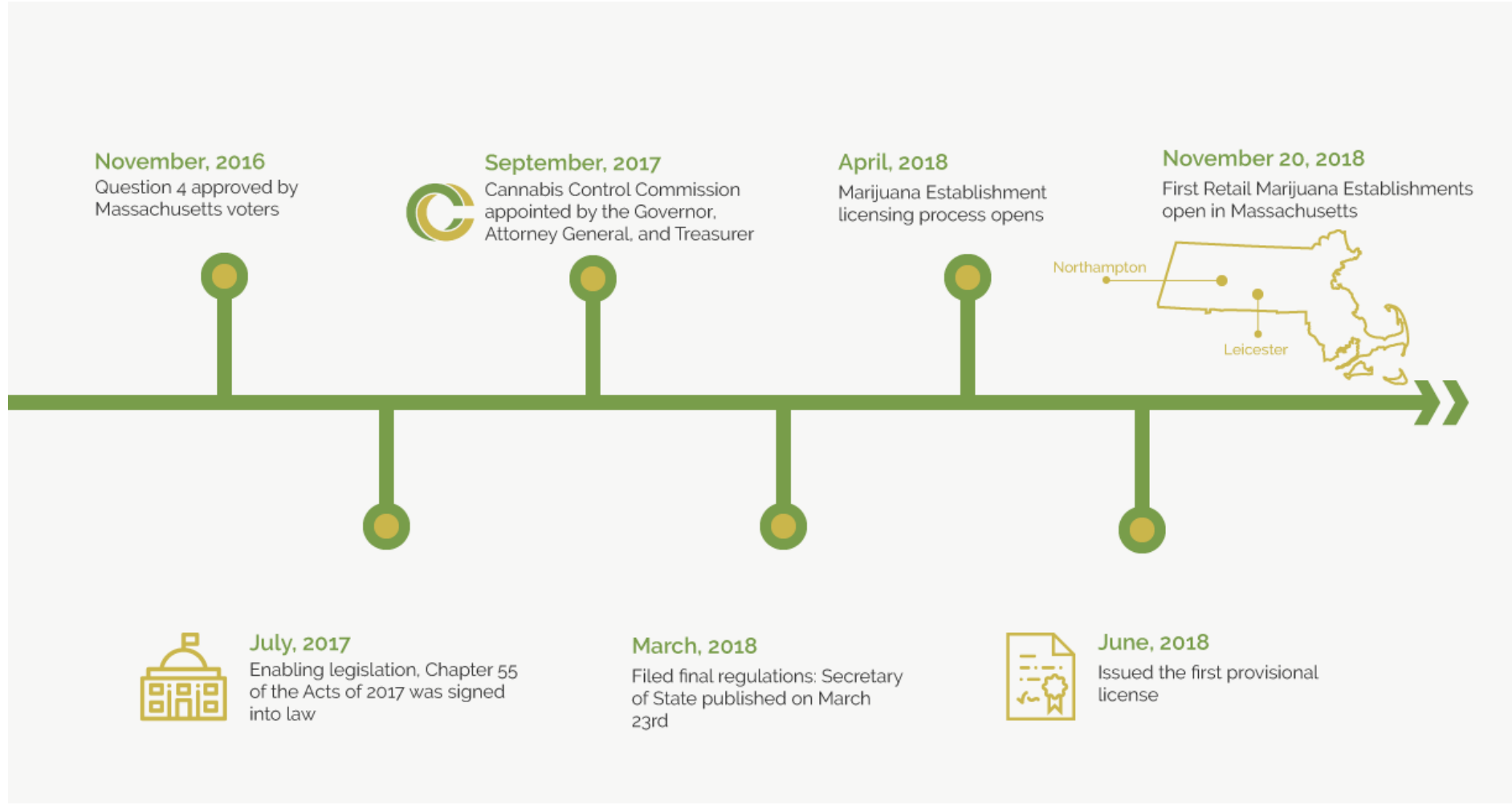




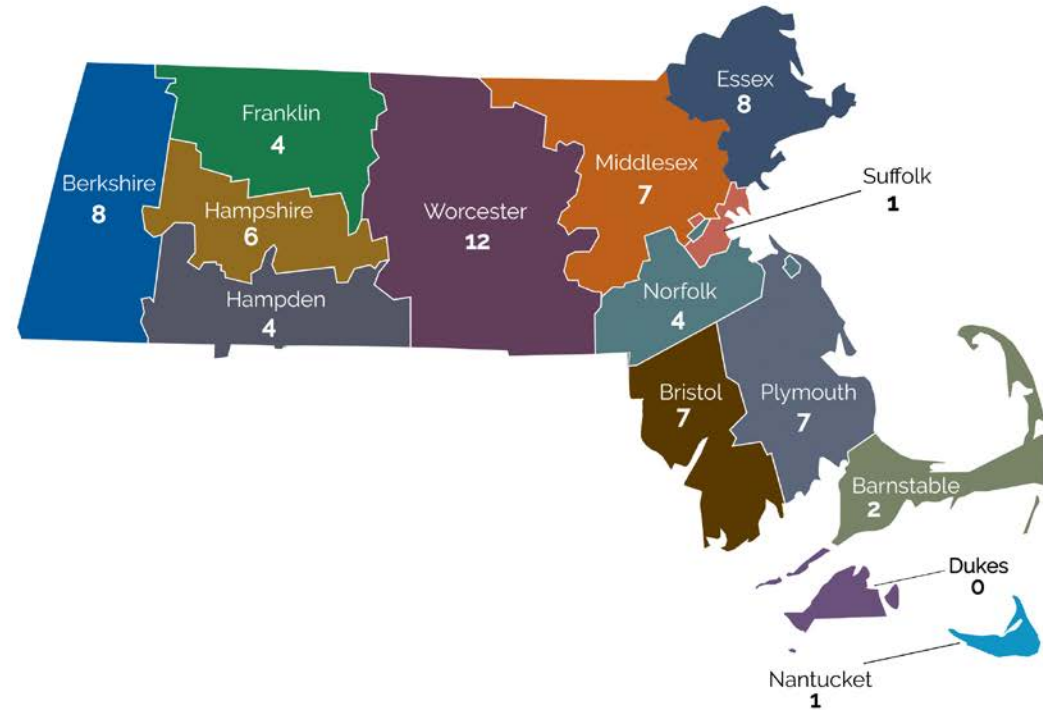
Cannabis Legalization in Massachusetts

September 2019 | Commissioners Jennifer Flanagan & Kay Doyle



Retail Licenses

Total number of retail licenses by county.



Retailers and Treatment Centers

- Medical Marijuana Treatment Centers (MTCs), also referred to as Registered Marijuana Dispensaries (RMDs), approved for sales: **51***
- Adult-use retailers approved for final license: **29****



*As of August 8, 2019: <https://mass-cannabis-control.com/wp-content/uploads/2019/08/08082019-final-1.pdf>

**As of August 8, 2019: <https://mass-cannabis-control.com/document/total-number-of-license-applications-that-have-submitted-all-required-packets-by-city-town-and-license-type-as-of-august-8-2019-excel/>

Know the Law

- You have to be 21 or older to buy or use marijuana of any kind (exceptions for patients in the Medical Use of Marijuana Program).
- No marijuana use is allowed in public or on federal lands.
- Landlords, employers, and municipalities may have their own policies about the use, sale, or growth of cannabis.
- Don't drive if you've been using marijuana.
- You can have up to one ounce on you, and grow six plants in your home – or up to 12 with two or more adults.



