

## S.B. 259 - Medical Cannabis Amendments - Sponsor: Madsen

### Performance Note Report

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#### Funding For:

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New Agency  
New Services or benefit  
Serving a new or larger population

#### Public Benefit

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purpose : The Division of Occupational and Professional licensing will begin regulating the new requirement of medical cannabis establishment and agent registration. The purpose of this regulation is to ensure the public health safety and welfare in regards to

Services : As proposed, the Division of Occupational and Professional licensing shall issue licenses to four types of medical establishments. The license types are divided into cannabis cultivation facilities, cannabis processing facilities, cannabis dispensary, and testing laboratories. The Division shall also issue registrations to each owner shareholder, employee or agent that works in each establishment. The Division will also inspect medical establishments for compliance with applicable operating standards. The Division will also investigate complaints of unlawful and unprofessional conduct with regard to prescribers, establishments and registrants.

Expected Outcome : The Division expects to receive thousands of inquires about the new requirement, and will measure the complaints that are deemed meritorious and result in actual investigations. Information gathered in investigations may be lead to administrative actions. The Division will also proactively inspect all establishments. The Division expects there will be more establishment applicants than licenses available, and will necessitate a method of allocating the number of licenses available. The Division expects a high turnover the labor force, resulting in a constant flow of new agent registrations applicants.

Implementations and Resources : It will establish a new program within the Division, staffed with expertise not currently available. It will also require multiple inspectors and investigators to manage the enforcement effort. Implementation of this program will necessitate an extensive investment of time on the part of management, program team, and investigative staff. Licensing of establishments will be heavily concentrated in the first two years. Registration of agents will experience rapid turnover and will be constant. Inspections will initial and ongoing. Investigations will be complaint driven and of varying complexity. Adjudicative proceedings will be significant and complex that may lead to administrative actions. This new requirement will require extensive resources to implement and maintain in order to adequately protect the public.

How : Each establishment is required to have a license before beginning operations. Each owner shareholder, employee or agent is required to have an active registration prior to being associated with an establishment.

#### Performance Measures

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##### Goal

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Title : Issuance of Medical Establishment licenses and Medical Establishment Agents.

Conduct inspections on all establishments. Screen and elevate complaints for investigation.

Description : Upon application, timely issuance of licenses and registrations. Establish a schedule and conduct thorough inspections on all establishments according to the schedule. Based on meritorious complaints, conduct thorough investigations and close them in a timely matter.

Collection Method : Application files, investigative information and inspection results will be tracked and application or case files will be examined to determine if the outcome served the public correctly and provided appropriate service to licensees, registrants, providers and those complaining to the Division.

	FY 2013	FY 2014	FY 2015
Target or BenchMark % <b>applications/ investigations meeting benchmark</b>		90	90
Target or BenchMark %		80	80