

PCC MONTH IN REVIEW

FROM THE EXECUTIVE DIRECTOR



PCC Members,

Many thanks to those of you who turned into our PCC Annual Meeting earlier this week. I look forward to implementing our 2023 strategic goals on behalf of the membership.

We anticipate that the final regulations will be released in the March 4, 2023 Pennsylvania Bulletin. As soon as they are issued we will push the information out. The Office of Medical Marijuana has indicated guidance and FAQs documents will be released simultaneously with the regulations. If you have specific questions about the regulations please share them with me ASAP.

Governor Shapiro has nominated Dr. Debra L. Bogen as Secretary of Health. We look forward to working with Dr. Bogen to continue to deliver high quality medicine efficiently to patients. You can learn more about Dr. Bogen's nomination on page two and a full list of the Shapiro administration's nominations and hires can be found on page three.

As a reminder, our First Quarter Membership Meeting will be held on March 9, 2023 at 10:00 am at the The Westin in Philadelphia. The meeting will be followed by PA Cannabis 2023 & Beyond - a conference co-hosted by PCC, ATACH and Duane Morris. [Please take a moment and register for the conference by clicking here.](#)

Lastly, we want to hear your good news! Please have your communications teams add Meredith@pcanna.org to your press distribution lists. Launching a new product? Tell us! Opening a new dispensary? We want to check it out! Good news deserves to be shared!

Meredith Buettner, Executive Director

PENNSYLVANIA CANNABIS COALITION

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FINAL PROGRAM REGULATIONS

The Office of Medical Marijuana has indicated that the final regulations will be promulgated in the Pennsylvania Bulletin on March 4, 2023 (published via email on Friday, March 3, 2023).

PCC is working to determine the expected timeline for implementation and the release of anticipated guidance and FAQ documents.

If you have specific questions related to the regulations and their implementation please share them with us so they can be communicated with OMM.

DR. DEBRA BOGEN *Secretary of Health Nominee*

Dr. Debra L. Bogen is the Director of the Allegheny County Health Department. Dr. Bogen was confirmed by the Board of Health at its March 4, 2020 meeting and assumed the leadership of the health department nearly two months ahead of schedule as COVID-19 first spread in Western Pennsylvania. Dr. Bogen led the Allegheny County Health Department throughout the pandemic, and she and her team have stayed on top of the pandemic and provided consistent, measured and common-sense information to the public while working closely with diverse stakeholders across the county. During her time at the county, she and the ACHD team also advanced significant regulatory improvements including updating food safety, plumbing, and air quality regulations and creating paid sick time regulations.

Prior to her appointment at the Allegheny County Health Department, Dr. Bogen was a member of the Pittsburgh region medical and research community for more than two decades. Dr. Bogen was Professor of Pediatrics, Psychiatry and Clinical and Translational Science at the University of Pittsburgh and served as Vice Chair of Education for the Department of Pediatrics at UPMC Children's Hospital of Pittsburgh. She dedicated her career as a pediatrician to caring for children and families affected by social inequities. Her clinical research focused on the impact of mental health and substance use on families. Dr. Bogen earned her medical degree from the University of Colorado School of Medicine and completed both her pediatric residency and General Academic Pediatrics fellowship at Johns Hopkins Hospital. She is one of the founders of the Mid-Atlantic Mothers' Milk Bank and served as the organizations Volunteer Medical Director since its inception.



