DH, MMRegulations

From: Christy Tarallo <Ctarallo@liveparallel.com>
Sent: Tuesday, March 16, 2021 5:26 PM
To: DH, MMRegulations
Cc: Elizabeth Conway
Subject: [External] Goodblend Comments on Proposed MM Regulations
Attachments: Goodblend Comments on Proposed Rules.pdf

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Good afternoon Director Collins,

I hope this email finds you well.
Please find attached Goodblend PA's comments to the proposed regulations set forth by the Department of Health for the Medical Marijuana Program. We appreciate the opportunity to submit this input for your review.

Please let us know if we can be of assistance in the future!

All the best,

Christy Tarallo
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March 16, 2021

John J. Collins, Director, Office of Medical Marijuana
Department of Health
Health & Welfare Building, Room 628
625 Forster Street
Harrisburg, PA 17120

Re: PROPOSED RULEMAKING Medical Marijuana Proposed Regulations | Comments from Licensee Goodblend

Dear Director Collins,

Thank you for allowing us the opportunity to provide comments on the proposed medical marijuana regulations set forth by the Department of Health. We appreciate the chance to provide input on the rules that will help the Commonwealth's medical marijuana program become the nation's premier standard in compliance with a focus on patient safety and access.

With years of experience in highly regulated cannabis markets, Goodblend PA (Goodblend), a retail brand of Parallel, takes immense pride in being a pioneer for research, innovation, and well-being through cannabinoids. We, like you, are committed to the highest standards of compliance, patient care, and innovation.

Goodblend strives to improve quality of life through the responsible use of cannabinoids and emphasizes robust internal research and development to achieve these goals. Our emphasis on well-being and overall R&D excellence is evident in all aspects of our operations and drives our focus on innovative product delivery methods designed with user comfort, reliability, and consistency of outcomes in mind. This is why we are honored to be serving the patients of Pennsylvania through a clinical registrant license with the University of Pittsburgh School of Medicine.

We are committed to excellence in everything we do and aim to be a partner with the Department of Health to ensure a fully compliant program that strikes a balance between operator best-practices, innovation, and patient safety.

Please do not hesitate to contact me directly if you have any questions regarding our comments on the proposed rules below or would like to discuss our input further. We appreciate your time and the opportunity to submit these comments.

Sincerely,

Liz Conway, Goodblend Pennsylvania President
econway@liveparallel.com

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Section Number	***Language in Proposed Regulations***	***Comment on Language***	***Proposed Language Revision***
1141.51 Definitions	Adverse event—An injury resulting from the use of medical marijuana dispensed at a dispensary. An injury includes physical harm, mental harm or loss of function.	The verbiage "mental harm" is overly broad and cannot be easily defined, opening the Commonwealth and its businesses up to undue liability when included in the definition of "Adverse event".	Adverse event—An injury resulting from the use of medical marijuana dispensed at a dispensary. An injury includes physical harm, ~~mental harm~~ or loss of function.
1141.51 Definitions	Patient consultation—A complete in-person examination of a patient and the patient's health care records at the time a patient certification is issued by a practitioner.	Virtual platforms are well-developed for patient service and are comprehensive alternatives to in-person visits. In response to the COVID-19 pandemic, these services have been adapted to be holistic options for patients with limited mobility and high-risk conditions.	Patient consultation—A complete **virtual or** in-person examination of a patient and the patient's health care records at the time a patient certification is issued by a practitioner.
1141a.39(d)	A change in ownership of a medical marijuana organization that occurs without the Department's knowledge and written approval of all individuals affiliating with the medical marijuana organization is a violation of the act and this part.	The language addition "all individuals affiliating with the medical marijuana organization" is a potentially enormous group of employees, operators, financial backers, and principals, not all of whom should have a say in approving such a transaction. We request a review of the language and intent to narrow this section or to strike all together.	A change in ownership of a medical marijuana organization that occurs without the Department's knowledge ~~and written approval of all individuals affiliating with the medical marijuana organization~~ is a violation of the act and this part.

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Section Number	*Language in Proposed Regulations*	*Comment on Language*	*Proposed Language Revision*
1141a.46(a)(1)(ii) 1141a.46(a)(2)(ii) 1141a.46(a)(2)(iii)		Define unit to prevent creating a loophole in interpretation.	
1151a.34	A grower/ processor shall package the medical marijuana products in a package that minimizes exposure to oxygen and that is: (1) Child-resistant. (2) Tamper-proof or tamper-evident. (3) Opaque. (4) Resealable.	(3) Patients benefit from seeing the quality and characteristics of the product they are purchasing. In order to ensure the product is not compromised in any way, the use of clear packaging, made of glass or other comparable material, is in the best interest of the patient and the public.	A grower/processor shall package the medical marijuana products in a package that minimizes exposure to oxygen and that is: (1) Child-resistant. (2) Tamper-proof or tamper-evident. (3) ~~Opaque.~~ ~~(4)~~ Resealable. **Exterior packaging must be opaque.**
1161a.27(e)	Deliver, or contract to a third party the delivery of, medical marijuana products to a patient or caregiver at the patient's or caregiver's home or any other location.	Delivery is a safe method of providing patients with cannabis and the dispensaries are best equipped to validate the patient, medical marijuana, transport manifest processes and all other processes. The dispensary should be allowed to deliver or contract with the third-party delivery service.	Move the section to the permissive language portion of 1161a.27 **A dispensary may** ~~D~~deliver, or contract with a third party for the delivery of, medical marijuana products to a patient or caregiver at the patient's or caregiver's home or any other location.

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Section Number	*Language in Proposed Regulations*	*Comment on Language*	*Proposed Language Revision*
1161.31	(d) At all times, all entrances to and exits from the facility must be securely locked.	To require the patient access doors of a dispensary to be locked at all times causes undue burden upon patients and employees. Patients should be able to open the front door of the dispensing location without having to wait for an attendant to unlock the door and allow them in. The locking of the doors will encourage loitering outside and pose a potential danger to patients as they wait for the door to open.	(d) ~~At all times~~, **During all nonworking hours** all entrances to and exits from the facility must be securely locked.
1171a Testing Requirements	An approved laboratory other than the one that tested the harvest batch or harvest lot shall test samples from each process lot before the medical marijuana is sold or offered for sale to another medical marijuana organization.	This requirement causes undue burden on operators, and unnecessary additional cost passed on to patients. The need to re-test with a different lab causes unnecessary additional contracting and administration with more than one vendor. It may also have the unintended consequence of pitting one lab against another to "game" results. Finally, there is no reason why a single lab, if operating correctly and certified by the Department should not be the lab of record for any test and every test.	An approved laboratory ~~other than the one that tested the harvest batch or harvest lot~~ shall test samples from each process lot before the medical marijuana is sold or offered for sale to another medical marijuana organization.