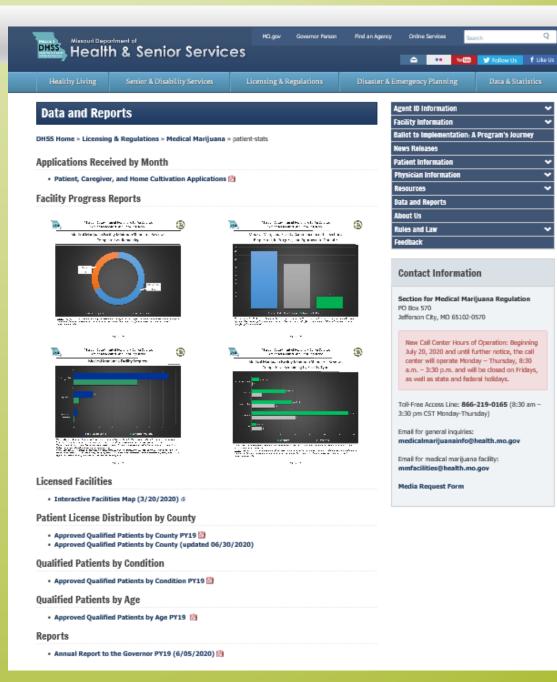
https://health.mo.gov/safety/medical
arijuana/stats.php





Reports

- Annual Report to the Governor
- Monthly reporting with current data posted to website



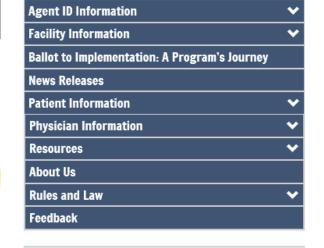


Ballot to Implementation

Ballot to Implementation: A Program's Journey

DHSS Home » Licensing & Regulations » Medical Marijuana » journey

- April 9, 2020, the Department held a call with representatives from Missouri law enforcement associations, Department of Public Safety and Department of Corrections. The purpose of the call was to provide updates on program implementation and guidance on Medical Marijuana Regulatory Program rules.
- April 1, 2020, the Department launched its Missouri Medical Marijuana Program Patient Services Weekly Newsletter. Sign up here to become a member and stay up to date with weekly updates from the patient services team. Subscription members have the capability to log into their subscription account and view archived copies of past editions of the newsletter. The Department also launched two new webpages. On the About Us page, visitors can learn about the history of the Missouri Medical Marijuana Program, the department's organizational structure, and priorities for the program. The Feedback page provides visitors the opportunity to take short surveys about the program's customer service and website.
- On March 4-5, 2020, the Department held a mandatory Medical Marijuana Facilities Welcome Meeting in
 Jefferson City for all facility licensees. Each facility was represented by two staff members of their choosing per
 license. Attendees were provided an opportunity to meet the Section for Medical Marijuana Regulation's Facility
 Licensing and Compliance team; learn about program policies and procedures; and network with other licensees.
 Other state agencies including the Departments of Agriculture, Labor and Industrial Relations, Natural Resources,
 Public Safety, and Revenue also attended the meeting to provide the State's new industry with information on
 their respective regulations and requirements, as well as information to help their new business in Missouri. A
 great resource for these and other new Missouri businesses is the state's Open for Business portal that is
 intended to help businesses navigate government.



Contact Information

Section for Medical Marijuana Regulation

PO Box 570

Jefferson City, MO 65102-0570

NEW Temporarily Closed

Toll-Free Access Line: **866-219-0165** (8:30 am – 3:30 pm CST Monday-Friday)

Email for general inquiries:

medicalmarijuanainfo@health.mo.gov

Email for medical marijuana facility: mmfacilities@health.mo.gov

Media Request Form



Access FAQs, review the rules or access other patient and facility information by visiting our website:

https://medicalmarijuana.mo.gov

866-219-0165 (Monday - Thursday: 8:30-3:30)