2023 MMAB Meeting Dates have NOT been announced

November MMAB Meeting Notes

- 2023 Board Meetings
 - MMAB voted to hold bi-monthly in person meetings for 2023. PCC will share scheduled upon release
- Program Update
 - Final Form Regulations under Attorney General Consideration
 - OMM preparing guidance & FAQs on regs
 - OMM adding staff
 - Improved processes including fillable compliance forms to be issued by 12/1/22
 - Increasing reminder communications
 - 30 Day Window will open on 12/1/22
 - Medical Marijuana Assistance Program (MMAP) Phase 3
 - Implemented 11/14/22
 - \$50/Month for PACE/PACENET Patients (1,400 patients) through the remainder of the fiscal year (6/23)
 - Expansion timing, patient applicability, and monthly benefit amount is dependent on future funding
 - Magellan Health (PACE Program Provider via Dept. of Aging) - provided infrastructure and is responsible for execution and management of benefit transactions
 - Serious Medical Conditions for Research (SMCR) Guidance finalized
- Program Demographics (TO DATE)
 - 842,021 Patients and Caregivers Registered
 - 423,443 Active Patient Certifications
 - 1,870 Approved Practitioners
 - 26.5 Million Patients Dispensing Events
 - 75.9 Million Products Dispensed
 - \$6.3 Billion in Total Sales
 - \$2.5 Billion by GPs to Dispensaries
 - \$3.8 Billion by Dispensaries
 - 171 Operational Dispensaries
- Program Trends
 - Dry Leaf followed by Vape are top selling products
 - Wholesale Price/Gram: \$4.16 v. Retail Price/Gram: \$10.95



SHAPIRO STAFF AND CABINET APPOINTMENTS

- **Meaghan Abbott**
 - Chief of Staff to the First Lady
- **Jacklin Rhoads**
 - Director of Public Affairs and Marketing
- **Manuel Bonder**
 - Press Secretary
- **Amanda Warren**
 - Director of External Affairs
- **Lisa Swanson**
 - Research Director
- **Will Simons**
 - Communications Director
- **Annie Newman**
 - Director of Digital Strategy
- **Colonel Christopher Paris**
 - Pennsylvania State Police Commissioner
- **Tom Cook**
 - Fire Commissioner
- **Major General Mark Schindler**
 - Adjutant General
- **Randy Padfield**
 - Director of Pennsylvania Emergency Management Agency (PEMA)
- **Laurel Harry**
 - Secretary of Corrections
- **Pat Browne**
 - Secretary of Revenue
- **Mike Carroll**
 - Secretary of Transportation
- **Sarah Hammer**
 - Secretary of Banking and Securities
- **Rick Siger**
 - Secretary of Community and Economic Development
- **Dr. Val Arkoosh**
 - Secretary of Human Services
- **Jason Kavulich**
 - Secretary of Aging
- **Dr. Latika Davis-Jones**
 - Secretary of Drug and Alcohol Programs
- **Dr. Debra Bogen**
 - Secretary of Health
- **Mike Humphreys**
 - Secretary of Insurance
- **Rich Negrin**
 - Secretary of Environmental Protection
- **Russell Redding**
 - Secretary of Agriculture
- **Cindy Dunn**
 - Secretary of Conservation and Natural Resources
- **Dr. Khalid Mumin**
 - Secretary of Education
- **Nancy Walker**
 - Secretary of Labor and Industry
- **Neil Weaver**
 - Secretary of Administration
- **Dana Fritz**
 - Chief of Staff
- **Uri Monson**
 - Secretary of the Budget
- **Jennifer Selber**
 - General Counsel
- **Al Schmidt**
 - Secretary of the Commonwealth
- **Larry Hailsham Jr.**
 - Executive Deputy Chief of Staff
- **Akbar Hossain**
 - Secretary of Policy and Planning
- **Mike Vereb**
 - Secretary of Legislative Affairs
- **Joseph Lee**
 - Deputy Chief of Staff for Administration and Opportunity
- **Lindsey Mauldin**
 - Deputy Chief of Staff for Health and Human Services
- **Danielle Okai**
 - Deputy Chief of Staff for Economic Development
- **Michael Pipe**
 - Deputy Chief of Staff for Public Safety
- **Sam Robinson**
 - Deputy Chief of Staff for Consumers and the Environment
- **Tori Shiver**
 - Deputy Chief of Staff for Education and Workforce Development



Visual provided by Duane Morris Government Strategies

DMGS is part of PCC's Lobbying Team

Unexpected Pennsylvania House Speaker Rozzi hopes to retain job MARK SCOLFORO, Jan 31, 2023 | www.abc27.com

HARRISBURG, Pa. (AP) — The rank-and-file Democrat who was unexpectedly elected speaker of the Pennsylvania House as a compromise candidate earlier this month is saying he hopes to keep the job even after three vacant Democratic-leaning seats are filled in special elections next week.

