

Alabama Medical Cannabis Commission Meeting

Minutes

August 11, 2022

The Alabama Medical Cannabis Commission (AMCC) met on August 11, 2022, in the RSA Dexter Conference Room. The meeting was called to order by Chairman Steven Stokes at 1:00 P.M.

Mr. James Harwell led the Commission's invocation. The roll was taken with a quorum present. Commission members present for the meeting were, Dr. Steven Stokes, Mr. Rex Vaughn, Dr. William Saliski, Dr. Sam Blakemore, Mr. Dwight Gamble, Dr. Angela Martin, Dr. Eric Jensen, Judge Charles Price, Ms. Taylor Hatchett, Mr. James Harwell, Dr. Jerzy P. Szaflarski, and Mr. Dion Robinson. Members absent from the meeting were Ms. Loree Skelton.

Chairman Stokes presented the minutes from the July 14, 2022, commission meeting. A motion to approve the minutes was made by Mr. Harwell, seconded by Ms. Hatchett, and received unanimous approval by the Commission.

Chairman Stokes began the meeting by mentioning the Commission's rules and regulations were in final form and thanked the staff for preparing the documents. He also thanked members of the public for the comments provided during the public comment period.

Mr. Stokes recognized Director McMillan to begin staff reports. Mr. McMillan echoed Chairman Stokes' remarks and discussed the task of preparing the rules for the meeting and for final submission to the Legislative Services Agency.

Upon the completion of Mr. McMillan's report, he recognized Mr. Daniel Autrey to provide legal and legislative update. Mr. Autrey began by recognizing the Commission's newest staff member and general counsel, Mr. Justin Aday. Mr. Aday introduced himself and expressed his optimism in working with the Commission. Mr. Autrey continued his report by reviewing the process and timeline of preparing the rules and regulations. He noted that the rules would be an evolving document and that they will likely undergo changes in the years to come as the program progresses.

Mr. Autrey introduced Attorney Will Webster to discuss the amended rules for the Commission's consideration. Mr. Webster thanked those who submitted comments and noted that both the quantity and quality of comments received aided in the revisions reflected in the redline version of the rules before the Commission. He explained that most of the changes were made to provide clarity or correct typographical errors. He then reviewed a few noteworthy changes that included the following: revisions to the definition of "batch," lessening the number of security guards required at licensees' facilities, removal of the three-inch door requirement for facilities, and eliminating the constraint that dispensing sites be in standalone buildings. Mr.

Webster concluded his report by sharing his confidence in the rules but reiterated that they will need to evolve as the program develops.

Ms. Brittany Peters provided an update on AMCC's contract with Metrc as Alabama's seed-to-sale tracking system provider. She notified the Commission that the contract negotiations were complete, and both the Legislative Oversight Committee and Governor Kay Ivey approved the contract. She also notified members that the Commission is on track to begin the application process by releasing the Request for Business Applications on the Commission's website beginning September 1, 2022. Ms. Peters concluded her report by noting that the staff is drafting the License Applications scheduled to be released following the effective date of the rules and regulations.

Judge Price discussed an article he read concerning the Florida medical cannabis program and the inclusion of minorities in their cannabis industry. He expressed his commitment to ensuring that Alabama's program keep inclusion and equity in mind as the AMCC moves into the application phase.

Mr. Autrey noted that the staff is exploring the options available to the Commission for evaluating applications. He explained that the rules allow for the Commission, a third party, or a combination of the two to conduct the evaluations.

With the conclusion of staff reports, Chairman Stokes moved to discuss the first decision item before the Commission – adoption of the Administrative Rules and Regulations. A motion to approve the amended Rules and Regulations was made by Mr. Vaughn, seconded by Judge Price, and received approval from the Commission. Dr. Szaflarski abstained from the vote after expressing his concerns with the amount of time allowed for members to thoroughly review the changes.

The Commission then considered the proposed fee schedule. Chairman Stokes explained the importance for the fees to adequately cover the expenses of software databases, card printing and mailing, staffing, facility inspections and application review. He also noted that the Commission will consider and may adjust the fee schedule at least annually. A motion to approve the fee schedule was made by Dr. Jensen, seconded by Mr. Gamble, and received unanimous approval by the Commission.

Next the Commission considered the Code of Conduct and Ethics. Chairman Stokes recognized Mr. Aday to discuss the purpose of the Code. Mr. Aday explained that the Code of Conduct and Ethics is consistent with Alabama law and does not place any additional burdens or provide any protections to Commission members. He noted that the primary reason for establishing the Code is to demonstrate to the public that the Commission is committed to conducting business in an ethical manner. Judge Price inquired if such documents existed in other agencies and asked how the document differs from the existing forms required by the Alabama Ethics Commission. Mr. Aday responded to Judge Price's concerns and a motion to approve the Code of Conduct and

Ethics was made by Mr. Vaughn, seconded by Mr. Gamble, and received unanimous approval by the Commission.

The final decision before the Commission was a proposal to delegate the Director contracting and purchasing authority. Chairman Stokes explained that this delegation would allow for the Director to proceed with routine contracts and purchases, as well as move expeditiously with future contracts. A motion to approve the proposal was made by Judge Price, seconded by Dr. Jensen, and received unanimous approval by the Commission.

There being no additional decision items before the Commission, the Chairman moved to discuss new business. Chairman Stokes discussed his concerns with access to medical cannabis and physicians in rural areas of the state. Dr. Saliski explained that the current Board of Medical Examiners rules and regulations relating to medical cannabis certification do not allow for telemedicine screenings.

There being no further business, a motion to adjourn was made by Ms. Hatchett, seconded by Dr. Jensen, and received unanimous approval by the Commission. The meeting adjourned at 1:36 P.M.