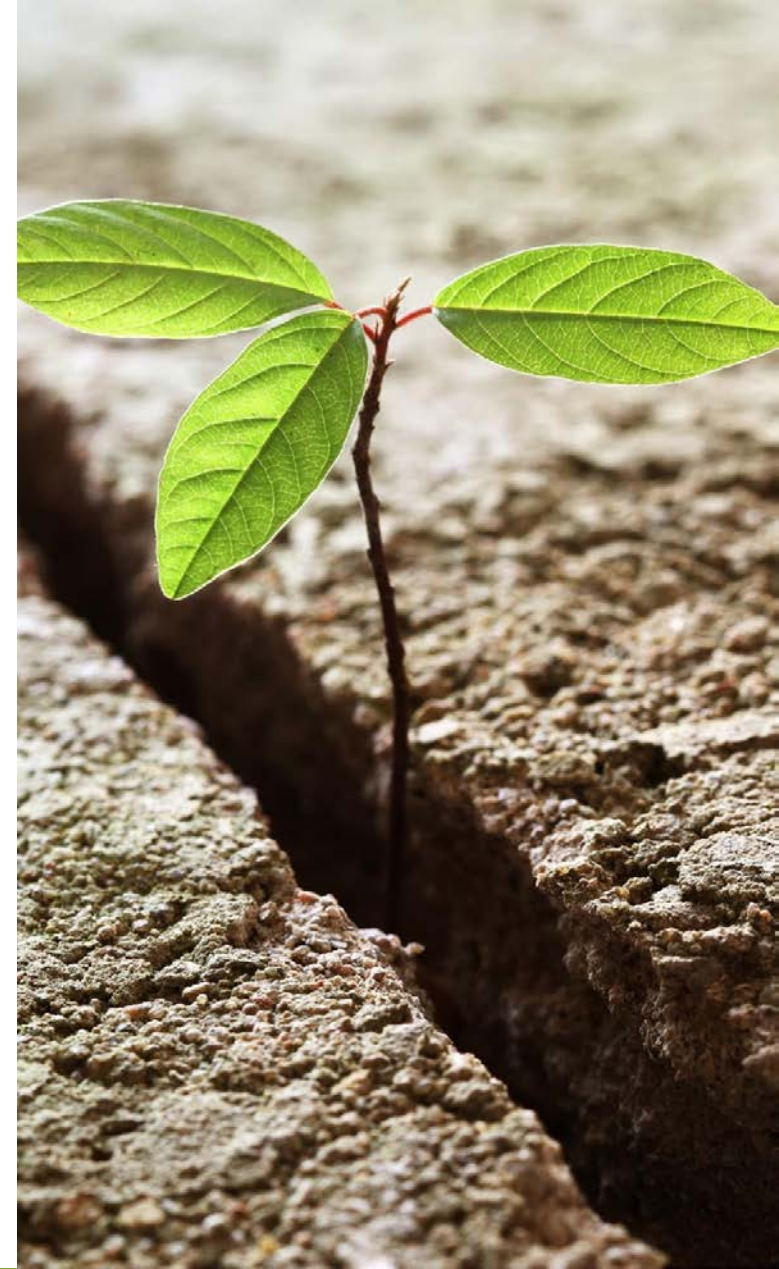
935 CMR 501.000

Medical Use of Marijuana Program

Safe | Equitable | Sustainable

Program Background

- Launched in 2014 following the passage of Ballot Question 3 – *The Massachusetts Medical Marijuana Initiative* – in the 2012 general election.
- On December 23, 2018, administration and oversight of the Medical Use of Marijuana Program (Program) transferred from the Department of Public Health (DPH) to the Cannabis Control Commission (Commission), mandated by Massachusetts General Law, c. 55 of the acts of 2017.



By the Numbers

- **51** MTCs, approved for sales
- **59,288** active patients
- **7,005** active caregivers
- **293** registered healthcare providers
- **66,945** active healthcare provider certifications



Patients

- Massachusetts residents 18 years of age and older who have been diagnosed by a certifying healthcare provider as having a debilitating medical condition may qualify for the Program. **Residents under the age of 18 will only qualify under limited circumstances.*
- The certifying healthcare provider gives the patient a PIN, which they use to register in the Medical Use of Marijuana Program Online System. Patients also need to provide a valid form of ID, a photograph of themselves, and the \$50 registration fee.



Patients (Con't.)

- Once enrolled in the program, patients receive an annual registration card in the mail, which they need to bring with them to the MTC in order to access the facility and purchase cannabis.
- Examples of debilitating medical conditions that may qualify a patient for Program registration include:
 - Cancer
 - Glaucoma
 - HIV/AIDS
 - Hepatitis C
 - ALS
 - Crohn's Disease
 - Parkinson's Disease
 - Multiple Sclerosis
 - Others as determined by a certifying healthcare provider



Clinicians/Healthcare Providers

- To register as a **certifying physician** in the Program, providers must be licensed in the state of Massachusetts, hold an active full license with no prescribing restrictions, hold a Massachusetts Controlled Substances Registration (MCSR), and have at least one established place of practice in the state.
- To register as a **certifying nurse practitioner** in the Program, providers must be a Massachusetts-licensed Certified Nurse Practitioner (CNP); hold an active license with no prescribing restrictions; hold a Board Authorization by the Massachusetts Board of Registration in Nursing to practice as a CNP; hold a MCSR; and submit an attestation by the CNP's supervising physician that the CNP is certifying patients for medical-use marijuana, according to their agreed-upon guidelines.



Personal Caregivers

- A personal caregiver is an individual, 21 years of age or older and registered by the Commission, who has agreed to assist with a registered qualifying patient's medical-use marijuana.
- Individuals seeking to be a personal caregiver must register with the Program, and can do so either online or by mail. They need to provide the PIN from the registered qualifying patient, a valid form of ID, and a photograph of themselves.



Initial Access Certification

- Qualifying patients and personal caregivers can now purchase medical-use cannabis before receiving an annual registration card through the Commission's new Initial Access Certification (Initial Access) process.
 - Those interested must meet with a certifying clinician/healthcare provider to receive Initial Access
 - Expires 14 days after it is issued, or when the patient is approved for a registration card – whichever comes first
 - Patients may get a 14-day supply (2.5 oz.) of medical-use cannabis with Initial Access; a clinician/healthcare provider may set a different amount for a 14-day supply
 - All patients and caregivers also must complete the annual registration card process after receiving Initial Access



935 CMR 500.000

Regulations for the Adult Use of Marijuana

Safe | Equitable | Sustainable

Possession Limits



Adults 21 and over can have up to one ounce on them.

