

(h) "Fixed Bed Need Pool." The numerical hospital inpatient substance abuse bed need for adults for the applicable planning horizon, as established by the agency in accordance with this rule and subsection 59C-1.008(2), F.A.C. "Department." The Agency for Health Care Administration.

(i) "General Hospital." Means any facility which meets the provision of Section 395.002(12), F.S., and which makes its facilities and services available to the general population. "District." A district of the agency defined in Section 408.032(5), F.S.

(j) "Gross Bed Need." The number of hospital inpatient substance abuse beds for adults projected for a district for the applicable planning horizon under paragraph (4)(c) of this rule, except that the number of licensed beds and approved beds is not subtracted from the projected total. "Fixed Bed Need Pool." The numerical hospital inpatient substance abuse bed need for adults for the applicable planning horizon, as established by the agency in accordance with this rule and subsection 59C-1.008(2), F.A.C.

(k) "Hospital Inpatient Substance Abuse Bed." A bed designated for the exclusive use of patients receiving hospital inpatient substance abuse services as defined by this rule. "General Hospital." A hospital which provides services to the general population and does not restrict its services to any specified medical or psychiatric illness or to any specified age or gender group of the population, as defined in Section 395.002(4), F.S.

(l) "Hospital Inpatient Substance Abuse Services." Services provided under the direction of a professional trained and experienced in substance abuse services, including a psychiatrist, a physician certified by the American Society of Addiction Medicine, a Certified Addictions Professional, a clinical psychologist, a clinical social worker (as defined in Section 491.003(2), F.S.) or a certified master social worker (as defined in Section 491.0145, F.S.) to persons whose sole diagnosis, or in the event of more than one diagnosis, the principal diagnosis is a substance abuse disorder defined in paragraph (2)(s) of this rule. "Gross Bed Need." The number of hospital inpatient substance abuse beds for adults projected for a district for the applicable planning horizon under paragraph (4)(c) of this rule, except that the number of licensed beds and approved beds is not subtracted from the projected total.

(m) "Local Health Council." The council referenced in Section 408.033, F.S. "Hospital Inpatient Substance Abuse Bed." A bed designated for the exclusive use of patients receiving hospital inpatient substance abuse services as defined by this rule.

(n) "Planning Horizon." The projected date by which a proposed hospital inpatient substance abuse service would be initiated. For purposes of this rule, the planning horizon for applications submitted between January 1 and June 30 is July

of the year 5 years subsequent to the year the application is submitted; the planning horizon for applications submitted between July 1 and December 31 is January of the year 5 years subsequent to the year which follows the year the application is submitted. "Hospital Inpatient Substance Abuse Services." Services provided under the direction of a professional trained and experienced in substance abuse services, including a psychiatrist, a physician certified by the American Society of Addiction Medicine, a Certified Addictions Professional, a clinical psychologist, a clinical social worker (as defined in Section 491.003, F.S.) or a certified master social worker (as defined in Section 491.0145, F.S.) to persons whose sole diagnosis, or in the event of more than one diagnosis, the principal diagnosis as defined in the Diagnostic and Statistical Manual of Mental Disorders (DSM-III-R) is a substance abuse disorder defined in paragraph (2)(u) of this rule.

(o) "Psychiatric Disorder." For purposes of this rule, a psychiatric disorder is a mental illness as defined in Section 394.455(18), F.S., which requires inpatient hospitalization. "Local Health Council." The council referenced in Section 408.033, F.S.

(p) "Separately Organized Unit." A specific section, ward, wing, or floor with a separate nursing station designated exclusively for the care of hospital inpatient substance abuse services patients. "Planning Horizon." The projected date by which a proposed hospital inpatient substance abuse service would be initiated. For purposes of this rule, the planning horizon for applications submitted between January 1 and June 30 is July of the year 5 years subsequent to the year the application is submitted; the planning horizon for applications submitted between July 1 and December 31 is January of the year 5 years subsequent to the year which follows the year the application is submitted.

(q) "Specialty Beds." Specialty beds include comprehensive medical rehabilitation beds, hospital inpatient psychiatric beds, and the hospital inpatient substance abuse beds regulated under this rule. "Psychiatric Disorder." For purposes of this rule, a psychiatric disorder is a disorder coded in any sub-classification of category 290 or coded in any sub-classification of categories 293 through 302 or coded in any sub-classification of categories 306 through 316, in Axis I or Axis II, consistent with the diagnostic categories defined in the Diagnostic and Statistical Manual of Mental Disorders (DSM-III-R), incorporated herein by reference; or equivalent codes in the following sub-classifications in the International Classification of Disease (ICD-9), incorporated herein by reference: category 290, 293 through 302, or 306 through 316.

(r) "Specialty Hospital." A specialty hospital is as defined by subsection 395.002(28), F.S. "Separately Organized Unit." A specific section, ward, wing, or floor with a separate nursing

~~station designated exclusively for the care of hospital inpatient substance abuse services patients.~~

~~(s) "Substance Abuse." The misuse or abuse of, or a dependence on alcohol, illicit drugs or prescription medications which requires inpatient hospitalization. "Specialty Beds." Specialty beds include comprehensive medical rehabilitation beds, hospital inpatient general psychiatric beds, and the hospital inpatient substance abuse beds regulated under this rule.~~

~~(t) "Specialty Hospital." A hospital which restricts its services to a specified category of medical or psychiatric illness or to a specified age or gender group of the population, as defined in Section 395.002(28), F.S.~~

~~(u) "Substance Abuse." A disorder coded in any sub-classification of categories 291, 292, 303, 304 or 305 in Axis I or Axis II consistent with the diagnostic categories defined in the Diagnostic and Statistical Manual of Mental Disorders (DSM III R), incorporated herein by reference; or equivalent codes in the following sub-classifications in the International Classification of Disease (ICD-9), incorporated herein by reference: category 291, 292, 303, 304 or 305.~~

~~(3) General Provisions.~~

~~(a) Admissions to Hospital Inpatient Substance Abuse Services. Admission to facilities with a certificate of need for hospital inpatient substance abuse services is limited to persons whose sole diagnosis, or in the event of more than one diagnosis, the principal diagnosis is a substance abuse disorder as defined in paragraph (2)(s) the Diagnostic and Statistical Manual of Mental Disorders (DSM III R) is a disorder coded in any sub-classification of categories 291, 292, 303, 304 or 305 in Axis I or Axis II consistent with the diagnostic categories defined in the Diagnostic and Statistical Manual of Mental Disorders (DSM III R); or equivalent codes in the following sub-classifications in the International Classification of Disease (ICD-9), incorporated herein by reference: category 291, 292, 303, 304 or 305.~~

