



19 July 2022

Pennsylvania Independent Regulatory Review Commission

Chairperson George D. Bedwick
Vice Chairperson John F. Mizner, Esq.
Commissioner John J. Soroko, Esq.
Commissioner Murray Ufberg, Esq.
Commissioner Dennis A. Watson, Esq. Dear Sirs,

Dear Honorable Members of the Independent Regulatory Review Commission,

Thank you for taking public comments in regard to the proposed final regulations. My name is Holly Lang and I have been a licensed and registered Pharmacist for 24 years. I have practiced as a dispensary Medical Professional in PA since 2019. The following statements are mine alone and represent no other person or entity.

My first official visit to a dispensary in 2019 was as a patient, not a dispensary Medical Professional. While I had completed the 4 hour training required by the DOH I hadn't had the opportunity yet to be employed in the industry. I had a consultation with the Pharmacist for over 45 minutes. I knew what questions to ask. I knew which questions were important. I knew the answers to most of the questions. I still needed the Pharmacist.

The PA DOH has propagated their stance on constantly reviewing the safety and efficacy of the medical program. They wrote extensively about who they solicited information from in regards to these final regulations. Please notice that no mention was ever given to soliciting information from dispensary level Medical Professionals. The Medical Professional at the dispensary is the only person qualified to provide feedback that is based on actual patient care, evidence-based science and not profits. A look at the executive level personnel of numerous dispensary Permittees reveals the lack of trained and licensed Medical Professionals. There is a conflict of interest between patients and profits in communicating only with the dispensary Permittee or the Dispensary Manager, with the majority of dispensary Permittees.

Dispensary level Medical Professionals are the foundation of a true medical cannabis program. Multiple organizations, including the Society of Cannabis Clinicians and the Association of Cannabinoid Specialists, agree that in person patient care is superior to synchronous care. There is a dynamic that goes on when in person that cannot be duplicated synchronously. In such a fast-paced environment most patients will not wait for a non-medical associate to get the Medical Professional on the phone or video call to answer a question. Not having a Medical Professional on premises, visible, or accessible during all operational hours is a risk to patient safety and effectiveness. There is a place for synchronous interaction (eg homebound patients), but it should be significantly limited by the regulations. We have learned better practices for handling situations like COVID19 and are now in a place where those strict restrictions are no longer necessary.

It should be stated explicitly in the Act that there is to be a 1:1 ratio of Medical Professionals to dispensaries open, during all operating hours. Please do not leave this very important detail up for interpretation as to how the regulation is written. Additionally, there would be no “unnecessary barriers” to having dispensary Medical Professionals on the premises versus synchronous as mentioned by a public commenter, if the regulations included a limited synchronous option. This would provide more access for patients to quality patient care from a properly trained and licensed health care provider. Please note that the same commenter clearly stated that the result of continuing current practices, which is their request, would “promote revenue growth for operators and increased tax revenue for the Commonwealth at a time when both are crucial”.

The dispensary Medical Professional’s roles and responsibilities should be ascertained within the regulations. Unfortunately, Medical Professionals are mostly not visible to patients in PA. They are bound to their computers as they check certification after certification with no tasks possible in between. If I had no medical training, I would question the purpose and value of such an employee. Please do the research. Please examine how long it takes a Medical Professional to complete a proper certification check, including properly relaying that information to the staff at the register and consulting with patients when the certifying Physician doesn’t make a recommendation or communicates clinically relevant information. Please take into consideration the number of patients that enter a facility on an average day and when they visit.

With adult use hearings already taking place in PA, it is imperative for the Department to take steps to protect and improve the medical program for the patients it serves. As an experienced dispensary Medical Professional my focus is on quality patient care. I ask that you:

1. Make it explicit in the regulations that there is at least a 1:1 ratio of Medical Professionals to dispensaries open, during all operating hours.
2. Define restrictions for use of synchronous interactions
 - a. For example, the Medical Professional shall be available in person for at least 80% of the operating hours of a single dispensary for any given 7 day period.
3. Commit to future work sessions which include a panel of dispensary Medical Professionals concentrating on improvements to the following, but not limited to:
 - a. Certification check process
 - b. Roles and responsibilities of Medical Professionals specifically designed to ensure proper patient care
 - c. Research pertaining to patient outcomes and the utilization of Medical Professional services at the dispensary level

My sincere thanks for your consideration of my comments and your service to the Commonwealth.

Sincerely,

Holly Lang, PharmD