Adults 21 and over can grow up to six plants in their home. Plants must be grown in an area that is equipped with a lock or security device. Plants cannot be visible from a public place without the use of binoculars, aircraft, or other optical aids.

Households where there are two adults or more can have up to 12 plants. The rules around security and visibility mentioned above still apply.



Employment Restrictions

Landlords, employers, and municipalities may have their own policies about the use, sale, or growth of cannabis.

Premises Restrictions (other than federal)

G.L. c. 94G §2(d) This chapter shall not be construed to:

(2) prevent the commonwealth, a subdivision thereof or local government agency from prohibiting or otherwise regulating the possession or consumption of marijuana or marijuana accessories within a building owned, leased, or occupied by the commonwealth, a political subdivision of the commonwealth or an agency of the commonwealth or a political subdivision of the commonwealth; or

(3) authorize the possession or consumption of marijuana or marijuana accessories on the grounds of or within a public or private school where children attend classes in preschool programs, kindergarten programs or grades 1 to 12, inclusive, on a school bus, in any youth center, or on the grounds of or within any correctional facility or detoxification facility.



Note:

Federal employment restrictions

Premises restrictions (can't use or grow on federal property)

OVERVIEW OF REGULATIONS: TYPES OF LICENSES

Cultivation



Craft
Cooperatives



Micro Businesses



Product
Manufacturing



Retail



Research



Transporter



Independent
Testing Labs



Delivery



Social
Consumption



Licensing Applications | August 8, 2019

The totals below are number of licenses approved by category.

Type	#
Craft Marijuana Cooperative	0
Independent Testing Laboratory	3
Marijuana Cultivator	56
Marijuana Microbusiness	4
Marijuana Product Manufacturer	48
Marijuana Research Facility	0
Marijuana Retailer	71
Marijuana Transporter with Other Existing ME License	1
Marijuana Third Party Transporter	2
Total	185

Licensing Applications | August 8, 2019

The totals below are number of licenses approved by stage.

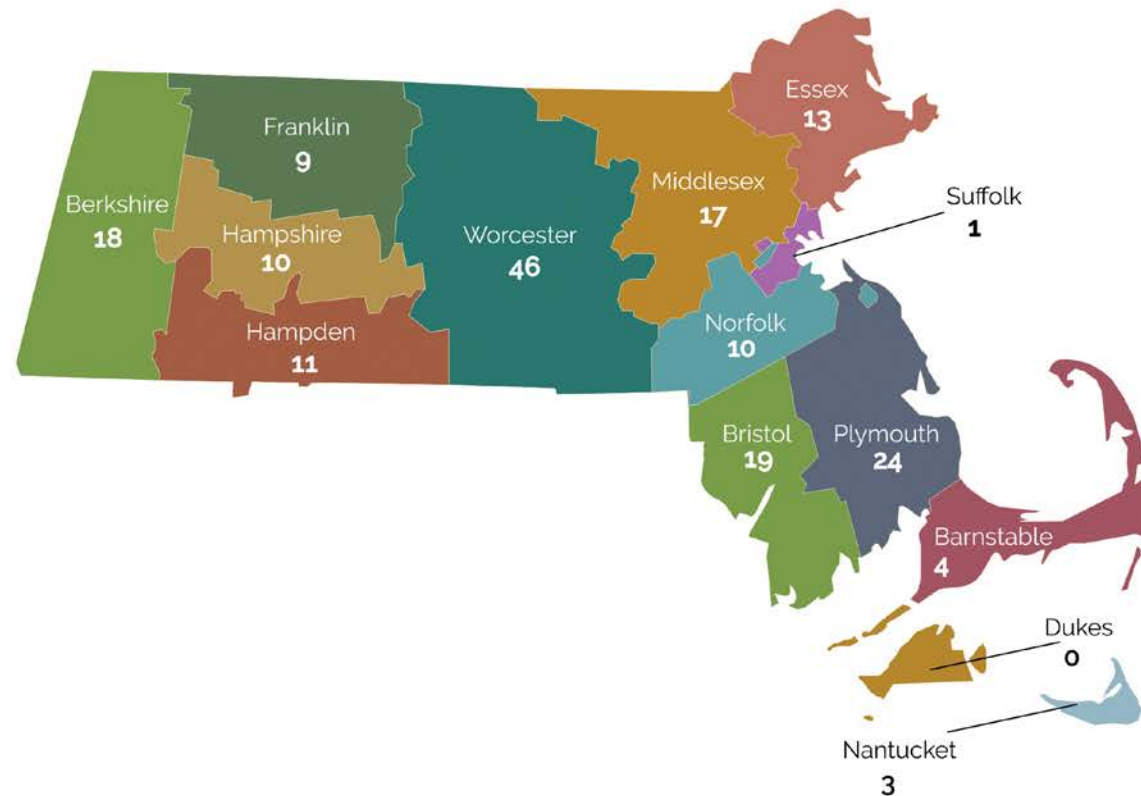
Type	#
Provisionally Approved	9
Provisional License	99
Final License	20
Commence Operations	57
Total	185

Provisionally approved means approved by the Commission but has not submitted license fee payment yet – provisional license has not started

Licensing Applications | August 8, 2019

The totals below are the total number of licenses by county.