In a lengthy interview late Monday in his state Capitol suite, Speaker Mark Rozzi said he won't necessarily step aside and support the Democratic floor leader, Rep. Joanna McClinton of Philadelphia, as speaker.

"I know how to count votes, first of all," said Rozzi, who represents a mostly suburban area around Reading. "So, you know, at the end of the day she still has to get the votes to become speaker of the House."

Democrats won 102 seats in November to Republicans' 101, which was enough for a bare Democratic majority after 12 years under Republican control, but one reelected Democrat died in October and two others resigned in December because they also won higher offices. Elections are next Tuesday to fill those three vacancies, all in the Pittsburgh area.

Republicans were not able to muster enough votes to elect their own speaker when the new session began Jan. 3, leading to Rozzi's emergence as an alternative. McClinton and all Democrats voted for him, along with all seven members of House GOP leadership and nine other Republicans.

The Capitol is now rife with speculation that McClinton or some other candidate may soon try to evict Rozzi from the speaker's rostrum.

McClinton responded to Rozzi's talk of keeping the job by saying she "would be honored" to be speaker, and that once the House vacancies are filled, she will "trust my colleagues will make the best decision to move Pennsylvania forward."

The House has been frozen since Rozzi took the speakership and has not passed internal operating rules or assigned members to committees.

Instead, Rozzi has convened a group of three representatives from each party to work on rules, hold listening sessions and come up with a way to pass what has been his primary objective for many years — a two-year window for victims of child sexual abuse to file otherwise outdated civil lawsuits.

Rozzi, 51, who has described being molested by a now deceased parish priest for over a year at about age 13, said he wants to use his time in the top job to do some good. He acknowledged that some members from both parties are not happy with him, seeing that as sign he's on the right path.

"I think that if I can show people I can lead this House, maybe I could stay in this position," Rozzi said.

It may prove a tall order for a speaker who did not work his way up the ladder, building relationships along the way and leaning on a core of caucus support.

"Mark is not certain about how long his tenure lasts," said a friend from the Reading area, Republican state Rep. Mark Gillen. "There's no textbook that he's going to be able to pull out and read the next play from."

In two public hearings by Rozzi's group, the Speaker's Workgroup to Move Pennsylvania Forward, he has heard a range of suggestions, many from people active with groups that have sought to ban gifts to lawmakers, improve transparency and weaken the tight grip that majority leaders have held on bills and amendments.

After it conducts two more listening sessions this week — in State College on Wednesday and Wilkes-Barre on Thursday — Rozzi hopes the working group will then formulate viable proposals on internal operating rules and the lawsuit window legislation. He insists he's not stalling and suggested he may soon convene the 2023-24 session's first voting floor session.

Rep. Paul Schemel, a Franklin County Republican who Rozzi picked for the working group, said the new speaker has been feeling some heat, particularly when he chose to shut down the chamber for the time being. "I'm sure it's hard on him, but I think he genuinely wants reform of the system," Schemel said.

Rozzi said he became active in politics through grassroots participation in efforts to spotlight and combat sexual abuse by Catholic clergy, including his participation in protests in the state Capitol before he was elected. When his local state representative in Berks County was retiring, he called Rozzi to suggest he run.

The divorced father of one daughter won that race in 2012 and sold his family's window-and-door installation company six years later.

He considers himself a Catholic but not a "practicing Catholic within the institution." He declined to disclose the amount of a settlement he reached over claims of abuse a couple years ago with the Allentown Catholic diocese.

"Believe me, it wasn't enough to ever make things right, I can tell you that," Rozzi said. "It's not enough to put my life back together."

The statute of limitations window has far and away been his primary issue, but Rozzi considers himself as a centrist, fiscally conservative and socially liberal. He supports abortion rights, gun rights and business tax cuts, and voted with Republicans last year on a bill to prohibit transgender athletes from playing school sports that align with their gender identity. That measure was vetoed by then-Democratic Gov. Tom Wolf. He is not against expanding voter ID requirements, a proposal opposed by most legislative Democrats.

