

# New Jersey Department of Health Division of Medicinal Marijuana

## Selection Committee Kick-Off Meeting Alternative Treatment Center Request for Applications



September 5, 2018

# Today's Meeting

- **Introductions**
- **Overview of RFA and Selection Process**
- **Diversity and Inclusion**
- **Scoring Instructions**
- **How-To: Using the Part B Forms**
- **Required Signatures**



# Overview of RFA and Selection Process

# Executive Order #6

- **Directed the NJ Department of Health to review the Medicinal Marijuana Program to improve access to patients, reduce regulatory burdens, and increase physician participation**
- **60 day timeline**
- **After internal review, issued Executive Order #6 Report to Governor on March 23, 2018**

# Executive Order #6

- **Report included three sets of recommended actions:**
  - ✓ Immediate (through executive action)
  - ✓ Regulatory (through rule-making process)
  - ✓ Statutory (through legislation)



Issued by Acting Commissioner Shereef Elnahal, M.D., M.B.A.

March 23, 2018

# E06: Immediate Action

- Expanded conditions
- Reduced fees
- Physician name publication optional
- Mobile Access
- Allow ATC satellites
- Allow 2 caregiver per patient

## New Jersey Department of Health Medicinal Marijuana Program

The infographic is divided into several sections. At the top, the title 'New Jersey Department of Health Medicinal Marijuana Program' is displayed in blue. Below the title are five blue boxes, each with an icon and text describing a step in the process: 1. 'See if you have a qualifying condition.' with a green person icon and a green 'X' in a box. 2. 'Your physician will certify your condition.' with a green doctor icon. 3. 'You\* provide information, proof of ID, and payment.' with a green person icon and a yellow dollar sign. 4. 'Your name is added to the New Jersey Department of Health Registry.' with a green person icon and a document icon. 5. 'You may now obtain medicinal marijuana at any of the alternative treatment centers.' with a green map of New Jersey showing treatment centers in Montclair, Secaucus (marked 'opens spring 2018'), Woodbridge, Cranbury, Bellmawr, and Egg Harbor Township. Below these steps are two more blue boxes: one listing 'five new categories of debilitating conditions' (Anxiety, Chronic pain related to musculoskeletal disorders, Chronic pain of visceral origin, Migraine, Tourette's Syndrome) and another stating 'There is a \$100 registration fee for patients and caregivers' with a reduced \$20 fee for Veterans, Seniors, and individuals receiving government assistance. At the bottom left is the NJ Health logo, and at the bottom right is a small disclaimer: '\* A caregiver may represent a patient by applying and meeting conditions including a background check.'

See if you have a qualifying condition.

Your physician will certify your condition.

You\* provide information, proof of ID, and payment.

Your name is added to the New Jersey Department of Health Registry.

You may now obtain medicinal marijuana at any of the alternative treatment centers.

There are five new categories of debilitating conditions:

- Anxiety
- Chronic pain related to musculoskeletal disorders
- Chronic pain of visceral origin
- Migraine
- Tourette's Syndrome

There is a \$100 registration fee for patients and caregivers.

Reduced \$20 fee available for:

- ♦ Veterans
- ♦ Seniors
- ♦ Individuals receiving government assistance

Montclair, Secaucus (opens spring 2018), Woodbridge, Cranbury, Bellmawr, Egg Harbor Township

**NJ Health**  
New Jersey Department of Health

\* A caregiver may represent a patient by applying and meeting conditions including a background check.

