

MINUTES OF SPECIAL MEETING

PUBLIC BODY: MEDICAL MARIJUANA AUTHORITY FOOD SAFETY STANDARDS BOARD

DATE& TIME: NOVEMBER 18, 2019 1:00 a.m.

ADDRESS: OKLAHOMA STATE DEPARTMENT OF HEALTH—Central Office, Room 806

Agenda Item 1:

Call to Order, Welcome

Fenton Rood, Chair, called the meeting of the Medical Marijuana Food Safety Standards Board to order on November 18, 2019, 1:05 p.m. Public notice of the meeting was filed and posted with the Oklahoma Secretary of State and on the Oklahoma Medical Marijuana Authority (“OMMA”) website prior to the meeting. The final agenda was posted on the Oklahoma State Department of Health (“OSDH”) building entrance on November 15, 2019 at 11:36 a.m. Relevant materials for the Board and other materials for the meeting are posted on the website.

Board members present: Rebecca Johnson, Scott Yates, Scott Schaeffer, Fenton Rood, Mark Woodward, Bud Scott (arrived 1:25 p.m.), Kara Berst, Ray Jennings (arrived 1:07 p.m.), Travis Splawn, Troy Skow, and Dr. Edd Rhoades.

Board members absent: none.

Staff Present: Katelyn Metzger, OMMA Lead Compliance Inspector; Ashley Scott, Legislative Liaison; Travis Kirkpatrick, OMMA Interim Director; Melissa Miller, OMMA Assistant Director; Scott Chisholm, OMMA License Oversight Manager; Nicole Nash, Managing Counsel, OMMA; Kassy French, OMMA Executive Assistant; Drew S’Renco, OMMA Compliance Manager; Terri Watkins, OMMA Communications Manager; Kelli Chrisco, OMMA Administrative Assistant; and Rocky McElvany, Deputy Commissioner, Regulation, Prevention and Preparedness.

Others Present: Alex Schmidt, Jennifer Boyle, Seth Rott, John Newman, Scott Schaffer, Tyler Powell, and Larry Snodgrass.

Agenda Item 2:

Consideration of meeting minutes of October 14, 2019 <http://OMMA.ok.gov/food-safety-safety-standards-board>

a. Review & Board Action

Scott Yates made a motion to approve the minutes of October 14, 2019.

Rebecca Johnson seconded the motion. Motion carried.

Aye: Rebecca Johnson, Scott Yates, Fenton Rood, Mark Woodward, Ray Jennings, Kara Berst, Travis Splawn, Troy Skow, and Edd Rhoades.

No members present opposed.

Absent: Bud Scott (arrived at 1:25 p.m.); and Ray Jennings (arrived 1:07 p.m.).

Agenda Item 3:

OSDH Program Update of OMMA

a. New Hires

Travis Kirkpatrick provided an overview of new key hires at the Oklahoma Medical Marijuana Authority. Drew S'Renco has joined OMMA as the Compliance Manager, who will oversee the compliance inspectors and assist in revamping OMMA compliance efforts. Terri Watkins joins OMMA as the Communications Manager. She brings her years of journalistic experience and will lead communication efforts with patients, businesses, and multiple other agencies.

b. Call Center Update

Travis Kirkpatrick announced the OMMA call center is on track to open in mid-December 2019. The call center had previously closed down January 2019 due to organizational changes and has remained closed since that time. Travis explained that due to OMMA's growth, including the issuance of more than 225,000 licenses, it is time to reestablish the call center and provide customer service assistance to those licensees. Thirteen call center staff are in the process of being hired and trained. The positions will be temporary to start with the possibility of turning into a permanent position.

c. Emergency Rules

Travis Kirkpatrick reported that new medical marijuana emergency rules went into effect November 1, 2019. These rules established three new licensing types: Waste Disposal Facility License, Laboratory License, and Educational Facility License. The rules are available on the OMMA website at OMMA.gov.

d. Lab Update

Travis Kirkpatrick informed the Board that OMMA is closer to having a request for proposal ("RFP") out for the surveillance lab as authorized by statute. The surveillance laboratory is an independent lab that will have oversight over cannabis testing labs. The RFP should be out by next month.

e. Compliance Inspection Process and Procedures

Travis Kirkpatrick shared that currently, Drew S'Renco, OMMA Compliance Manager, is working on creating a compliance checklist to assist licensees during the process of compliance. This would aid both compliance inspectors and licensees in providing a checklist that is consistent across the board and licensees are aware of what parameters are in place and on what they are being held accountable.

Fenton Rood asked if any board members had any questions for Mr. Kirkpatrick. Rebecca Johnson raised a question on where Drew S'Renco received his compliance experience. Drew explained that he had served in the role of Chief Examiner of the Department of Consumer Credit and had

successfully led the department through the examination process to adhere to accreditation standards.

