



**Cannabis Control Authority
Board of Directors Meeting
MINUTES
October 25, 2023
1:00 PM-3:00 PM**

**Virginia Workers' Compensation Commission
Commissioner's Conference Room (Basement)
333 E. Franklin Street / Richmond, VA 23219**

MEMBERS PRESENT: John Keohane, Chair
Neil Amin, Vice Chair
Bette Brand
Michael Massie
Anthony Williams

LEGAL COUNSEL: James Flaherty, Office of the Attorney General

PRESENTERS: Jeremy Preiss, CCA
Jamie Patten, CCA
Robin Hollenbeck, CCA
Shawn Casey, CCA
Brianna Bonat, CCA
Jessica Seier, CCA

1. CALL TO ORDER

Mr. Keohane called the meeting to order at 1:01 PM.

2. DETERMINATION OF A QUORUM

Mr. Keohane determined the Board had a quorum given that all five board members were physically present.

3. APPROVAL OF THE AGENDA

Upon motion of Ms. Brand and duly seconded by Mr. Amin, the members voted to approve the meeting's agenda.

4. APPROVAL OF THE PREVIOUS MEETING'S MINUTES

Upon motion by Mr. Amin and duly seconded by Ms. Brand, the members voted to approve the draft minutes from the September 7, 2023, Board meeting.

5. INTRODUCTIONS – NEW CCA STAFF

Ms. Hollenbeck introduced four new staff who joined the CCA after the previous board meeting:

- Jered Benoit – Information Technology Director
- Megan Graham – Medical Cannabis Program Associate
- Elizabeth Knapp – Medical Cannabis Program Associate
- Zachary Smith – Medical Cannabis Program Associate

6. REGULATORY UPDATE

Ms. Casey presented regulatory updates for the Medical Cannabis Program (MCP). She noted that CCA staff proposed a few changes from the regulations the Board approved at the September meeting:

- Removing 3VAC10-80 (Part II. Dispute Resolution)
- Removing 3VAC10-20-30 (Equivalent Amounts)
- Removing duplicative language from 3VAC10-40-410
- Slightly rewording 3VAC10-80-10
- Adding clarifying language to 3VAC10-40-20

Mr. Flaherty noted that a provision adopted by the General Assembly during the 2023 legislative session allowing for the Board of Pharmacy to approve additional cannabis cultivation facility locations did not get transferred to Virginia Code section 4.1-1602. Mr. Flaherty reported this omission to the Division of Legislative Services (DLS). Unless DLS corrects the omission, the Board will not have the authority to adopt 3VAC10-250, and Mr. Flaherty advised that the Board's motion should reflect that caveat.

Upon a motion by Ms. Brand and duly seconded by Mr. Amin, the Board adopted the regulations with the recommended updates and the caveat that the adoption of 3VAC10-250 was subject to DLS first correcting the omitted language in Virginia Code section 4.1-1602.

Ms. Casey next presented four proposed guidance documents to the Board:

- 23-1: Proximity of a School or Daycare to a Cannabis Dispensing Facility
- 23-2: Criminal Background Checks of Material Owners for Pharmaceutical Processor or Cannabis Dispensing Facility Permits
- 23-3: Approved chemicals for use as hydrocarbon or other flammable solvents
- 23-4: Cannabis Product Packaging Requirements

The proposed guidance documents mirror existing Board of Pharmacy guidance documents with some minor amendments.

Upon a motion by Mr. Massie and duly seconded by Mr. Williams, the members unanimously voted to approve the proposed guidance documents. The guidance documents will be published on the Virginia Regulatory Town Hall website for 30 days for public comment.

7. EDUCATIONAL RESOURCES UPDATE

Ms. Bonat discussed the status of the CCA's educational resources. She first introduced a new resource titled, "Talking About Cannabis: A Parent Toolkit." The toolkit is available on the CCA website and covers multiple topics parents can cover when talking to their children about cannabis. Upcoming educational resources include a youth prevention toolkit, a high potency THC policy brief, and a fact sheet on safe storage and disposal methods for medical cannabis.

