DRAFT Notes

Iowa Medical Cannabidiol Advisory Board
September 22, 2017
9:00 a.m. – 4:00 p.m.

Iowa Laboratory Facility – DMACC Campus
2240 DMACC Blvd.
Ankeny, IA

1. **Call to Order** — **Mike McKelvey, Chairperson**

   The September 22, 2017, Iowa Medical Cannabidiol Advisory Board Meeting was officially called to order at 9:05 a.m.

2. **Roll Call** — **Mike McKelvey, Chairperson**

Members Present	Members Absent
Dr. Ken Cheyne	Dr. Stephen Richards
Dr. Jill Liesveld	Dr. Jacqueline Stoken
Cpt. Mike McKelvey	
Dr. Lonny Miller	
Dr. Bob Shreck	
Dr. Wendy Zadeh	
Staff Present	
Gerd Clabaugh, Director, IDPH	
Sarah Reisetter, Deputy Director, IDPH	
Heather Adams, Assistant Attorney General	
Jennifer Caskey, Executive Officer, IDPH	
Randy Mayer, Director, Office of Medical Cannabidiol, IDPH	
Kathy Stone, Division Director, IDPH	
Brenda Dobson, Division Director, IDPH	
Jill Myers Geadelmann, Bureau Chief, IDPH	

3. **Approval of Minutes**
   a. **Sept. 6, 2017, Medical CBD Advisory Board Mtg.**

      A motion to approve the minutes of the September 6, 2017, Medical Cannabidiol Advisory Board was made by Lonny Miller, seconded by Ken Cheyne.

      A verbal vote was taken. Motion carried unanimously.

4. **Board Member Introductions** **All**

Established by the 2017 Medical Cannabidiol Act (HF 524) the Iowa Medical Cannabidiol Advisory Board is a nine member advisory board appointed by the Governor. The Iowa Department of Public Health (IDPH) has been tasked with convening the nine-member Medical Cannabidiol (CBD) Board, consisting of eight medical practitioners representing neurology, pain management, gastroenterology, oncology, psychiatry, pediatrics, family medicine, and pharmacy, and one representative from law enforcement. Currently the Iowa Medical Cannabidiol Advisory Board has received eight of the nine appointees. Representing the board are:

Dr. Ken Cheyne – pediatrician
Dr. Jill Liesveld – psychiatrist
Capt. Mike McKelvey, Chair – law enforcement
Dr. Lonny Miller – family medicine
Dr. Stephen Richards – pharmacy
Dr. Bob Shreck – oncologist
Dr. Jacqueline Stoken – pain management
Dr. Wendy Zadeh – neurologist

An appointee representing gastroenterology has not yet been appointed at the time of this meeting. All board appointees introduced themselves and provided brief overviews of their backgrounds.

5. **Public Comment Period – Draft of 641 IAC, Ch. 154, "Medical Cannabidiol Registration Card Program"**

Parties wishing to address the Board were allowed a total of two minutes each to address the advisory board and provide comments. Ten individuals signed up to address the board, and provided comments on various topics including; the form and quantity of CBD products that should be allowed for patient consumption in Iowa, perspectives on changes that should be made to the statute including the addition of qualifying medical conditions, offers for various types of assistance to the board, concerns about product safety, and the sharing of personal experiences.

6. **Review Draft Manufacturing, Dispensing and Board Operation Administrative Rules**

Sarah Reisetter, Deputy Director of the Iowa Department of Public Health updated the board on the volume of work IDPH staff has completed in order to draft the current version of administrative rules. These draft rules were also shared with approximately 70 stakeholders at the same time they were distributed to the Board. Sarah noted the majority of the recommendations and suggestions received thus far from stakeholders and interested parties related to the rule draft itself were relatively minor. Some of the feedback resulted in recommendations for amendments that will be considered by the board today. Sarah also commented that there may be things that the department is unaware of at this time that will need to be amended as the rulemaking and implementation processes move forward. IDPH intends to develop the most complete set of draft administrative rules as possible, as the stringent timelines for the Request for Proposal (RFP) to license manufacturers requires the RFP to be released before these administrative rules have been fully adopted. The department's current draft rules are largely based off of rules adopted by the Minnesota CBD program, as it is most similar to the program adopted by Iowa's legislature in terms of statutory requirements.