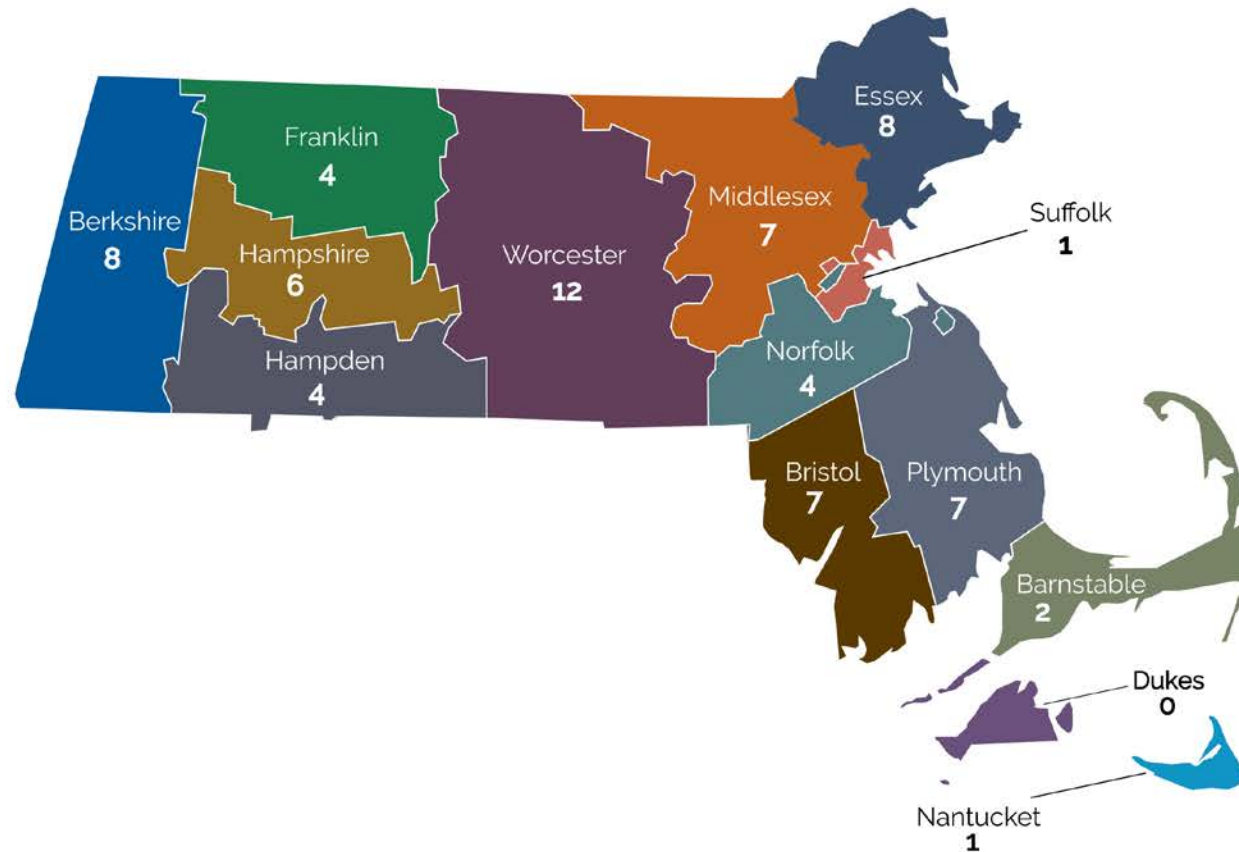
County	+/-
Barnstable	
Berkshire	+2
Bristol	
Dukes	
Essex	
Franklin	+1
Hampden	
Hampshire	
Middlesex	
Nantucket	
Norfolk	
Plymouth	+3
Suffolk	+1
Worcester	
Total	+7