~~(b) Service Location. The hospital inpatient substance abuse services regulated under this rule may be provided in a hospital licensed as a general hospital or licensed as a specialty hospital.~~

~~(c) Separate Regulation of Age Categories. The agency regulates two types of hospital inpatient substance abuse services, those services which are used for substance abuse treatment of adults, and those services used for substance abuse treatment of children and adolescents. Certificate of need applications for the establishment of hospital inpatient substance abuse services for adults shall be reviewed separately from certificate of need applications for hospital inpatient substance abuse services for children and adolescents. A separate certificate of need shall be issued for each service.~~

~~(d) Separately Organized Units. Hospital inpatient substance abuse services for adults shall be provided in one or more separately organized units within a general hospital or specialty hospital. Hospital inpatient substance abuse services for children and adolescents shall be provided in one or more separately organized units within a general hospital or specialty hospital.~~

~~(e) Minimum Size of Specialty Hospitals. A specialty hospital providing hospital inpatient substance abuse services shall have a minimum total capacity of 40 beds, which may include beds used for hospital inpatient general psychiatric services regulated under Rule 59C-1.040, F.A.C. The separately organized units for hospital inpatient substance abuse services for adults or for children and adolescents in specialty hospitals shall meet the minimum size requirements stated in subsection (5) of this rule. Hospitals inventoried consistent with the provisions of subsection (11) of this rule are exempt from meeting the minimum capacity and minimum unit size requirements of this paragraph unless or until they submit a proposal which would modify the number of beds listed in the inventory.~~

~~(f) Conformance with the Criteria for Approval. A certificate of need for the establishment of new inpatient substance abuse hospitals shall not normally be approved unless the applicant meets the applicable review criteria in Section 408.035, F.S., and the standards and need determination criteria set forth in this rule. Beds for Acute Detoxification. Beds used for acute detoxification services in general hospitals shall be considered a subset of the total number of medical surgical beds allocated to each district under Rule 59C-1.038, F.A.C. Beds used for acute detoxification services in specialty hospitals shall be considered a subset of the number of beds allocated to each district under subsection (4) of this rule.~~

~~(g) Required Services. Hospital inpatient substance abuse services whether provided directly by the hospital or under contract shall include, at a minimum: emergency screening services; treatment planning services; pharmacology, if appropriate; individual therapy; family therapy; discharge planning; referral services, including written referral agreements for educational and vocational services; and occupational and recreational therapies. Conformance with the Criteria for Approval. A certificate of need for the establishment of new hospital inpatient substance abuse services, or the expansion of existing services by the addition of beds, shall not normally be approved unless the applicant meets the applicable review criteria in Section 408.035, F.S., and the standards and need determination criteria set forth in this rule.~~

~~(h) Excluded Hospitals. Hospitals operated by the State of Florida are not regulated under this rule pursuant to Section 408.036(d), (r) and (s), F.S. Required Services. Hospital inpatient substance abuse services whether provided directly by the hospital or under contract shall include, at a minimum, emergency screening services; treatment planning services; pharmacology, if appropriate; individual therapy; family therapy; discharge planning; referral services, including written referral agreements for educational and vocational services; and occupational and recreational therapies.~~

~~(i) Excluded Hospitals. Hospitals operated by the State of Florida or the federal government are not regulated under this rule.~~

(4) Criteria for Determination of Need.

~~(a) Bed Need. A favorable need determination for proposed new or expanded hospital inpatient substance abuse hospitals services for adults shall not normally be made unless a bed need exists according to the numeric need methodology in paragraph (4)(c) of this rule. A favorable need determination for proposed new hospital inpatient substance abuse services for children and adolescents shall not normally be made unless a bed need exists according to the requirements of paragraph (4)(f) of this rule.~~

(b) Fixed Bed Need Pool. The future need for hospital inpatient substance abuse services for adults shall be determined twice a year and published by the agency as a fixed bed need pool for the applicable planning horizon.

(c) Need Formula for Hospital Inpatient Substance Abuse Beds for Adults. The net bed need for hospital inpatient substance abuse beds for adults in each district shall be calculated in accordance with the following formula:

$$NNA = ((PDA/PA \times PPA) / (365 \times .75)) - LBA - ABA$$

where:

1. NNA equals the net need for hospital inpatient substance abuse beds for adults in a district.

2. PDA equals the number of inpatient days in hospital inpatient substance abuse beds for adults in a district for the 12-month period ending 6 months prior to the beginning date of the quarter of the publication of the fixed bed need pool.

3. PA equals the estimated population age 18 or over in the district. For applications submitted between January 1 and June 30, PA is the population estimate for January of the preceding year; for applications submitted between July 1 and December 31, PA is the population estimate for July of the preceding year. The population estimate shall be the most recent estimate published by the Office of the Governor and available to the agency at least 6 weeks prior to publication of the fixed bed need pool. The following material is incorporated by reference within this rule: the Florida Population Estimates and Projections by AHCA District 2010 to 2030, released February 2012. This publication is available on the Agency website at [x.shtml and <http://www.flrules.org/Gateway/reference.asp?No=Ref-01677>.](http://ahca.myflorida.com/MCHQ/CON_FA/Publications/inde</a></u></p>
</div>
<div data-bbox=)

4. PPA equals the estimated population age 18 or over in the district for the applicable planning horizon. The population estimate shall be the most recent estimate published by the Office of the Governor and available to the agency at least 6 weeks prior to publication of the fixed bed need pool.

5. .75 equals the desired average annual occupancy rate for hospital inpatient substance abuse beds for adults in the district.

6. LBA equals the district's number of licensed hospital inpatient substance abuse beds for adults as of the most recent published deadline for agency initial decisions prior to publication of the fixed bed need pool.

7. ABA equals the district's number of approved hospital inpatient substance abuse beds for adults, as determined consistent with the provisions of paragraph (2)(de) of this rule.