Rozzi said he had engaged in pie-in-the-sky talks about becoming speaker several months ago with his main ally in the sex-abuse lawsuit window fight, Blair County Republican Rep. Jim Gregory. But when swearing-in day began Jan. 3, he did not know what was about to occur and was surprised when Republicans wanted to pursue the idea. Despite their temporary, 101-99 majority, Republicans had fallen short of majority support for their caucus' choice for speaker, Rep. Carl Walker Metzgar of Somerset County. Rozzi then found himself in a conference room with the Republican floor leader, Rep. Bryan Cutler of Lancaster County, and several aides.

By all accounts including his own, Rozzi agreed to position himself as an independent speaker and wanted a commitment about the lawsuit window. But both Cutler and Gregory insist Rozzi also promised to change his party registration, something Rozzi said he does not currently plan to do.

The lack of House floor action has effectively killed Republican hopes of getting a bundle of constitutional amendments on the low-turnout primary ballot. Cutler and other Republicans feel burned by the deal.

"I think the mistake was trusting somebody who wasn't entirely truthful," Cutler told reporters last week. "That was a mistake. And there's still time to correct that."

Rozzi insists he only agreed to consider changing his voter registration and felt even that was part of a deal in which the two-year lawsuit window would be considered on its own. Instead, the Republican-majority state Senate bundled it with constitutional amendments to expand voter ID requirements and to weaken a governor's authority to enact regulations.

Rozzi said he has tried to negotiate with Cutler in recent weeks, to no avail.

"You talk to the Democrats up here over the last 12 years and they'll tell you, like every opportunity that Bryan Cutler got a chance to lie to them, he lied to them," Rozzi said.



MEMBER SPOTLIGHT



In collaboration with the most brilliant minds from the fields of cannabis science, health, and business, Whole Plants Health was created as a Pennsylvania-focused grow-and-extract operation and to be a premier provider of the highest quality products.

MISSION

The Whole Plant’s mission is to consistently provide compassionate relief to Pennsylvanians with chronic conditions by manufacturing advanced medical marijuana products.

PRODUCTION

Production began Fall 2019, instituting the launch of our proprietary in-house medical marijuana products. Products were available in dispensaries in Spring 2020.

PARTNERS

Whole Plants look forward to partnering with PCC Members to deliver the highest caliber of medical marijuana products to Pennsylvania’s growing patient population.

For more information or to place and order please contact Jim Smith via email at jsmith@wholeplantsllc.com.

Dispensary Call:
First Tuesday of the Month
Tuesday, February 7 @ 1pm via Zoom

Grower/Processor Call:
Second Tuesday of the Month
Tuesday, February 14 @ 1pm via Zoom

Legislative Input Call:
Thursday, February 16 @ 1pm via Zoom

MMAB Meeting Scheulde
Not yet announced

PCC First Quarter Membership Meeting
Thursday, March 9, 2023 10:00am - The Westin, Philadelphia

**All times are EST*



[Click Here to Add PCC Events to Your Calendar!](#)



PCC PAC

BIG GOALS REQUIRE BIG BUDGETS

Who can contribute?

- Individuals
- PACs
- Certain LLCs

How much can you contribute?

- Any amount helps
- There is no limit
- Average 2021 contribution was \$1,000

REASONS TO GIVE TO PCC PAC

- We need to stand up for those who stand up for us
- We must continue to build a coalition of legislative support
 - PAC Dollars grab legislators attention and allow our lobbying team and staff more facetime with more legislators
- Other PACS WILL spend against us
- There is legislation being considered NOW that affects MMOs

**Please consider contributing to PCC PAC
by mailing personal or LLC check to :**

**PCC PAC
P.O. Box 11501
Harrisburg, PA 17108**

[CLICK HERE TO CONTRIBUTE NOW](#)