Retail Applications | August 8, 2019

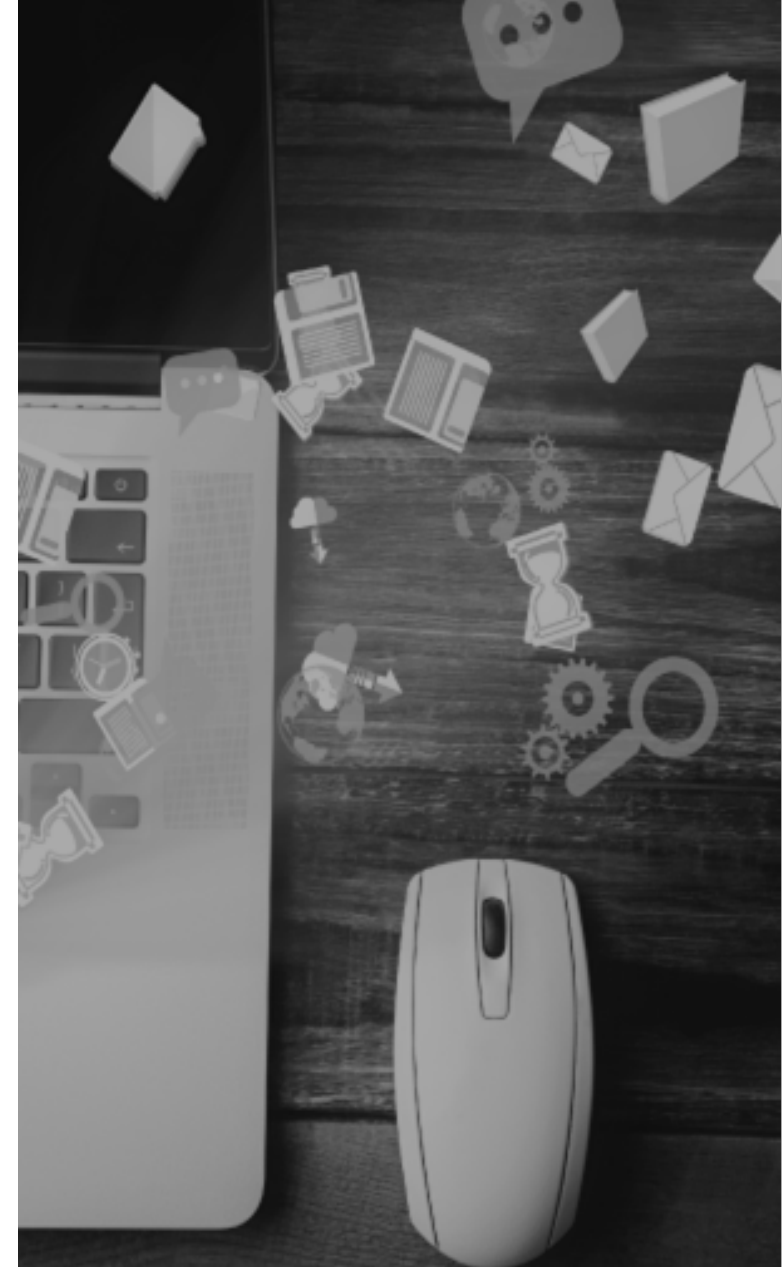
The totals below are the total number of retail licenses by county.

County	+/-
Barnstable	
Berkshire	+1
Bristol	
Dukes	
Essex	
Franklin	
Hampden	
Hampshire	
Middlesex	
Nantucket	
Norfolk	
Plymouth	+1
Suffolk	+1
Worcester	
Total	+3