(d) Need for Hospital Inpatient Substance Abuse Services for Children and Adolescents. The need for proposed hospital inpatient substance abuse services for children and adolescents shall be determined consistent with the following: Special Circumstances for Approval of Expanded Capacity at Hospitals with Licensed Hospital Inpatient Substance Abuse Services for Adults. Need for additional hospital inpatient substance abuse beds for adults is demonstrated at a hospital with licensed hospital inpatient substance abuse services for adults in the absence of need shown under the formula in paragraph (4)(c), or the provision specified in subparagraph (4)(e)3., and regardless of the average annual district occupancy rate determined under subparagraph (4)(e)4., if the occupancy rate of the hospital's inpatient substance abuse beds for adults equalled or exceeded 85 percent for the 12-month period ending 6 months prior to the beginning date of the quarter of the publication of the fixed bed need pool.

1. The agency shall consider the need for hospital inpatient substance abuse services for children and adolescents within the context of licensed or approved hospital inpatient substance abuse services for children and adolescents and licensed non-hospital residential treatment programs for children and adolescents with substance abuse disorders. The applicant for hospital inpatient substance abuse services for children and adolescents shall provide documentation that the district's licensed non-hospital residential treatment programs for children and adolescents with substance abuse disorders do not meet the need for the proposed service.

2. No additional hospital inpatient substance abuse beds for children and adolescents shall normally be approved in a district having one or more facilities with hospital inpatient substance abuse services for children and adolescents unless the average annual occupancy rate of all licensed hospital inpatient substance abuse beds for children and adolescents in the district

equalled or exceeded 75 percent during the 12 month period ending 6 months prior to the application submission deadline.

(e) Preferences Among Competing Applicants for Hospital Inpatient Substance Abuse Services. In weighing and balancing statutory and rule review criteria, preference will be given to applicants who: Other Factors to be Considered in the Review of Certificate of Need Applications for Hospital Inpatient Substance Abuse Services for Adults.

1. Provide Medicaid and charity care days as a percentage of their total patient days equal to or greater than the average percentage of Medicaid and charity care patient days of total patient days provided by other hospitals in the district, as determined by the Florida Center for Health Information and Policy Analysis hospital discharge data for the 12-month period ending six months prior to the beginning date of the quarter of the publication of the fixed bed need pool. Applicants shall provide evidence in their applications that their proposal is consistent with the needs of the community and other criteria contained in Local Health Council Plans, the district Alcohol, Drug Abuse and Mental Health Plan, and the State Health Plan.

2. Propose to serve Medicaid-eligible persons. Applications from general hospitals for new or expanded hospital inpatient substance abuse beds for adults shall normally be approved only if the applicant converts a number of acute care beds, as defined in Rule 59C-1.038, F.A.C., excluding specialty beds, which is equal to the number of hospital inpatient substance abuse beds for adults proposed, unless the applicant can reasonably project an annual occupancy rate of 75 percent for the applicable planning horizon, based on historical utilization patterns, for all acute care beds, excluding specialty beds. If conversion of the number of acute care beds which equals the number of proposed hospital inpatient substance abuse beds for adults would result in an annual acute care occupancy exceeding 75 percent for the applicable planning horizon, the applicant shall only be required to convert the number of beds necessary to achieve a projected annual 75 percent acute care occupancy for the applicable planning horizon, excluding specialty beds.

3. Propose to serve substance-abusing pregnant and post-partum women regardless of their ability to pay. In order to ensure access to hospital inpatient substance abuse services for Medicaid-eligible and charity care adults, 40 percent of the gross bed need allocated to each district for hospital inpatient substance abuse services for adults should be allocated to general hospitals.

4. Propose to serve individuals without regard to their ability to pay. Regardless of whether bed need is shown under the need formula in paragraph (4)(c), no additional hospital inpatient substance abuse beds for adults shall normally be approved for a district unless the average annual occupancy rate of the licensed hospital inpatient substance abuse beds for

adults in the district equals or exceeds 75 percent for the 12 month period ending 6 months prior to the beginning date of the quarter of the publication of the fixed bed need pool.

(f) Non-Competitive Applicants. The factors contained in paragraph (e) shall also be considered in the review of a single non-competitive certificate of need application within the district. Need for Hospital Inpatient Substance Abuse Services for Children and Adolescents. The need for proposed hospital inpatient substance abuse services for children and adolescents shall be determined consistent with the following:

1. The agency shall consider the need for hospital inpatient substance abuse services for children and adolescents within the context of licensed or approved hospital inpatient substance abuse services for children and adolescents and licensed non-hospital residential treatment programs for children and adolescents with substance abuse disorders. The applicant for hospital inpatient substance abuse services for children and adolescents shall provide documentation that the district's licensed non-hospital residential treatment programs for children and adolescents with substance abuse disorders do not meet the need for the proposed service.

2. No additional hospital inpatient substance abuse beds for children and adolescents shall normally be approved in a district having one or more facilities with hospital inpatient substance abuse services for children and adolescents unless the average annual occupancy rate of all licensed hospital inpatient substance abuse beds for children and adolescents in the district equalled or exceeded 75 percent during the 12 month period ending 6 months prior to the application submission deadline.

3. Under special circumstances, need for additional hospital inpatient substance abuse beds for children and adolescents is demonstrated at a hospital with licensed hospital inpatient substance abuse services for children and adolescents regardless of the average annual occupancy rate determined under subparagraph (4)(f)2. if the occupancy of the hospital's inpatient substance abuse beds for children and adolescents equalled or exceeded 85 percent during the 12 month period ending 6 months prior to the application submission deadline.

(g) Other Factors to be Considered in the Review of Certificate of Need Applications for Hospital Inpatient Substance Abuse Services for Children and Adolescents.

1. Applicants shall provide evidence in their applications that their proposal is consistent with the needs of the community and other criteria contained in Local Health Council Plans, the district Alcohol, Drug Abuse and Mental Health Plan, and the State Health Plan.

2. Applications from general hospitals for new or expanded hospital inpatient substance abuse beds for children and adolescents shall normally be approved only if the applicant converts a number of acute care beds, as defined in Rule 59C-1.038, F.A.C., excluding specialty beds, which is equal to the

number of hospital inpatient substance abuse beds proposed, unless the applicant can reasonably project an annual occupancy rate of 75 percent for the applicable planning horizon, based on historical utilization patterns, for all acute care beds, excluding specialty beds. If conversion of the number of acute care beds which equals the number of proposed hospital inpatient substance abuse beds for children and adolescents would result in an annual acute care occupancy exceeding 75 percent for the applicable planning horizon, the applicant shall only be required to convert the number of beds necessary to achieve a projected annual 75 percent acute care occupancy for the applicable planning horizon, excluding specialty beds.