Sarah and Randy Mayer, Director of the Office of Medical Cannabidiol, guided the Board through the draft rules section by section, providing an overview of the proposed language and changes recommended during the public feedback process, addressing questions and concerns, and gaining board consensus on the draft language before moving on to the next section. Proposed changes to the administrative rules include; definitions, medical cannabidiol manufacturer licensure requirements and provisions, medical cannabidiol dispensary licensure and provisions, purpose and duties of the Medical

Cannabidiol Advisory Board, and the process to handle petitions to the board for recommendations for the addition or removal of eligible medical conditions.

7. **Recommendation for State Board of Health on Manufacturing, Dispensing and Board Operation Administrative Rules**

   A motion was made by Dr. Miller, seconded by Dr. Shreck to recommend adoption by the State Board of Health of the proposed draft rules with the noted amendments from the day's discussions.

   A verbal vote was taken. All board members voted in favor of recommending adoption of the draft rules as amended. Motion carried unanimously.

8. **Discussion – Location of Manufacturing Facilities**

   One of the statutory duties of the Medical Cannabidiol Advisory Board is to advise the department on the location of manufacturing facilities. One item that has been noted by staff who have visited manufacturing facilities in other states, is the odor emanating from the facilities. A question was raised by a board member concerning the anticipated number of applicants for manufacturing licensure. Randy Mayer, Director for the Office of Medical Cannabidiol noted that the state of Minnesota received a total of twelve applications. It is anticipated that Iowa's program could receive a similar number, as the programs are very similar. A number of interested parties have contacted the department expressing interest in potentially becoming manufacturers. Through those contacts it has been learned that several of these entities are looking at and thinking about location. Concern about the number of applications the department may actually receive was mentioned. Due to the number to contacts made by interested parties, staff are expecting to receive multiple applications from potential manufacturing licensees. Additional questions regarding concern of CBD availability within the state of Iowa during the time when Iowa manufacturers are getting up and running were discussed. Heather Adams, Assistant Attorney General addressed these questions, referring to the "Cole Memo", a federal document that outlines the parameters under which states can pursue marijuana programs and not risk federal prosecution. There are eight standards outlined in this memo, with one pertaining to transportation, advising states to focus on operating within a state's borders to avoid federal scrutiny. Another issue to consider is the ability of other states to provide products in Iowa under their own state laws and regulations. At this time the Attorney General's office has advised the department to wait and see what further information may come from the federal government before implementing section 17 and 18 of House File 524. A comment was made regarding the possibility of local or county governments having issue or interest in having manufacturing or dispensing facilities in their areas. It was noted that to date, no input regarding these issues has been received. Once the applications are received and decisions are made regarding the issuance of licenses, the department may need to work with local governments regarding zoning and other business issues.

9. **Discussion – Form and Quantity of CBD**

   Darrin Teske and Megan Thompson, staff from the state of Minnesota's medical cannabidiol program connected to the board meeting via conference call allowing for some questions and answers on how the Minnesota program has gotten up and running. Issues such as malpractice concerns by certifying providers, how recommendations regarding form and quantity in their state were handled, potential

issues with diversion of products, insurance coverage, relationships between dispensaries and pharmacies within their state, program costs, manufacturer fees and other questions were addressed.

Randy Mayer shared pictures he obtained when he visited a growing facility in Colorado. Randy provided a brief description of the photos he shared, what was depicted in the photos, and the information he learned while touring the facility. The size of this facility was comparable to a Wal-Mart. Randy shared that the manufacturer he visited also operated a smaller facility located further down the road from the location where the photos were taken.

Given the information and discussion related to form and quantity, the Board was asked what information they might find helpful in preparation of the October 27, 2017, meeting to further discuss form and quantity. Suggestions included:

- Research and information on evidence based use of medical cannabidiol to treat the qualifying medical conditions listed in HF 524
- Information from other states and what is working for them
- Products allowed in other states
- Anecdotes on experience
- Information on the product Epidiolex
- Department recommendations regarding forms, pros and cons based on research from other states

10. Adjourn

A motion has been made by Dr. Cheyne, seconded by Dr. Liesveld to adjourn the September 22, 2017, Iowa Medical Cannabidiol Advisory Council meeting.

A verbal vote was taken. All members voted in favor of the adjournment. Motion carried unanimously. The meeting officially adjourned at 2:24 p.m.