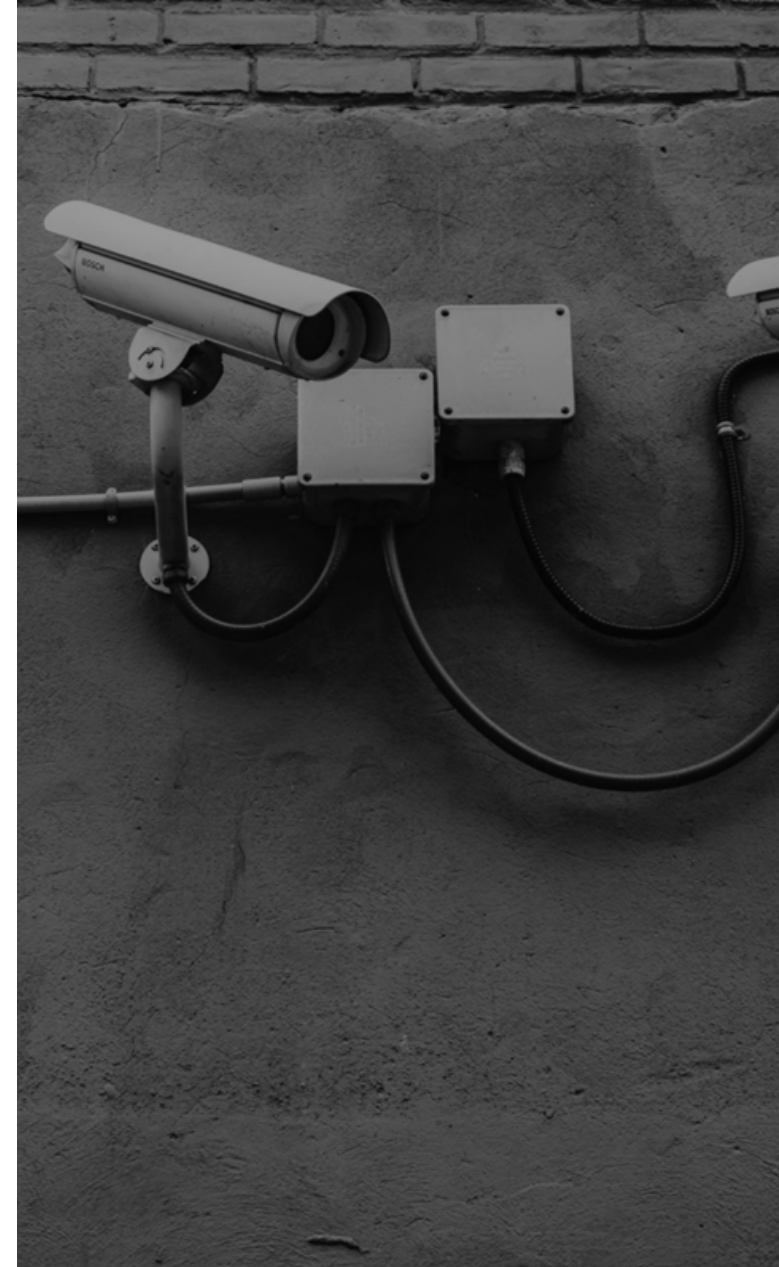
Included in Regulations

- Operational
- Security
- Marketing, advertising, branding
- Labeling
- Packaging
- Training
- Inspection
- Leadership Rating Program



Security Requirements

- Cultivators, marijuana product manufacturers, independent laboratories, and research facilities must restrict access to only authorized employees and visitors
- All inventory must be tracked on the interoperable system set by the Commission
- Must be alarmed
- Visitors must be logged
- Marijuana and marijuana products must be stored in limited access areas
- 24-hour video surveillance is required
- Must be sufficiently lit to allow readable image to be captured
- Security plan filed with local law enforcement



Access to Retail Stores

- Retailers must check government-issued ID to demonstrate someone is 21 years of age or older before allowing anyone access to a Marijuana Establishment.
- For co-located facilities and adult-use Marijuana Establishments: retailers must check government-issued ID to demonstrate someone is 21 years of age, or check that someone has an annual registration/Program ID card showing they are a patient and a government ID showing they are 18 years of age or older.



Advertising Practices

- **General**

- At least 85 percent of an advertisement medium's (including radio, TV, and internet) audience is reasonably expected to be 21 years of age or older, as determined by data
- Marijuana or marijuana products cannot be clearly visible to a person from the exterior of a Marijuana Establishment
- Certain promotional items are prohibited by the Commission, including, but not limited to, giveaways, coupons, or "free" or "donated" marijuana
- Marketing in or on public or private vehicles, at bus stops, taxi stands, transportation waiting areas, train stations, airports, or other similar transportation venues is prohibited
- Marketing marijuana or marijuana products on clothing, cups, drink holders, apparel, accessories, electronic equipment, sporting equipment, novelty items, and similar portable promotional items is prohibited



Advertising Practices (Con't.)

- **Websites**

- Operation of any website of a Marijuana Establishment that fails to verify that the entrant is at least 21 years of age is prohibited
- Unsolicited pop-up advertisements on the internet are prohibited

- **Branding and Language**

- Logo cannot use medical symbols, images of marijuana, related paraphernalia, or colloquial references to cannabis or marijuana
- Any marketing must include statement “Please Consume Responsibly” and at least two other warnings from menu of choices, in addition to warning developed by DPH
- Representations of safety, curative or therapeutic effects, other than labeling required pursuant by regulations, unless supported by evidence or data, is prohibited



Warning Graphics on Marijuana and Marijuana Products



Training

- Marijuana Establishment agents must have eight hours of training per year
- Two hours must be Responsible Vendor Training, mandatory for staff handling marijuana, voluntary for others
- Responsible Vendor Training Programs will be registered with the Commission and will not be commonly owned with Marijuana Establishments
- Responsible Vendor Training Programs must include Core Curriculum set by Commission



Inspections

- **Inspections:**

- Regularly scheduled
- Unscheduled
- Secret Shopper Program
- Cooperation required

- **Enforcement:**

- Cease & Desist Order
- Limitation of Sales
- Quarantine
- Suspension
- Revocation
- Fines



Public Awareness Campaign Background

- Enabling legislation
- Insights from California, Colorado, Washington, and Oregon
- Research