(g) ~~Other Factors to be Considered in the Review of Certificate of Need Applications for Hospital Inpatient Substance Abuse Services for Children and Adolescents.~~

~~1. Applicants shall provide evidence in their applications that their proposal is consistent with the needs of the community and other criteria contained in Local Health Council Plans, the district Alcohol, Drug Abuse and Mental Health Plan, and the State Health Plan.~~

~~2. Applications from general hospitals for new or expanded hospital inpatient substance abuse beds for children and adolescents shall normally be approved only if the applicant converts a number of acute care beds, as defined in Rule 59C-1.038, F.A.C., excluding specialty beds, which is equal to the number of hospital inpatient substance abuse beds proposed, unless the applicant can reasonably project an annual occupancy rate of 75 percent for the applicable planning horizon, based on historical utilization patterns, for all acute care beds, excluding specialty beds. If conversion of the number of acute care beds which equals the number of proposed hospital inpatient substance abuse beds for children and adolescents would result in an annual acute care occupancy exceeding 75 percent for the applicable planning horizon, the applicant shall only be required to convert the number of beds necessary to achieve a projected annual 75 percent acute care occupancy for the applicable planning horizon, excluding specialty beds.~~

~~(h) Preferences Among Competing Applicants for Hospital Inpatient Substance Abuse Services. In weighing and balancing statutory and rule review criteria, preference will be given to applicants who:~~

~~1. Provide Medicaid and charity care days as a percentage of their total patient days equal to or greater than the average percentage of Medicaid and charity care patient days of total patient days provided by other hospitals in the district, as determined for the most recent calendar year prior to the year of the application for which data are available from the Health Care Board.~~

~~2. Propose to serve Medicaid-eligible persons.~~

~~3. Propose to serve substance abusing pregnant and postpartum women regardless of their ability to pay.~~

~~4. Propose to serve individuals without regard to their ability to pay.~~

~~(i) Non-Competitive Applicants. The factors contained in paragraph (h) shall also be considered in the review of a single non-competitive certificate of need application within the district.~~

~~(5) Unit Size. A separately organized unit for hospital inpatient substance abuse services for adults shall have a minimum of 10 beds. A separately organized unit for hospital inpatient substance abuse services for children and adolescents shall have a minimum of five beds. Facilities inventoried consistent with the provisions of subsection (11) of this rule are exempt from meeting the minimum unit size requirements of this subsection unless or until they submit a proposal which would modify the number of beds listed in the inventory.~~

~~(6) Access Standard. Hospital inpatient substance abuse services should be available within a maximum ground travel time of 45 minutes under average travel conditions for at least 90 percent of the district's total population.~~

~~(7) Quality of Care.~~

~~(a) Compliance with Agency Standards. Hospital inpatient substance abuse services for adults or for children and adolescents shall comply with the agency standards for program licensure described in Chapter 59A-3, F.A.C. Applicants who include a statement in their certificate of need application that they will meet applicable agency departmental licensure standards are deemed to be in compliance with this provision.~~

~~(b) Hospital Inpatient Substance Abuse Services for Children. Facilities providing hospital inpatient substance abuse services to children must have beds and common areas designated for children which cannot be used by adults. Adolescents may be treated in the units designated for children. Adolescents may only be treated in units designated for adult hospital inpatient substance abuse services if the admitting physician indicates that such placement is medically indicated, or for reasons of safety.~~

~~(c) Accreditation. Applicants proposing to add beds to a licensed hospital inpatient substance abuse service shall be accredited by the Joint Commission on Accreditation of Healthcare Organizations consistent with the standards applicable to substance abuse services provided in inpatient settings for adults or for children and adolescents. Applicants proposing a new hospital inpatient substance abuse service shall state how they will comply with the provisions of hospital licensure as defined in Rule 59A-3.300, F.A.C. meet the accreditation standards of the Joint Commission on Accreditation of Healthcare Organizations applicable to~~

~~substance abuse services provided in inpatient settings for adults or for children and adolescents.~~

(d) Continuity. Providers of hospital inpatient substance abuse services shall also provide outpatient or referral services, either directly or through written agreements with community outpatient substance abuse programs, such as local psychiatrists, other physicians trained in the treatment of psychiatric or substance abuse disorders, local psychologists, community mental health programs, or other local substance abuse outpatient programs.

(e) Screening Program. All facilities providing hospital inpatient substance abuse services shall have a screening program to assess the most appropriate treatment for the patient. Patients with a dual diagnosis of substance abuse, as defined in paragraph (2)(s)(u), and a psychiatric disorder, as defined in paragraph (2)(o)(q), shall be evaluated to determine the types of treatment needed, the appropriate treatment setting, and, if necessary, the appropriate sequence of treatment for the substance abuse and psychiatric disorders. ~~Provided, however, that persons with a dual diagnosis which includes an acute severe psychiatric disorder, as defined in paragraph (2)(b), shall be referred to a hospital inpatient general psychiatric service for treatment of the acute severe psychiatric disorder.~~

(8) Services Description. An applicant for an hospital inpatient substance abuse hospital services shall provide a detailed program description in its certificate of need application including:

(a) Age groups to be served.

(b) Specialty programs to be provided (e.g. alcoholism treatment programs, drug abuse treatment programs).

(c) Proposed staffing, including qualifications of the clinical director, a description of staffing appropriate for any specialty program, and a discussion of the training and experience requirements for all staff who will provide substance abuse services.

(d) Therapeutic approaches to be used.

(e) Expected sources of patient referrals.

(f) Expected average length of stay for the hospital inpatient substance abuse services discharges by age group.

(g) Projected number of hospital inpatient substance abuse services patient days by payer type, including Medicare, Medicaid, private insurance, self-pay and charity care patient days for the first 2 years of operation after completion of the proposed project.

(h) Admission policies of the facility with regard to charity care patients.

