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Dear MMMP Stakeholder:

I write today with an important update regarding the administrative regulations which govern the Maine Medical Use of Marijuana Program (MMMP). Following an extensive review of the feedback received during the informal public comment period on the preliminary draft of the MMMP rule, the Office of Marijuana Policy (OMP) has begun the formal rulemaking process required by the Maine Administrative Procedures Act (MAPA).

Over the course of the last two months, our office has worked to transition the preliminary draft released in January into the proposed rule we made available today. If you participated in the comment period or engaged in discussions with OMP, I want to thank you for your time and attention to this important work. As you may know, we received more than 1,500 comments from the public prior to drafting the proposed rule, many of which were incorporated into the most recent version. We look forward to engaging with interested members of the public once again during this formal rulemaking process, so that we can ultimately adopt a program rule which works for all stakeholders.

In that spirit, I want to ensure you have the latest information on OMP's rulemaking efforts. First, you should know that OMP has introduced a proposed rule to replace the current MMMP rules. You can find a copy of the proposed rule on our website: <https://www.maine.gov/dafs/omp/medical-use/rules-statutes/rulemaking/proposed-rules>. This page also includes a redlined/tracked version of the rule, showing how the proposed rule has changed from the preliminary draft released in January.

Second, the filing of a proposed rule begins the formal rulemaking process dictated by state law, and there are some crucial dates and times of which you should be aware. Public participation is a critical component of the MAPA process, and OMP has scheduled a public hearing and identified a deadline for the written public comment period as a part of this process.

The public hearing will be held on **Monday, March 22, 2021 at 9:00AM EDT**. Due to COVID-19, the public hearing will be hosted via Zoom. Interested parties must pre-register in advance of the public hearing beginning and may do so via: <https://www.maine.gov/dafs/omp/medical-use/rules-statutes/rulemaking>. Those interested in watching the public hearing but not participating directly in the proceedings may do so without registering via OMP's YouTube Channel: <https://www.youtube.com/channel/UChf0OmIFQZQvS5E8tIjtaDA>.

In addition to the public hearing, the Office has begun accepting written public comments on the proposed rule and will continue to do so until **5:00PM EDT on Thursday, April 1, 2021**. Comments may be submitted through OMP's revamped web form at: <https://www.maine.gov/dafs/omp/medical-use/rules-statutes/rulemaking/feedback>.

Either or both these avenues for comment may be utilized by interested members of the public to provide feedback to OMP on the form, content, and/or application of the proposed rules. To ensure your comments are as effective as possible, please consider identifying the specific section(s) of the rule on which you are commenting; how the rule may affect you, your business, and the patients you serve; the way you quantified these anticipated effects; and specific recommendations you may have to improve the proposed rule and OMP's implementation.

As you review the proposed rule, you will notice several changes that were informed by the informal public comment period. Specifically, you will see that:

1. OMP has removed language related to the medical conditions required for minor qualifying patients and has instead opted to reserve a place in the rule for future rulemaking activity.
2. OMP has removed a requirement that patient names be included on delivery manifests and requires registrants to indicate on the sales delivery manifest when a delivery is complete.
3. OMP has clarified language in the proposed rule to expressly permit the use of telemedicine by medical providers in conducting evaluations and establishing their bona fide patient-provider relationship.
4. Section 11 has been significantly revised to focus on caregivers who operate out of their home. OMP has essentially eliminated security requirements for those operating within a dwelling unit so as not to infringe on their privacy.
5. The Office has also reduced the video storage requirements for security cameras from 45 days to 30 days for all registrants. This will permit registrants to use off the shelf security systems and reduce the costs to comply with these new requirements.
6. Further changes aimed at cost reduction include removing requirements for edible embossing and introducing language which requires outdoor cultivation security standards be in place only when marijuana seeds, plants, or harvested marijuana are present.
7. OMP has reduced the application fee for dispensaries from \$12,000 to \$5,000 to assist caregivers interested in converting their businesses.

This is by no means an exhaustive list and hope that you will commit to taking the time necessary to review the proposed rule and provide your feedback during the formal rulemaking process. Again, thank you for your attention and consideration of these important matters. We look forward to continuing to engage with you over the coming weeks and months.

Sincerely,



Erik Gundersen  
Director