The Campaign

- Youth prevention is most effective from parents
- Adults need greater clarity on the current law, their rights, and responsibilities (misinformation)
- Adult-use distribution plan: Young adults are the largest consumer group and will require targeted digital tactics



MoreAboutMJ.Org

Key Messages

- Age of legal use
- What is/is not permitted
- Effects on driving
- Storage requirements and best practices
- Employer/municipalities/landlord rights
- Effects of edibles and various potency levels
- Tips on how to effectively engage children in these conversations
- Effects on youth brain development
- The risks of youth use of cannabis



The Media Plan

Print collateral

Key Benefits:

- Supports constituent outreach initiatives
- Partner with non-profit and corporate sectors

THE GUIDE TO
**Marijuana
in Massachusetts**

Know the Law

- You have to be 21 or older to buy or use marijuana of any kind.
- Any marijuana use is not allowed in public or on federal lands.
- Landlords, employers, and municipalities may have their own policies about the use, sale, or growth of cannabis.
- Don't drive if you've been using marijuana.
- You can have up to one ounce on you, and grow six plants in your home – or up to 12 with two or more adults.




BE SAFE If you have been using marijuana, have a **designated driver** or arrange alternative transportation.

 MoreAboutMJ.org


THE PARENTS GUIDE TO
**Marijuana
in Massachusetts**

What You Need to Know

- You have to be 21 to buy or use marijuana in Massachusetts.
- Children's brains are not fully developed until their mid-20s.
- Regular marijuana use by teens can affect memory, cause learning problems, and increase risky behavior.

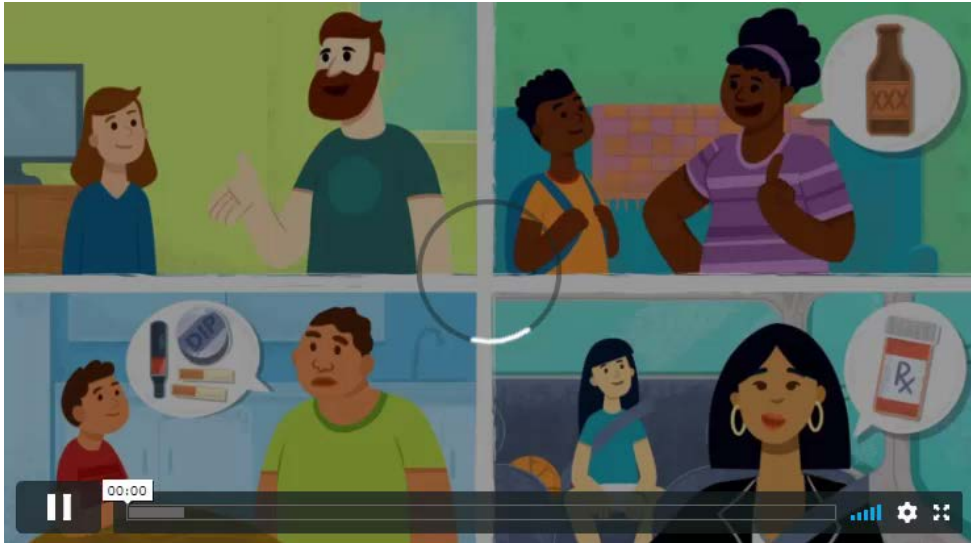


FACT People who begin using marijuana before the age of 18 are **4-7x more likely** than other adults to develop a marijuana use disorder.

 MoreAboutMJ.org

The Media Plan

Broadcast – TV, radio, etc.



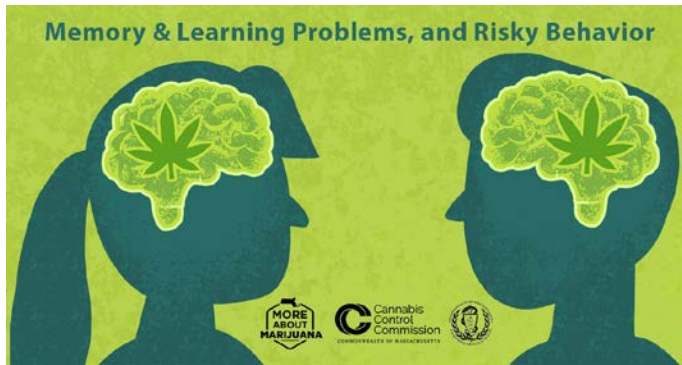
Youth Prevention



Responsible Adult-Use

The Media Plan

Digital – social media, display ads, etc.



Parent Facebook Ad



HTML Ad



Sponsored Ad

The Media Plan

Out of home – billboards, transit, etc.



“Drive Sober” Campaign – Executive Office of Public Safety and Security



Questions?



Thank You



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