(9) Quarterly Reports. Facilities providing licensed hospital inpatient substance abuse services shall report to the agency or its designee, within 45 days after the end of each calendar quarter, the number of hospital inpatient substance abuse services admissions and patient days by age groups:

~~patients under age 18 years and adults. Applications from Licensed Providers of Hospital Inpatient Substance Abuse Services. A facility providing licensed hospital inpatient substance abuse services seeking certificate of need approval for additional hospital inpatient substance abuse beds shall provide the following information in its certificate of need application in addition to the information required by subsection (8):~~

~~(a) Number of hospital inpatient substance abuse services admissions and patient days by age group and primary diagnosis ICD-9 code for the 12-month period ending 6 months prior to the beginning date of the quarter of the publication of the fixed bed need pool.~~

~~(b) Number of hospital inpatient substance abuse services patient days by payer type, including Medicare, Medicaid, private insurance, self-pay and charity care patient days, for the 12-month period ending 6 months prior to the beginning date of the quarter of the publication of the fixed bed need pool.~~

~~(c) Gross revenues by payer source for the 12-month period ending 6 months prior to the beginning date of the quarter of the publication of the fixed bed need pool.~~

~~(d) Patient days by primary diagnosis ICD-9 code for the 12-month period ending 6 months prior to the beginning date of the quarter of the publication of the fixed bed need pool.~~

~~(e) Current staffing.~~

~~(f) Current specialized treatment programs (e.g. alcoholism treatment; drug abuse treatment).~~

~~(10) Quarterly Reports.~~ ~~Facilities providing licensed hospital inpatient substance abuse services shall report to the agency or its designee, within 45 days after the end of each calendar quarter, the number of hospital inpatient substance abuse services admissions and patient days by age and primary diagnosis ICD-9 code.~~

~~(11) Establishment of an Inventory of Hospital Inpatient Substance Abuse Beds for Adults and Hospital Inpatient Substance Abuse Beds for Children and Adolescents.~~

~~(a) Inventory Process.~~ ~~The agency shall inventory the number of hospital inpatient substance abuse beds for adults and the number of hospital inpatient substance abuse beds for children and adolescents. The inventory shall be based on information in certificates of need and an agency survey of facilities with short-term or long-term hospital inpatient substance abuse beds that were licensed prior to the effective date of this rule. All information reported in the agency survey shall be subject to verification by the agency.~~

~~(b) Separate Identification of Beds for Children or Adolescents Required.~~ ~~The determination of the number of hospital inpatient substance abuse beds for adults and for children and adolescents shall be based on the certificate of need issued or the provider's survey response. Providers who designate hospital inpatient substance abuse beds for children~~

~~or adolescents shall document that these beds are located in units which are organized separately from units with hospital inpatient substance abuse beds for adults. All hospital inpatient substance abuse beds which are not located in documented separately organized units for children or adolescents will be listed in the inventory as hospital inpatient substance abuse beds for adults.~~

~~(c) Current Restrictions on Age Groups Treated. Any restrictions imposed by a certificate of need issued prior to the effective date of this rule regarding age groups treated in a facility's short term or long term hospital inpatient substance abuse services will be reflected in the inventory.~~

~~(d) Approved Hospital Inpatient Substance Abuse Beds. Short term or long term hospital inpatient substance abuse beds which are approved but not licensed as of the effective date of this rule will be listed in the inventory as hospital inpatient substance abuse beds for adults unless the application for the certificate of need which was approved identified a specific number of beds to be used for children or adolescents.~~

~~(e) Publication. The agency shall publish a preliminary inventory of the licensed or approved hospital inpatient substance abuse services for adults and for children and adolescents in the Florida Administrative Weekly. Providers shall have 21 days after the initial publication of the inventory to contest the inventory. Subsequent to the resolution of any issues pertaining to the preliminary inventory, the agency shall publish a final inventory.~~

~~(12) Facilities with Short Term or Long Term Hospital Inpatient Substance Abuse Services. Facilities currently licensed for the provision of short term or long term hospital inpatient substance abuse services shall be issued an amended license authorizing the provision of hospital inpatient substance abuse services to adults or hospital inpatient substance abuse services to children and adolescents, regardless of the length of stay, based on the inventory established by this rule.~~

~~(13) Applicability of this Amended Rule. This amended rule shall not be applied to applications that are pending final agency action as of the effective date of the rule.~~

Rulemaking Authority 408.034(3), ~~(8)(6)~~, 408.15(8) FS. Law Implemented 408.034(3), 408.035, 408.036(1)(b), (c), 408.039(4)(a) FS. History—New 1-1-77, Amended 11-1-77, 6-5-79, 4-24-80, 2-1-81, 4-1-82, 11-9-82, 2-14-83, 4-7-83, 6-9-83, 6-10-83, 12-12-83, 3-5-84, 5-14-84, 7-16-84, 8-30-84, 10-15-84, 12-25-84, 4-9-85, Formerly 10-5.11, Amended 6-19-86, 11-24-86, 1-25-87, 3-2-87, 3-12-87, 8-11-87, 8-7-88, 8-28-88, 9-12-88, 4-19-89, 10-19-89, 5-30-90, 7-11-90, 8-6-90, 10-10-90, 12-23-90, Formerly 10-5.011(1)(q), 10-5.041, Amended 8-24-93, 2-22-95, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Marisol Fitch

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 26, 2013

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-2.013  
RULE TITLE: Florida Dental Examinations

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for candidates for the dental examination regarding the assessing of patients for suitability as exam patients.

SUMMARY: The requirements will be updated for candidates for the dental examination regarding the assessing of patients for suitability as exam patients.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 456.017(1)(b), 466.004(4), 466.006(5)(a) FS.

LAW IMPLEMENTED: 456.017(1)(b), (2), 466.006(4), 466.006(5)(a), 466.009 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.013 Dental Examination.

Each applicant applying for a Florida dental license is required to complete the examinations as provided for in Section 466.006, F.S. The Florida examinations for dentistry shall consist of a Written Examination, a Practical or Clinical Examination and a Diagnostic Skills Examination. All three examinations will be conducted in English. Applicants for examination or re-examination must have taken and successfully completed Part I and Part II of the National Board of Dental Examiners dental examination.

(1) Practical or Clinical Examination:

(a) through (f) No change.

(g) Candidates for the dental examination may only assess patients for suitability as exam patients at a dental office under the direct supervision of a Florida licensed dentist, or at an accredited dental program under the direct supervision of a program faculty member.

(2) Written Examination:

(a) through (b) No change.

Rulemaking Authority 456.017(1)(b), 466.004(4), 466.006(5)(a) FS. Law Implemented 456.017(1)(b), (2), 466.006(4), 466.006(5)(a), 466.009 FS. History—New 10-8-79, Amended 6-22-80, 12-3-81, 12-6-82, 5-24-83, 12-12-83, 5-2-84, 5-27-84, Formerly 21G-2.13, Amended 12-8-85, 12-31-86, 5-10-87, 10-19-87, 12-10-89, 12-24-91, 2-1-93, Formerly 21G-2.013, 61F5-2.013, Amended 1-9-95, 2-7-96, 7-16-97, Formerly 59Q-2.013, Amended 8-25-98, 3-25-99, 11-15-99, 8-3-05, 7-17-07, 8-1-08, 6-28-09, 8-25-10, 5-8-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-2.0146  
RULE TITLE: Licensure Requirements for Applicants from Non-Accredited Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the licensure requirements for applicants from non-accredited schools or colleges.

