

CPHAC Public Meeting
July 17, 2024: 4:00 pm - 6:00 pm
Meeting Minutes

Members Present:

Dr. Madhumi Mitra
Dr. Deondra Asike
Dr. Leah Sera
Dr. David Gorelick
Dawn Berkowitz
Karrissa Miller
Dr. Leigh Vinocur
Martin Proulx
Nora Urbietta Eidelman
Delegate Terri L. Hill
Senator Benjamin Kramer
Jason Semanoff
Nishant Shah

Members Not Present:

Jocelyn Bratton-Payne
Dorothy Lennig
Elizabeth Kromm

MDH Members Present:

Dana Moncrief
Sabrina Chase
Michelle George
Erin Hopwood

Members from Public:

Elease Booker
Annie Carver
Rebecca Jackson
George Townsend
Patty Cameron

Presenters:

Andrew Garrison
Mathew Swinburne

I. Welcome by Dr. Deondra Asike, Chair. 4:04 PM

The meeting was called to order by Dr. Deondra Asike, Council Chair, at 4:04 PM on July 17, 2024. Dr. Deondra Asike extended a warm welcome and expressed gratitude to the Council members in attendance. She reminded the audience that this is a public meeting and while the public are welcomed to attend, they must hold all comments until the public comment period during the call. A reminder was provided that the call would be recorded.

II. Open Council Meeting/Council Business. 4:05 PM

Dr. Deondra Asike reviewed the agenda, welcomed the meeting presenters, and introduced the new member, Dr. Nishant Shah, who is the designee for the Deputy Secretary of the Behavioral Health Administration [replacing Sara Barra]. Dr. Nishant Shah introduced himself.

Dana Moncrief took roll call; a quorum was present.

Dana Moncrief reviewed the meeting minutes from the April 2024 meeting. Dr. David Gorelick made the recommendation that we not use first names only in the meeting minutes and use titles. There were small edits made by Dr. David Gorelick to sentence structure. Dr. Deondra Asike asked for a motion to approve the meeting minutes, Dr. David Gorelick made the motion to approve the minutes, Delegate Terri Hill seconded the motion. One council member abstained from the voting and the remaining council members agreed to passing the motion.

Dr. Deondra Asike gave a reminder of expectations that Advisory Council members are subject to Maryland Public Ethics laws and may not misuse their title for gain; for example, in interviews, posts, blogs, or anywhere that your title may come up. She recommended using the standard clarifying statement that “the views and opinions expressed here are solely my own and do not reflect the official policy or position of my employer or other organizations I may be affiliated with.”

III. Presentation: “Be Cannabis Smart” Public Education Campaigns by Dawn Berkowitz (MCA). 4:10 PM

Dr. Deondra Asike introduced Dawn Berkowitz who gave a presentation on the “BeCannabisSmart” public education campaigns. Dawn Berkowitz outlined that the BeCannabisSmart campaign is an umbrella campaign that includes three distinctive campaigns. The tagline for all campaigns is “BeCannabisSmart”. A website was launched in April 2024 to house the additional public education and awareness campaigns at cannabis.maryland.gov. Dawn Berkowitz acknowledged the partnership with Maryland Department of Health and the Maryland Poison Center. The three launched campaigns included “Drugged Driving” in April 2024, Safe Storage in June 2024 for National Safety Month with a focus on limiting access to children and pets, and Smoke-Free Spaces launched in July 2024 to raise awareness of indoor/outdoor smokefree air laws. The tagline and the campaigns were tested with focus groups and MCA received feedback from their partners including MDH, Poison Control, law enforcement and Maryland Department of Transportation. The campaigns have been launched through multiple formats including social media, transit ads, a mobile truck, aerial banners, and an outdoor/summer safety fact sheet. Dawn Berkowitz also emphasized that MCA plans to continue to expand the reach of campaign efforts through the fall and winter and into different venue spaces like concerts. She also emphasized that there will be continued evaluation efforts and checkpoints with the campaigns. There was also some conversation about focusing on youth education through driver’s education and possibly with the support of legislative actions.