Travis Splawn asked Travis Kirkpatrick about the new laboratory rules and regulations that had gone out in November and asked him to explain the process of applying for a laboratory license. Mr. Kirkpatrick explained that this process will be similar to the business application process. OMMA does have the ability to pre-inspect the laboratories. There are certifications that will be required for laboratories. Lee Rhoades, OMMA Laboratory Manager, has been reviewing the certifications process and will oversee the area of laboratory compliance and applications.

Fenton Rood asked Travis if he was able to share his plans for permanent rulemaking and if he could explain to board members the reason for permanent rulemaking. OMMA Managing Counsel Nicole Nash advised that permanent rulemaking should be discussed at a future meeting since permanent rulemaking was not an agenda item and the public would not have had notice that permanent rulemaking would be discussed.

Agenda Item 4:
Agency intersection presentations

a. Fenton Rood, Department of Environmental Quality

Fenton Rood led the agency intersection report discussion. He stated that he did not have anything to share in terms of environmental issues. The Department of Environmental Quality has received two permit applications in their solid waste management area for composting operations. The Department has had a number of inquiries but no other applications as of yet.

Travis Kirkpatrick raised a question concerning whether the two applications submitted are license types that will fall under the Department of Environmental Quality. Fenton Rood explained that the two applications currently pending will fall under DEQ's jurisdiction and are proceeding under the process. Fenton Rood explained further that under the realm of solid waste management, permits can be objectionable depending on the forms of land use and applicable statutes require extensive requirements for public participation.

b. Other members that have updates

Travis Splawn reported that he is no longer with the Tulsa Health Department and that he has taken a position with the Oklahoma State Department of Health as the Director of Consumer Health. He has taken a look at the OMMA rules and believes he still falls under 310:681-5-8(A)(13), "Designee of any Oklahoma public health agency." Fenton Rood expressed his hope that Travis Splawn continues to serve, as did Travis Kirkpatrick.

Agenda Item 5:

Discussion of 2020 future meeting dates filed with Secretary of State by December 15, 2019

a. Discussion

Discussion about changing the previous regularly scheduled meeting on June 3, 2020 was brought forward and new dates to file with Secretary of State were discussed.

b. Consideration Possible Action, and Vote regarding 2020 meeting dates.

Proposed dates for regularly scheduled meetings of the Food Safety Standards Board for 2020 to be filed with Secretary of State are as follows:

March 2, 2020 at 1:00 p.m.

June 1, 2020 at 1:00 p.m.

September 14, 2020 at 1:00 p.m.

December 7, 2020 at 1:00 p.m.

c. Action

Rebecca Johnson made a motion to propose the above dates.

Travis Splawn seconded. Motion carried.

Aye: Rebecca Johnson, Scott Yates, Scott Schaeffer, Fenton Rood, Mark Woodward, Bud Scott, Kera Berst, Ray Jennings, Travis Splawn, Troy Skow, and Edd Rhoades.

No members present opposed.

Agenda Item 6:

New Business

No new business.

Item 7:

Public Comment Regarding Agenda Items and Board Discussion

Fenton Rood asked the audience if there was anyone who had request for public comment.

Larry Snodgrass, Director of the Oklahoma LP Gas Administration, came forward to the podium. Mr. Snodgrass relayed his concern over unoderized liquid petroleum ("LP") gas being used, permitted and unpermitted, in the processing of medical marijuana. He stated that LP Gas Administration rules are not being followed. Due to the dangerous nature of unoderized LP gas, the Administration intends to make sure that those rules are being properly followed. Mr. Snodgrass relayed that he would like to work with OMMA to be certain that LP gas is properly and safely used and delivered by licensees.

Travis Kirkpatrick thanked Mr. Snodgrass for his time and emphasized OMMA's interest in working with the LP Gas Administration.

Item 8:

Adjournment

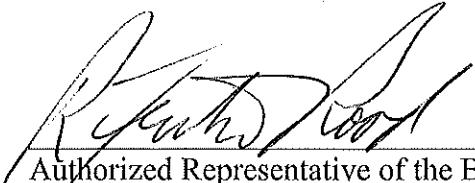
Scott Schaeffer made a motion to adjourn.

Rebecca Johnson seconded the motion. Motion carried.

Aye: Rebecca Johnson, Scott Yates, Scott Schaeffer, Fenton Rood, Mark Woodward, Bud Scott, Kera Berst, Ray Jennings, Travis Splawn, Troy Skow, and Edd Rhoades.

No members present opposed.

The meeting adjourned at 1:38 p.m.



Authorized Representative of the Board