# E06: Regulatory Action

- **Streamline process for the addition of new conditions for treatment with medicinal marijuana**
- **Create separate endorsements in permitting process: dispensary, processor, cultivator**
- **Eliminate 10% THC limit**
- **Eliminate psychiatrist evaluation for minors**

# **EO6: Statutory Action**

- **Allow edible forms for all patients, not only minors**
- **Allow patients to go to more than one ATC at a time**
- **Allow marijuana as a first-line treatment for all approved conditions**
- **Eliminate 2 ounce per month limit for terminal patients**
- **Raise limit for all others over time**
- **Remove non-profit requirement for original ATCs**



# Significant Expansion of Enrollment

SPOTLIGHT

## Medicinal Marijuana Program Now Serves More Than 30,000 Patients

Following the addition of new qualifying medical conditions as well as lowered patient and caregiver fees, the Medicinal Marijuana Program now serves more than 30,000 patients in New Jersey.

[Read More](#)

**A Fairer New Jersey:  
Expanding Access to  
Medical Marijuana**



# July 2018 Request for Applications

DATE	ACTION
Monday, July 16, 2018	Notice of Request for Applications (RFA)
Wednesday, August 01, 2018	Release of RFA and Required Forms
Thursday, August 09, 2018	Mandatory Pre-Application Conference
Wednesday, August 15, 2018 *	Posting of Applicant Questions
Friday, August 31, 2018	Closing Date of Application Period
Thursday, November 01, 2018	Anticipated announcement of successful applicants

\* Applicant questions will be posted on or before this date on the Department's website



# Selection Process

DATE	ACTION
Tuesday, September 11, 2018	Completeness Review by Program
Wednesday, September 12, 2018	Beginning of Review by Selection Committee
Friday, October 19, 2018	Complete Review by Selection Committee
Wednesday, October 24, 2018	Selection Committee Report Completed
Wednesday, October 31, 2018	Review of Awards Completed
Thursday, November 01, 2018	Anticipated announcement of successful applicants



# Applicant Eligibility

## NOT ELIGIBLE TO PARTICIPATE IN THIS RFA:

- Entities currently holding a permit issued by NJDOH to dispense medicinal marijuana
- Individuals and entities with a 25% stake in any current permitted Alternative Treatment Center OR entity responsible for the management of a currently permitted Alternative Treatment Center
  - Stake can mean:
    - Debt
    - Equity
    - Other financial relationship

## ELIGIBLE TO PARTICIPATE IN THIS RFA:

- Everyone else (that meets the requirements of the RFA)

**The Department plans to issue future RFAs.**



# Application Submission

Applicants must submit the following:

- Signed Affidavit/Waiver/Release
- Application Part A with Attachments
- Application Part B with Attachments
- Fees as indicated in RFA

Applicants may also submit:

- Cover letter noting proprietary information submitted in the application that is exempt from OPRA
- Letters of Support noted in RFA Notice
- These items fall under “Other Supporting Documentation” and do not count toward 300 page limit

# Sections to be Scored

Applicants must submit the following:

- Signed Affidavit/Waiver/Release
- Application Part A with Attachments
- Application Part B with Attachments
- Fees as indicated in RFA

Applicants may also submit:

- Cover letter noting proprietary information submitted in the application that is exempt from OPRA
- Letters of Support noted in RFA Notice
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# Application Evaluation

**Scored Criteria:** The information in the scored sections must be submitted in narrative form and will be judged by the selection committee according to weights on a 1000-point scale.

Once received, the applications will be reviewed for completeness and then scored by a selection committee.

# Application Evaluation

Ability to meet overall health and safety needs of qualified patients and safety of the public.

- Past business experience of applicants (100 pts)
- Business operations and compliance (125 pts)
- Security (100 pts)
- Cultivation, manufacturing, and dispensary operations (300 pts)
- Financing (100 pts)
- Value and Affordability for Patients (50 pts)
- Market Diversification (25 pts)



# Application Evaluation

## Community Support and Participation

- Community support and participation (50 pts)
- Corporate responsibility (50 pts)
- Diversity (50 pts)

**Total: 150 pts**

## Ability to provide appropriate research data

- Commitment to Clinical Research (50 pts)

**Total: 50 pts**

# Application Evaluation

**NOT REQUIRED:**

**Documented Involvement of an Acute Care Hospital**

# Current vs. Proposed Rules

- The Department issued a Notice of Rule Proposal, which seeks to amend the Medicinal Marijuana rules at N.J.A.C. 8:64.
- This notice was published in the New Jersey Register on June 18, 2018 and is subject to a 60-day comment period.
- Although this rule proposal is a priority of the Department, these amendments cannot take effect until the full scope of public comment is considered and the rules have been adopted.
- Until then, this Request for Applications, and applicants thereto, will be subject to the regulations currently in effect.

