

# **Alabama Medical Cannabis Commission Meeting**

## **Minutes**

**March 14, 2024**

The Alabama Medical Cannabis Commission met virtually on March 14, 2024. The meeting was called to order by Chairman Rex Vaughn at 1:04 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 Mr. Rex Vaughn, Dr. Sam Blakemore, Dr. William Saliski, Mr. Dwight Gamble, Dr. Eric Jensen, Ms. Loree Skelton, Ms. Taylor Hatchett, Mr. James Harwell, Dr. Jerzy P. Szaflarski, and Mr. Dion Robinson. Dr. Angela Martin, Judge Charles Price, and Dr. Jimmie Harvey were absent from the meeting.

Chairman Vaughn presented the minutes from the February 8, 2024, Commission meeting. A motion to approve the minutes was made by Dr. Jensen and seconded by Dr. Saliski. A roll call vote was taken, and the motion received unanimous approval by the Commission.

Chairman Vaughn recognized Mr. Justin Aday to provide a legal update and discuss recent Court proceedings. Mr. Aday discussed the procedural and jurisdictional matters raised by the Alabama Court of Civil Appeals, the newly filed actions, and the pending motions before the Montgomery Circuit Court. Mr. Aday also addressed rumors concerning inspections of facilities restrained by the Court's temporary restraining orders (TROs). He reiterated that neither the Commission nor Commission staff have taken any action in furtherance of issuing those licenses or taken any action in violation of the TROs. Mr. Aday reviewed AMCC's rule that requires a license to issue within three (3) days of the lifting of any stay imposed by the Commission or Court. He discussed the challenges of completing the pre-issuance inspections in the limited timeframe and how that interrelated with the decision items under consideration.

Chairman Vaughn moved to discuss decision items before the Commission which included consideration of imposing an administrative stay on the issuance of dispensary and integrated facility licenses. Ms. Skelton spoke in opposition to issuing an administrative stay and offered two alternatives. In addition, she expressed concern with changing positions from the December 2023 meeting and emphasized the need to show deference to the Court. After lengthy discussion among Commissioners and the Commission's legal team, Chairman Vaughn recommended that Commission consider motions to table the decision items.

A motion to table the consideration of imposing an administrative stay on the issuance of dispensary licenses awarded December 1, 2023, was made by Dr. Blakemore, and seconded by Ms. Skelton. A roll call vote was taken, and the motion received unanimous approval by the Commission.

A motion to table the consideration of imposing an administrative stay on the issuance of integrated facility licenses awarded December 12, 2023, was made by Ms. Skelton, and seconded by Ms. Hatchett. A roll call vote was taken, and the motion received unanimous approval by the Commission.

Chairman Vaughn recognized Mr. Aday to discuss proposed revisions to Chapter 2 of the AMCC rules. Mr. Aday explained that AMCC rules expanded the qualifications of a caregiver to incorporate healthcare professionals who serve patients who have been recommended medical cannabis and who are admitted to a medical facility (i.e., hospital, nursing home, etc.). He noted that the statutory qualifications of a caregiver conflicted with the rule qualifications of a “professional caregiver” and that the proposed revisions to Chapter 2 would strike the definition of “professional caregiver” and all usage of that term. Dr. Saliski, Dr. Blakemore, and Ms. Hatchett spoke to the rule change and expressed the need to ensure that patients have access to medical cannabis while confined to healthcare facilities.

A motion to adopt for publication, pursuant to the Alabama Administrative Procedure Act, the revisions to Chapter 2 of the AMCC rules was made by Dr. Blakemore and seconded by Dr. Saliski. A roll call vote was taken, and the motion receive approval from the Commission.

There being no further business, a motion to adjourn was made by Ms. Skelton and seconded by Dr. Jensen. A roll call vote was taken, and the motion received approval of the Commission. The meeting adjourned at 2:11 P.M.

Approved on: \_\_\_\_\_

Secretary: \_\_\_\_\_