PAC SPENDING BY ACTIVE ASSOCIATIONS

Organization	2021 Spend	2020 Spend
PA Realtors	\$ 1,158,281.00	\$ 873,216.00
PA State Education Association	\$ 622,836.00	\$ 2,069,327.00
Operators for Skill	\$ 313,618.00	\$ 365,420.00
PA Trial Lawyers	\$ 228,459.00	\$ 857,093.00
PA Chamber PAC	\$ 209,669.00	\$ 137,750.00
PA State Police (State Lodge)	\$ 116,685.00	\$ 54,925.00
Horseman	\$ 109,536.00	\$ 74,406.00
PA Health Care Association	\$ 102,415.00	\$ 32,158.00
P.C. PAC	\$ 14,207.00	\$ 4,865.00



**FDA Kicks Can on CBD Regulation:
CBD Product Manufacturers and Researchers Need to Be Alert for Enforcement**
www.duanemorris.com/alerts | January 30, 2023

After more than four years of market expansion of foods, beverages, cosmetics and other products for human consumption, as well as pet food products, containing hemp-derived cannabidiol (CBD) since passage of the 2018 Farm Bill, 7 U.S.C. 1639r(a)(1), which legalized hemp and hemp derivatives, the U.S. Food & Drug Administration (FDA) stated on January 26, 2023, that “a new regulatory pathway for CBD is needed that balances individuals’ desire for access to CBD products with the regulatory oversight needed to manage risks,” and “the agency is prepared to work with Congress on this matter.” (Emphasis added.)

When the Farm Bill passed, it was expected that FDA would issue regulations governing the marketing and use of CBD, and companies who began incorporating CBD into their products have been waiting for such regulation. However, rather than fit CBD into the existing FDA regulatory regime, FDA’s view is that an entirely new regulatory pathway needs to be established for CBD because, as FDA explained: “CBD raises various safety concerns, especially with long-term use... FDA’s existing foods and dietary supplement authorities provide only limited tools for managing many of the risks associated with CBD products.” Accordingly, FDA stated, “a new regulatory pathway would benefit consumers by providing safeguards and oversight to manage and minimize risks related to CBD products.” A regulatory framework for CBD now seems to be a can that has been kicked down a very long road, as Congress is not likely to act quickly on this issue.

Significantly, FDA reaffirmed that it “will continue to take action against CBD and other cannabis-derived products to protect the public.” Consequently, companies who are incorporating hemp-derived CBD into their products for humans and pets must continue to navigate the murky waters of marketing a product prohibited under federal law, but permissible under state law. In 2022, FDA was far more active in issuing warning letters to CBD product manufacturers than it has been in any year since the 2018 Farm Bill passed and CBD products proliferated, issuing 30 CBD-focused warning letters in 2022, as compared to seven in 2021 and eight in 2022.

The FDA’s current view is that CBD is not safe for human or animal ingestion and thus it may not be marketed as a food or dietary supplement, including pet food. In addition, CBD is an active pharmaceutical ingredient in Epidiolex®. Therefore, FDA’s position is that CBD containing products may only be marketed as a drug upon FDA clearance. Consequently, as reflected in its warning letters, and as it has stated numerous times, FDA considers ingestible products containing CBD unapproved and misbranded under the Food, Drugs and Cosmetics Act (FDCA). FDA’s enforcement practice with respect to such misbranded CBD products is to focus on those that labeled with “health claims,” i.e., statements that the product is intended to cure, mitigate, treat or prevent a disease, or affect the structure or function of the body of humans or animals. Importantly, the Federal Trade Commission (FTC) views products that are misbranded under the FDCA due to such health claims to also violate the FTC Act, 15 U.S.C. § 41 et seq., unless such claims are supported by reliable sciences. As a result, CBD product manufacturers must also be on alert for, and may be subject to, FTC enforcement.

Manufacturers of CBD products and researchers should be mindful of the risk of FDA and FTC enforcement in light of the ongoing unregulated and prohibited treatment of CBD by those agencies. Additionally, these businesses must have a clear understanding of the state laws applicable to their CBD products and research, which vary from state to state, and the interplay between those state laws and the applicable federal laws and regulations.