SUMMARY: The licensure requirements for applicants from non-accredited schools or colleges will be clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. Specifically, the board determined that any economic impact was a direct result of amendments to the statute being implemented. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 466.004(4), 466.006(3) FS.

LAW IMPLEMENTED: 466.006 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges.

Prior to applying to take the American Dental Licensing Examination (ADLEX), as specified in Rule 64B5-2.013, F.A.C., complete and submit Application for Credentials Review For Graduates From Non-Accredited Dental Colleges or Schools, Form DH-MQA 1254, (10-11), incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02022> or the Department of Health's website at <http://www.doh.state.fl.us/mqa/dentistry>.

(1) No change.

(2) An applicant who otherwise meets the requirements of Section 466.006(3), F.S., and chooses to apply pursuant to Section 466.006(3)(b), F.S., will be required to:

(a) Complete a full-time, matriculated, ~~American Dental Association recognized dental specialty education program accredited by the Commission on Dental Accreditation of the American Dental Association~~ or a Commission on Dental Accreditation of the American Dental Association accredited supplemental general dentistry programs, which provides didactic and clinical education to the level of an accredited D.D.S. or D.M.D. program, ~~either of which has~~ have a duration of at least two consecutive academic years at the sponsoring institution.

(b) through (c) No change.

(3) through (5) No change.

Rulemaking Authority 466.004(4), 466.006(3) FS. Law Implemented 466.006 FS. History—New 10-15-92, Formerly 21G-2.0146, 61F5-2.0146, Amended 9-24-96, Formerly 59Q-2.0146, Amended 8-19-97, 5-20-01, 6-7-05, 12-26-06, 6-30-09, 3-18-12, 12-11-12.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2014  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

**Section III**  
 Notice of Changes, Corrections and Withdrawals

NONE

**Section IV**  
 Emergency Rules

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER15-1  
 RULE TITLE: MONOPOLY MILLIONAIRES' CLUB™ Bonus Drawing

SUMMARY: This emergency rule sets forth the provisions for the MONOPOLY MILLIONAIRES' CLUB™ Bonus Drawing.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

**53ER15-1 MONOPOLY MILLIONAIRES' CLUB™ Bonus Drawing.**

(1) The Florida Lottery will conduct the MONOPOLY MILLIONAIRES' CLUB™ Bonus Drawing ("Bonus Drawing") on January 13, 2015, to distribute the Florida Lottery's portion of the funds remaining in the MONOPOLY MILLIONAIRES' CLUB Top Prize pool after the December 26, 2014, final MONOPOLY MILLIONAIRES' CLUB drawing. All Florida players who enter (or who have already entered) the Webcode on a Florida Lottery MONOPOLY MILLIONAIRES' CLUB ticket at playmmc.com or fl.playmmc.com., during the period of October 19, 2014, through 11:59:59 p.m. ET on January 6, 2015, to earn entries into a MONOPOLY MILLIONAIRES' CLUB (TV Game Show) Second Chance Drawing ("Second Chance Drawing") as further described in Rule 53ER14-67, F.A.C., will automatically be entered into the Bonus Drawing for a chance to win cash prizes. For purposes of this rule, the period of October 19, 2014, through 11:59:59 p.m. ET on January 6, 2015, is hereinafter referred to as the "bonus drawing qualifying period."

(2) Players will receive one entry into the Bonus Drawing for each Webcode entered during the bonus drawing qualifying period.

(3) The prize structure for the Bonus Drawing is set forth in the table below.

Prize Level	Prize	Number of Winners
First Prize	\$100,000	1
Second Prize	\$50,000	5
Third Prize	\$25,000	10
Fourth Prize	\$10,000	20
Fifth Prize	\$5,000	40
Sixth Prize	\$1,000	75
Seventh Prize	\$500	101
	Total	252

(4) The Bonus Drawing will be conducted after the Second Chance Drawing on January 13, 2015. Webcodes associated with the winning entries in the first two Second Chance Drawings will also be included in the Bonus Drawing. In the Bonus Drawing, a total of three hundred fifty-two valid entries will be drawn using a certified random number generation process. The first valid entry drawn will win the first prize of \$100,000. The second through sixth valid entries drawn will each win a second prize of \$50,000. The seventh through sixteenth valid entries drawn will each win a third prize of \$25,000. The seventeenth through thirty-sixth valid entries drawn will each win a fourth prize of \$10,000. The thirty-

seventh through seventy-sixth valid entries drawn will each win a fifth prize of \$5,000. The seventy-seventh through one hundred and fifty-first valid entries drawn will each win a sixth prize of \$1,000. The one hundred fifty-second through two hundred and fifty-second valid entries drawn will each win a seventh prize of \$500. The two hundred and fifty-third through three hundred fifty-second valid entries drawn will serve as alternates and be used in the order in which they were drawn and in the order of need to select an alternate first, second, third, fourth, fifth, six or seventh prize winner in the event a prize cannot be awarded. Players may win more than one prize in the Bonus Drawing. The odds of winning depend on the number of qualifying entries in the Bonus Drawing.

(5) Winner Notification. The Florida Lottery will attempt to notify the first prize winner and each second, third, fourth, fifth, sixth and seventh prize winner no later than twenty-four hours after the winners are posted on the Florida Lottery's website. Notification will be made by telephone, U.S. mail or email using the contact information provided in the winner's registration data. If the Florida Lottery is unable to have personal contact with a prizewinner within two weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the first alternate winner in accordance with subsection (4) above. If the Florida Lottery is unable to have personal contact with the first alternate winner within two weeks of the date of award of the prize, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Florida Lottery is unable to contact an alternate, the prize will not be awarded.

(6) How to Claim a Prize. To claim the first prize or a second, third, fourth, fifth, sixth or seventh prize in the Bonus Drawing, the winner must submit to the Florida Lottery a completed Winner Claim Form DOL 173-2, revised 9/13, or Spanish Winner Claim Form DOL 173-2S, revised 9/13 and a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Forms DOL 173-2 and DOL 173-2S are hereby incorporated by reference and may be obtained at any Florida Lottery office, from the Florida Lottery's website at flalottery.com, or by writing to: Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The required documentation must be received by the Florida Lottery no later than two weeks after the Florida Lottery has made personal contact with the winner.