# Financial and Tax Information

The applicant should provide sufficient financial information to enable the State to assess the financial strength and creditworthiness of the applicant and its ability to undertake the operations required of Alternative Treatment Centers and successfully provide an ongoing supply of medicinal marijuana to qualified patients.

# Strains and THC Limits

- Pursuant to statutory changes to the Compassionate Use Medicinal Marijuana Act, ATCs are not limited in the number or type of strains they may cultivate.
- In measuring THC in cultivated marijuana, the Department has traditionally enforced that limit by only measuring the presence of THC, not THCA.
- In the proposed rules, N.J.A.C. 8:64-10.7 is proposed for repeal.

# Exemptions from 300 Page Limit

- All of Part A (including attachments)
- Part B Required Summaries
- Floor plans and dispensary renderings (Criterion 1, Measures 4.1j; 4.2d; and 4.3d)
- Cover memo regarding proprietary information.
- Letters of support.

# Diversity and Inclusion

# Diversity and Inclusion

**Hester Agudosi**  
**Chief Diversity Officer**  
**State of New Jersey**





# Scoring Instructions

# Application Evaluation

In the determination of whether an applicant passes or fails a particular requirement in the mandatory section, the Department, pursuant to N.J.A.C. 8:64-7.2, shall conduct a preliminary background investigation and review the information for completeness and truthfulness.

Applicants may be disqualified for the submission of incomplete or false information. Additionally, applicants may be disqualified if there are significant concerns raised as to their ability to comply with N.J.A.C. 8:64 based on the preliminary review/background investigation.

# Application Evaluation

- If the application is found complete, then the application will be reviewed and scored by the selection committee.
- Each individual member will score each criterion and measure based on the information provided. The scores will then be averaged (mean) to provide each applicant with a composite score.
- Based on that composite score, the selection committee will determine which applicants are chosen to proceed in the permitting process.

# Application Evaluation

If two or more applicants are tied, the tie-breaker shall be determined in the following manner:

- 1)** If one applicant has already established site control through lease or ownership, and the other(s) have not, then the award shall go to the applicant that has site control.
- 2)** If site control does not break the tie, then the selection committee shall give the award to the applicant with proposed location(s) that most clearly expands access to current qualified patients. In making that determination, the selection committee shall evaluate current enrollment data and the placement of the proposed ATC in relation to other ATCs.

# Forms Overview

# Forms Overview

**Samara Lentz, Forms Design Specialist**

# Accessing the Applications

Applications will be distributed to the selection committee in two ways:

- Selection committee members will have access to a Sharepoint folder with all the electronic copies of the application.
- Paper copies (for those submitting via paper) will be circulated by DOH staff.

# Scoring the Applications

- Read each of the applications before beginning the process of assigning scores.
- Evaluate each application and assign a score up to the maximum point value for each measure, according to the instructions provided.
- Applications shall be evaluated against the scoring measures and completeness of responses, not against each other.
- A score of 0 should only be used when non-responsive.
- Use only whole numbers.



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# Scoring the Applications

Please record scores in the following manner:

- Via the Part B form itself for electronic submissions.
- Via the paper form for both paper and electronic.
- For electronic copies, committee members will do both.

# Required Signatures

# Required Signatures

- Confidentiality Agreement
- Business Disclosure Form
- Non-conflict of interest certification (TBD)

Q+A