

DRAFT Minutes
Iowa Medical Cannabidiol Board
September 4, 2020
10:00 a.m.
Virtual Meeting Hosted via WebEx
Dial-in: 1-408-418-9388
Access Code: 146-389-2555

1. Call to Order **Mike McKelvey, Chair**
The September 4, 2020 Iowa Medical Cannabidiol Board meeting was officially called to order at **10:12 a.m.**

2. Roll Call **Mike McKelvey, Chair**

Capt. Mike McKelvey – Law Enforcement	Vacant – Gastroenterologist
Dr. Jill Leisveld – Psychiatrist	Vacant - Neurologist
Dr. Lonny Miller – Family Medicine	
Dr. Bob Shreck – Oncology	
Dr. Jacqueline Stoken – Pain Mgmt.	
Dr. Ken Cheyne – Pediatrician	
Dr. Stephen Richards – Pharmacist	
Sarah Reisetter - Deputy Director	
Owen Parker – Program Manager	
Joseph Husak – Compliance Analyst (Recording Officer)	

3. Approval of Minutes **Mike McKelvey, Chair**
a. June 19, 2020 Medical Cannabidiol Board Meeting
 Dr. Cheyne made a motion to approve the June 16, 2020 minutes, with a second by Dr. Richards.

 A verbal vote was taken. Motion carried unanimously.

4. Public Comment Period (3 minutes each)

Mike McKelvey, Chair

- **Earl Ramey, Program Advocate**
 - Earl petitioned the Board to consider allowing flower as an allowable form in Iowa, and for patients to have the ability to grow their own flower. He discussed the price-sensitive nature of the patient population and that flower is a more cost-effective option.
- **Maggie Ballard**
 - Maggie expressed concerns over marketing activities and surveys released by one of Iowa's licensees.
- **Carl Olsen, Program Advocate**
 - Carl referred to language in HF2589 that requires the Department to seek protection of federal funding for facilities and institutions participating in Iowa's program. Carl expressed that the Department should instead seek a federal exemption from the DEA for Iowa's program.
- **John Fenner, Program Patient**
 - John expressed that the new vaporizer products allowed under HF2589 are benefitting his condition. John referred to difficulties with traveling the long distances to Iowa's dispensaries, and petitioned the Board to recommend delivery of products. John expressed difficulty with finding a physician to certify him for more than 4.5g THC per 90 days.
- **Peter Komendowski, Partnership for a Healthy Iowa**
 - Peter expressed concerns over marketing activities and surveys released by one of Iowa's licensees. He recommended a more robust process for review and approval of marketing activities.
- **Jennifer Huseman**
 - Jennifer expressed concerns over marketing activities and surveys released by one of Iowa's licensees.

5. Presentation: Status of HF2589 Implementation

Owen Parker, Program Manager

Owen provided an update on the Department's plan for implementing HF2589, including: enforcement of the 4.5g THC per 90-day purchase limit, the waiver process for healthcare practitioners for certifying a patient for >4.5g THC per 90-days, the Department's conversation about implementing the guarantee language in HF2589 from the federal government, and the Department's work in issuing medical cannabidiol registration cards. He also provided a data update, and information about how the Department was continuing to respond to COVID-19.

a. 4.5g THC Waiver Update

Owen explained that the Department would be using a similar waiver process as that of Illinois, and provided an example of the documentation and how it would be reviewed by the Department.

b. THC-Purchase Tracking Update

Owen explained that while waivers were already being completed by healthcare practitioners, waivers were being completed by a large number of different practitioners. He also noted that most of the waivers were being completed for patients certified for Chronic Pain.

6. Presentation: Medical Cannabis Patient Data Update

Dr. Brian Kaskie, U of I - CPH

a. Observational Study data from other Medical Cannabis Programs

Dr. Kaskie described studies that he had conducted in other medical cannabis programs, including Colorado and Illinois. Dr. Kaskie discussed the process by which his team develops survey questions, how the patient population is determined, and insights from the data they have gathered. He specifically discussed his work in developing the opioid substitute program for IL's medical cannabis program.

b. Board Q&A, Iowa Observational Study Data

The Board appreciated Dr. Kaskie’s experience in the design of observational studies in other programs. The Board asked questions about how study participants were procured, and additional questions about study design. The Board expressed interest in having Dr. Kaskie develop an observational study for Iowa’s program, as recently allowed by HF2589.

7. Program Updates

Owen Parker, Program Manager

a. Dispensary RFP Update

Owen reminded the Board that the Department rescinded its initial RFP due to the passage of HF2589 and the relinquishment of Iowa Relief’s manufacturing license in Cedar Rapids. Owen explained how the Department procured regulators from other states to serve as reviewers for that RFP, had received scores, and planned to post a notice of intent to award on September 17, 2020.

b. Manufacturing RFP Launch Update

Owen explained that the Department intended to launch an RFP for a second manufacturing license on September 7, 2020.

8. Licensee Marketing Discussion

Owen Parker, Program Manager

Owen explained how IA’s marketing and advertising regulations are verbatim to MN’s, and how the Department has consulted the team in MN about how they handle review and approval of marketing activities. Owen noted how there is no form of marketing that is prohibited, and how licensees must seek approval for marketing activities. It was noted that the OMC has instituted a process to review marketing activities with their AAG, and has asked licensees to edit marketing proposals.

a. THC as pain-relieving agent

Rebecca Lucas of MedPharm Iowa provided information to substantiate “THC as the pain-relieving agent in medical cannabis.” Owen explained how that many states have more robust rules around marketing and advertising prohibitions, and if the Board would like to see more regulations, the Department would need to write additional rules to do so. He also mentioned concerns that have been raised about marketing and advertising regulation encroachment on asserted constitutional rights of licensees. Cpt. McKelvey expressed concern with some of MedPharm Iowa’s marketing potentially catering to a youthful audience, and drew parallels to the alcohol and tobacco industries. Dr. Richards expressed parallels with the marketing of opioids causing the opioid epidemic, as well as parallels with marketing tactics of the tobacco industry. Dr. Shreck noted MedPharm’s advertisement in the Des Moines Register, and noted concerns with potentially misleading information.

9. 4.5g THC Waiver Physician Education

Board Discussion

The Board discussed how it would be beneficial to provide specific provider education about the high dosages of THC that are now available, as well as education for providers on the waiver process. They discussed engaging the various physician and healthcare groups in Iowa, and providing the Board’s rationale for these decisions. Owen noted how other states do have CME mandates as a prerequisite for certifying a patient, and that the Department would look into doing the same for Iowa, and seek to procure test materials for the Board to review.

10. Annual Report Recommendation Discussion

Owen Parker, Program Manager

a. 2019 Recommendations included in HF2589

It was noted how every recommendation that the Board made in their 2019 Annual Report was included in HF2589, other than the renaming of the program.

b. Recommendations for 2020 Annual Report

The Board noted that additional dispensaries would help to mitigate the burden on patients to travel. The Board also expressed interest in providing a home-delivery option to patients.

11. Future Meetings

Mike McKelvey, Chair

a. November 13, 2020

12. Adjourn

Mike McKelvey, Chair

A motion to adjourn the meeting was made by Dr. Miller, seconded by Dr. Stoken. A verbal vote was taken:

Motion carried unanimously. The meeting officially adjourned at **12:54** a.m.