If the Florida Lottery has not received the required documentation from the first or a second, third, fourth, fifth, sixth or seventh prize winner by the fourteenth day after notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described in subsection (4) above.

(7) Award of First Prize. Upon the Florida Lottery's receipt of the first prize winner's required documentation, the Florida Lottery will award a prize of \$100,000, less applicable federal tax withholding.

(8) Award of Second Prizes. Upon the Florida Lottery's receipt of a second prize winner's required documentation, the Florida Lottery will award a prize of \$50,000, less applicable federal tax withholding.

(9) Award of Third Prizes. Upon the Florida Lottery's receipt of a third prize winner's required documentation, the Florida Lottery will award a prize of \$25,000, less applicable federal tax withholding.

(10) Award of Fourth Prizes. Upon the Florida Lottery's receipt of a fourth prize winner's required documentation, the Florida Lottery will award a prize of \$10,000, less applicable federal tax withholding.

(11) Award of Fifth Prizes. Upon the Florida Lottery's receipt of a fifth prize winner's required documentation, the Florida Lottery will award a prize of \$5,000, less applicable federal tax withholding.

(12) Award of Sixth Prizes. Upon the Florida Lottery's receipt of a sixth prize winner's required documentation, the Florida Lottery will award a prize of \$1,000.

(13) Award of Seventh Prizes. Upon the Florida Lottery's receipt of a seventh prize winner's required documentation, the Florida Lottery will award a prize of \$500.

(14) Taxes. All federal, state and/or local taxes or other fees on the prizes won in the MONOPOLY MILLIONAIRES' CLUB Bonus Drawing will be the responsibility of the winner.

(15) Other Restrictions and Provisions.

(a) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes shall be paid in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(b) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. The Florida Lottery will not enter the Webcode on a ticket received in the mail or return a mailed ticket. MONOPOLY MILLIONAIRES' CLUB tickets should not be mailed to the Florida Lottery unless players are contacted by the Florida Lottery and requested to do so.

(c) If a first, second, third, fourth, fifth or sixth prize winner is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with Section 24.115, Florida Statutes.

(d) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(e) By entering a Webcode to earn entries into a Second Chance Drawing and automatically qualifying for entry into the MONOPOLY MILLIONAIRES' CLUB Bonus Drawing, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(f) The MONOPOLY MILLIONAIRES' CLUB Bonus Drawing shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of the drawing will be available after the drawing on the Florida Lottery's website at flalottery.com.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 1-2-15.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: January 2, 2015

### Section V

#### Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On December 10, 2014 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code from Sanna located in Bay Lake. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and

to collect wastewater at the handwash sink in the second floor bar.

The Petition for this variance was published in Vol. 40, No. 244, F.A.R., on December 18, 2014. The Order for this Petition was signed and approved on December 24, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink in the second floor bar is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-701.500: Landfill Operation Requirements

NOTICE IS HEREBY GIVEN that on December 31, 2014, the Department of Environmental Protection received a petition for variance or waiver from the Lake Worth Drainage District for the Lake Worth Drainage District Class III Vegetative Landfill, Palm Beach County, Florida. The Petitioner requests a waiver from paragraphs 62-701.500(7)(a), (7)(c) and (7)(e), F.A.C., which require that owners and operators of landfills compact the wastes, and meet certain side slope and cover requirements. Any interested person or other agency may submit written comments on the petition with 14 days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard B. Tedder, P.E., Environmental Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.tedder@dep.state.fl.us, (850)245-8735.

### Section VI

#### Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces public meetings to which all persons are invited.

**DATES AND TIMES:** February 3, 2015, 9:00 a.m. – 6:00 p.m.;  
February 4, 2015, 9:00 a.m. – 6:00 p.m.

**PLACE:** Homewood Suites, 2987 Apalachee Parkway,  
Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Florida Rehabilitation Council Quarterly Meeting, General  
Council Business.

February 5, 2015, no meeting is scheduled. Members will travel  
to the Florida Capital to educate and advocate.

A copy of the agenda may be obtained by contacting: Roy  
Cosgrove at (850)245-3317 or at [roy.cosgrove@vr.fldoe.org](mailto:roy.cosgrove@vr.fldoe.org).

Pursuant to the provisions of the Americans with Disabilities  
Act, any person requiring special accommodations to  
participate in this workshop/meeting is asked to advise the  
agency at least 7 days before the workshop/meeting by  
contacting: Roy Cosgrove at (850) 245-3317 or at  
[roy.cosgrove@vr.fldoe.org](mailto:roy.cosgrove@vr.fldoe.org). If you are hearing or speech  
impaired, please contact the agency using the Florida Relay  
Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove at  
(850)245-3317 or at [roy.cosgrove@vr.fldoe.org](mailto:roy.cosgrove@vr.fldoe.org).

---

#### REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The SWFL Regional Planning Council/Legislative Affairs  
Committee announces a public meeting to which all persons are  
invited.

**DATE AND TIME:** January 15, 2015, 8:15 a.m.

**PLACE:** SWFRPC Offices, Second Floor Meeting Room, 1926  
Victoria Avenue, Fort Myers, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The  
SWFRPC Legislative Affairs Committee monthly meeting.

A copy of the agenda may be obtained by contacting: Sean  
McCabe at [smccabe@swfrpc.org](mailto:smccabe@swfrpc.org) or (239)338-2550, ext. 220.

Pursuant to the provisions of the Americans with Disabilities  
Act, any person requiring special accommodations to  
participate in this workshop/meeting is asked to advise the  
agency at least 48 hours before the workshop/meeting by  
contacting: SWFRPC Offices at (239)338-2550. If you are  
hearing or speech impaired, please contact the agency using the  
Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-  
8770 (Voice).

If any person decides to appeal any decision made by the Board  
with respect to any matter considered at this meeting or hearing,  
he/she will need to ensure that a verbatim record of the  
proceeding is made, which record includes the testimony and  
evidence from which the appeal is to be issued.

For more information, you may visit the SWFRPC's website at  
[www.swfrpc.org](http://www.swfrpc.org).

#### REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council announces a  
public meeting to which all persons are invited.

**DATE AND TIME:** January 15, 2015, 9:00 a.m.

**PLACE:** Southwest Florida Regional Planning Council – First  
Floor Conference Room, 1926 Victoria Avenue, Fort Myers

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The  
regular monthly meeting of the SWFRPC.