8. SAFE DRIVING CAMPAIGN UPDATE

Ms. Seier provided an update on the third phase of the CCA's Safe Driving Campaign. The third phase started in September 2023, and it includes radio and television public service announcements (PSAs) airing on local television and radio stations across the Commonwealth. The radio PSAs in English launched on 9/4, and the PSAs in Spanish launched on 10/2. The television PSAs in English launched on 9/28, and the PSAs in Spanish launched on 10/9. Ms. Seier played both the radio and television PSAs. She explained that more PSAs will run through the end of summer 2024.

Ms. Seier stated that the CCA's Safe Driving webpage will be updated in November to include a Safe Driving Pledge at the top. Those who sign their name to the Safe Driving Pledge will promise not to drive high or under the influence of cannabis and to plan for a sober ride.

Ms. Seier also summarized the CCA's partnership outreach program beginning in November that will encourage external agencies to use the CCA's digital toolkit. The digital toolkit will include social media messages, graphics, posters, and web banners to help spread the campaign's messages. The CCA is also developing a more robust digital marketing program.

9. REPORT ON APPROCHES TO REGULATING HEMP PRODUCTS

Mr. Preiss reported that legislation in the 2023 session of the General Assembly directed the CCA to undertake the study of edible and smokeable hemp products. Specifically, the CCA was asked to look at two things: first, other state approaches to regulating these consumable hemp products to protect public health and safety and whether the CCA recommended Virginia adopt any of these approaches; and second, legislation at the federal level, for example the 2023 Farm Bill, that might affect state regulation of consumable hemp products. The report is due on November 1.

The CCA recommended three policy approaches in the draft report:

1. Impose robust containment testing requirements for all consumable hemp products
2. Impose ingredient limits on consumable hemp products and implement a pre-approval process for consumable hemp products
3. Address access by minors to consumable hemp products at retail locations and through online sales and regulate online sales more generally

Upon motion by Ms. Brand, and duly seconded by Mr. Massie, the members unanimously voted to approve the report, with the caveat of allowing CCA staff to make changes to address clarity, punctuation, and typographical errors.

10. REVIEW AND APPROVAL OF SELECT HUMAN RESOURCES POLICIES

Ms. Hollenbeck presented six amended human resources policies:

- Civility in the Workplace Policy
- Layoff Policy
- Leave Without Pay Policy
- Severance Policy
- Standards of Conduct Policy
- Types of Termination/Separation from State Service Policy

The Board originally adopted the Virginia Department of Human Resources policies. Ms. Hollenbeck recommended amendments to include language covering all employment types at the CCA and recognizing the CCA's authority to adopt its own human resources policies.

Upon motion by Mr. Massie, and duly seconded by Ms. Brand, the members unanimously voted to approve the six updated human resources policies.

11. FINANCE AND BUDGET UPDATE

Ms. Patten gave a finance and budget update. She detailed the current appropriations and expenditures of the CCA. The CCA continues to add new personnel, bringing the staffing total to 18. She noted that the CCA is in discussion with the Department of General Services to look at new office space. Any differences in lease terms may affect the budget. She also provided an update on the upcoming request for proposal for a "seed-to-sale" tracking system, which has a separate appropriation from the General Assembly.

12. PUBLIC COMMENT PERIOD

Mr. Keohane invited comments from the public.

Mr. Williamson thanked the Board and CCA staff. He discussed his interest in an independent grower's program for local Virginia citizens.



Ms. Custer commented on legal, FDA-approved hemp products that are in the market, which may not pose the same risks as some of the consumable hemp products discussed in the CCA's report.

Mr. Anderson expressed his concerns about the barriers to working in the cannabis industry for people with criminal convictions and people without access to large amounts of money.

Mr. Maxwell Cranford, former director of cultivation at Beyond Hello, raised concerns about the structure of the medical cannabis program in Virginia and the effects on patients, cannabis industry employees, and products. He also commented on the difficulty some people have getting into the cannabis industry and expressed his wish that Virginia agriculture would play a bigger role in the Commonwealth's cannabis industry.

13. ADJOURNMENT

The Board adjourned at 2:00 PM.