IV. Presentation: New Cannabis Regulations & MCA’s Onsite Consumption Report by Andrew Garrison (MCA). 4:37 PM

Dr. Deondra Asike introduced the next presenter, Andrew Garrison, the Chief of the Office of Policy and Government Affairs at MCA. Andrew Garrison presented on the MCA Onsite Consumption Report. This is the second report, with the first report issued prior to the reform bill. This report looked at what other jurisdictions were doing, what operational and training requirements should be put into place, and recommendations for policies to implement onsite consumption of cannabis and cannabis products at suitable locations, including suggested legislative and regulatory changes. The report is largely silent on the local control aspect and that is because the statute presently has a strong level of local control. Andrew Garrison also presented on the current statutory provisions that pertain to onsite consumption licenses, including the initial 15 authorized licenses, allowance for consumption but not indoor smoking, operators cannot own or control any other license, businesses must have a state license to permit onsite consumption, cannabis sold cannot be removed from the establishment, cannabis cannot be added to food prepared onsite, there are 50 total authorized statewide, and that there is significant local control to prohibit outright or prohibit outdoor smoking. Andrew Garrison also gave an overview of what other jurisdictions are doing around onsite consumption regulations. Operational considerations to focus on include consistency with current track-and-trace platforms, product testing and safety, ownership limitations, serving sizes and unused cannabis products, and training and education requirements. Indoor smoking prohibitions can lead to concerns of promoting use of edibles in certain forms. However current regulations are in conflict with the current model for indoor smoking prohibitions due to repackaging and

preparations regulations. Other recommendations would also be in conflict with certain formats of onsite consumption.

Andrew Garrison also provided a Regulatory Update including:

- MCA adopted final actions for permanent regulations that were printed in the Maryland Register on July 12, 2024.
- Permanent regulations were fully in effect on July 22, 2024.
- Industry is currently operating under emergency regulations that are materially similar to the permanent rule.
- MCA intends to do further stakeholder engagement in advance of subsequent rulemaking.

Comments from Council Members regarding onsite consumption included gathering feedback from communities, partner collaboration with MCA with their campaign efforts, and youth engagement/surveying through MDH.

V. Presentation: Safe Consumption Standards for Onsite Consumption Sites by Mathew Swinburne (Legal Resource Center - Cannabis). 5:07 PM.

Dr. Deondra Asike introduced Mathew Swinburne to present on the safe consumption standards for onsite consumption sites. Mathew Swinburne presented on the statutory mandate that relates to safe consumption education at consumption sites. The requirement comes from consumption site licenses that say businesses must issue safety education materials to consumers. These educational materials are supposed to be set by the Cannabis Public Health Advisory Council and local jurisdictions can add additional education requirements. Mathew Swinburne also presented on three other states (Colorado, Nevada, and Massachusetts) which have established specific education standards for consumption sites. Maryland does not necessarily have requirements about the educational materials but there are requirements around labeling (COMAR 14.17.18.03), including age requirements/medical cannabis patients, ability to drive a car or operate machinery, risks associated with pregnancy and breastfeeding, keeping cannabis packages out of reach of children and animals, and the Maryland Poison Center emergency telephone number. Dawn Berkowitz raised the point that educational posters/materials were provided to the dispensaries but dispensaries could opt to use their own materials as long as the same information was displayed. She also reiterated that MCA can require educational materials.

VI. Council Discussion. 5:24 PM

Due to the discussion and comments throughout the three presentations, Dr. Deondra Asike moved the Council directly to MDH updates by Dana Moncrief.

VII. MDH Updates by Dana Moncrief. 5:26 PM

Dana Moncrief provided updates on the use of the Cannabis Public Health Funds including:

- Collaborative media campaigns and outreach with MCA on the “Be Cannabis Smart” Campaign;
- Funded a technical assistance center - UMB Legal Resource Center - which conducted a needs assessment with the Local Health Officers, developed materials, and hosted two webinars;
- Local health department funding began in 2024 and will continue through June 30, 2025 to focus on building and developing infrastructure;

- Development of a cannabis public health data dashboard is currently underway and in the quality control process;
- Legislative session: as of July 1, 2024 electronic smoking devices for nicotine, cannabis, and hemp products are included in the Clean Indoor Air Act;
- Technical assistance for the Cannabis Public Health Advisory Council.

Dana Moncrief also noted that in August 2024 it will be the Council's one year anniversary, with 8 full meetings, 2 Ad Hoc meetings, 2 legislative meetings, 4 workgroups established, a website developed, a recommendations report submitted, and the Council participated in its first full legislative season.

VIII. Workgroup Planning 5:30 pm

Dr. Deondra Asike encouraged all Council members to join an active work group. She also proposed to develop another workgroup that would focus on the training and educational requirements for onsite consumption lounges. The deliverables for this workgroup would be the educational materials. Most workgroups meet roughly once per month and the workgroup lead will send out the meeting invitation, the work plan for asynchronous work, and agendas for the meetings. There was discussion with the Council members on whether a separate workgroup would be needed and appropriate to develop tailored educational materials for consumption lounges. A point was raised if it would be more appropriate to use existing workgroups to develop tailored messaging for the various target audiences to streamline the messaging that is being released into the community. Another point was raised that a separate workgroup is necessary because the target audience's needs vary based on whether the audience is healthcare professionals, business owners, and/or consumers. There was also a point raised that a separate workgroup would allow for the group to stay on task and focus on the development of the training and education requirements for onsite consumption lounges. Dr. Deondra Asike then moved a motion to approve the creation of the new separate work group that will be focused on onsite consumption establishment training and educational requirements. Dr. David Gorelick suggested an amendment to include information to be available to dispensaries. Delegate Terri Hill seconded the amendment to include dispensaries in the motion. Dr. Deondra Asike clarified that the motion is now to develop a workgroup that will be focused on development training and educational requirements for onsite consumption sites and dispensaries. All council members agreed to the motion.

IX. Workgroup Report Outs. 5:42 pm

Youth Cannabis Use Mitigation Report Out by Karrissa Miller.

The youth cannabis use mitigation workgroup meets on the first Wednesday each month from 11 am to 12 pm. There is asynchronous work for the members. There are three unique initiatives:

- Developing example questions to be included in the next YRBS/YTS survey
- Recommendations to work with MSDE to review current curricula requirements related to cannabis use and impairment, including recommendations for references for toolkits that are in existence.
- Plan and develop a data collection process to understand diverse community needs related to youth cannabis use and impairment, specifically driver's education, and that youth are given the opportunity to learn and ask questions about how impairment may happen with cannabis use that may differ from other substances.

Healthcare Professionals Training Report Out by Dr. Leigh Vinocur.

This is a new work group that has had two meetings so far. Meetings take place on the third Wednesday from 3 pm to 4 pm. They are currently drafting a statement on core knowledge to be reviewed and approved by the Council to make sure that all healthcare providers throughout the state understand the science and the potential benefits and harms of cannabis, both medical and non-medical use. This work group identified an initial target of providers who can certify patients for medical cannabis, including physicians, podiatrists, nurse practitioners, nurse midwives, and dentists. They also identified a second group of healthcare providers who cannot certify for medical cannabis but may come into contact with patients using (or considering using) cannabis in their practice, including nurses, social workers, physical and occupational therapists, acupuncturists, and pharmacists. The core curriculum would also identify which state boards that license these providers and look at their recommendations as well.

Dana Moncrief identified which Council members are assigned to which work group. The work groups are:

Youth mitigation workgroup

- Dr. Madhumi Mitra
- Nora Urbietta Eidelman
- Karrissa Miller
- Jason Semanoff
- Delegate Terri Hill
- Senator Ben Kramer

Health care professional training workgroup

- Dr. Leigh Vinocur
- Dr. Deondra Asike
- Dr. Leah Sera
- Dr. David Gorelick

Onsite consumption and dispensary workgroup

- Dawn Berkowitz (moved from the healthcare professional Education Workgroup)
- Dr. Nishant Shah

Currently inactive Data & Surveillance workgroup

- Dr. Leah Sera
- Dr. David Gorelick
- Dr. Leigh Vinocur
- Dawn Berkowitz
- Dr. Deondra Asike

Currently inactive Legislative workgroup

- Karrissa Miller
- Dr. Deondra Asike
- Dr. David Gorelick
- Dr. Leigh Vinocur

X. Wrap-Up/Next Steps. 6:55 PM

Dr. Deondra Asike will identify who is not currently a workgroup lead to tap a person to become the lead for the new onsite consumption and dispensary workgroup.

A minimum of 4 Council meetings annually are required by statute. The next meeting will be on October 16, 2024.

There is a mandatory Council report to the Governor and General Assembly due December 1, 2024, so an ad hoc meeting may be needed to review the report and approve it before it is officially submitted.

Dr. Deondra Asike asked if four meetings were sufficient for 2025 or if the Council believed that more meetings are needed. She said they would present the 2025 calendar year meetings at the October meeting.

XI. Public Comment. 6:57 PM

No public comments were offered.

XII. Adjourn. 6:58 PM

Dr. Deondra Asike asked for a motion to adjourn the meeting. Dr. Leigh Vinocur made the motion and Karrissa Miller seconded the motion to adjourn. All council members agreed.