A copy of the agenda may be obtained by contacting: Nichole  
Gwinnett at [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) or 1(239)338-2550, ext.  
232.

Pursuant to the provisions of the Americans with Disabilities  
Act, any person requiring special accommodations to  
participate in this workshop/meeting is asked to advise the  
agency at least 48 hours before the workshop/meeting by  
contacting: SWFRPC's Offices at (239)338-2550. If you are  
hearing or speech impaired, please contact the agency using the  
Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-  
8770 (Voice).

If any person decides to appeal any decision made by the Board  
with respect to any matter considered at this meeting or hearing,  
he/she will need to ensure that a verbatim record of the  
proceeding is made, which record includes the testimony and  
evidence from which the appeal is to be issued.

For more information, you may visit the SWFRPC's website at  
[www.swfrpc.org/](http://www.swfrpc.org/).

---

#### WATER MANAGEMENT DISTRICTS

The Suwannee River Water Management District announces a  
public meeting to which all persons are invited.

**DATE AND TIME:** January 7, 2015, 9:00 a.m. –  
CANCELLED

**PLACE:** District Headquarters, 9225 CR 49, Live Oak, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This  
is to publish notice of CANCELLATION of the District Lands  
tour scheduled for January 7, 2015.

A copy of the agenda may be obtained by contacting: No  
agenda available.

For more information, you may contact: Edwin McCook,  
[ejm@srwmd.org](mailto:ejm@srwmd.org).

---

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection's Water Quality  
Protection Program Canal Restoration Subcommittee  
announces a public meeting to which all persons are invited.

**DATE AND TIME:** January 16, 2015, 9:00 a.m.

**PLACE:** Marathon Government Center, Board Meeting Room,  
2798 Overseas Highway, Marathon, FL 33050

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To update the members of the Subcommittee and the general public on the progress of ongoing canal water quality restoration projects and to discuss future actions. The meeting is open to the public.

A copy of the agenda may be obtained by contacting: Gus Rios, Environmental Administrator, South District Marathon Office, (305)289-7081, gus.rios@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gus Rios. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gus Rios.

#### BOARD OF GOVERNORS

The Board of Governors, State University System of Florida, announces a workshop to which all persons are invited.

**DATE AND TIME:** January 15, 2015, 9:30 a.m.

**PLACE:** University of Central Florida Center for Emerging Media, 500 West Livingston Street, Orlando, Florida 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board will be briefed on the proposed University of Central Florida Downtown Orlando project and take a bus tour of Downtown Orlando and the proposed site.

A copy of the agenda may be obtained by contacting: Vikki Shirley, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400, and will be available at [www.flbog.edu](http://www.flbog.edu).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Vikki Shirley, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400, (850)245-0466. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Vikki Shirley, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

#### LEON COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Leon County Research and Development Authority announces public meetings to which all persons are invited.

**DATES AND TIMES:** February 5, 2015, April 2, 2015, June 4, 2015, August 6, 2015, October 1, 2015, December 3, 2015, 11:00 a.m.

**PLACE:** Innovation Park, Morgan Building, Room 101, 2035 E. Paul Dirac Drive, Tallahassee, Florida 32310

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of these meetings is to discuss, review, and consider issues relating to the Authority and Innovation Park. All meetings of the Board of Governors of the Authority will be noticed on the Authority's website, <http://lcrda.org/>. Any changes to the aforementioned meeting dates and times will be published on the Authority's website at least three days before the scheduled meeting.

A copy of the agenda may be obtained by contacting: <http://lcrda.org/> or [vstewart@inn-park.com](mailto:vstewart@inn-park.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Vallie Stewart at (850)575-0343 or [vstewart@inn-park.com](mailto:vstewart@inn-park.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Vallie Stewart at (850)575-0343 or [vstewart@inn-park.com](mailto:vstewart@inn-park.com).

#### HENDRY SOIL AND WATER CONSERVATION DISTRICT

The Hendry Soil and Water Conservation District announces public meetings to which all persons are invited.

**DATES AND TIMES:** January 22, February 26, March 26, April 23, May 28, June 25, July 23, August 27, September 24, October 22, 2015 (fourth Thursday of the month), 1:00 p.m.

PLACE: Dallas Townsend Agricultural Building, 1085 Pratt Blvd., LaBelle, FL 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meetings.

A copy of the agenda may be obtained by contacting: Noreen Berden, (863)674-5700, ext. 3.

For more information, you may contact: Noreen Berden, (863)674-5700, ext. 3.

**CLAY SOIL AND WATER CONSERVATION DISTRICT**

The Clay County Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: January 16, 2015, 11:00 a.m.

PLACE: 2463 SR 16 W, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

**QUEST CORPORATION OF AMERICA, INC.**

The Florida Department of Transportation (FDOT) announces workshops to which all persons are invited.

DATES AND TIMES: Tuesday, January 13, 2015, 5:30 p.m. – 7:30 p.m.; Thursday, January 15, 2015, 5:30 p.m. – 7:30 p.m.

PLACE: Tuesday, January 13, 2015: Living Waters Fellowship Church, 4101 Pleasant Hill Road, Kissimmee, Florida 34746; Thursday, January 15, 2015: The Church of St. Luke and St. Peter, 2745 Canoe Creek Road, St. Cloud, Florida 34772

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 433693-1-22-01.

Project Description: Poinciana Parkway Southport Connector Project Development and Environment (PD&E) Study from Pleasant Hill Road to Florida's Turnpike in Osceola County

The study will identify and evaluate transportation alternatives for providing connectivity and reducing congestion in the Poinciana community. The purpose of these workshops is to present a project update to the general public and request comments on the project corridors currently being evaluated. Each workshop will be an informal open house where participants are welcome to attend at any time between 5:30 p.m. and 7:30 p.m. An informational video presentation will run continuously throughout the workshop. The study information provided at both workshop locations will be the same. FDOT welcomes and appreciates everyone's participation in the project.

A copy of the agenda may be obtained by contacting: Amy Sirmans, FDOT Project Manager, by mail: 719 S. Woodland Boulevard, DeLand, Florida 32720 or by email: amy.sirmans@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Eileen LaSeur by phone at (407)883-8257, or by email at eileen.laseur@QCAusa.com.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require translation services, free of charge, should contact: Ms. Eileen LaSeur at the phone number or email address above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Amy Sirmans, FDOT Project Manager, at (386)943-5404 or via email at Amy.Sirmans@dot.state.fl.us.

Additional information on the project is also available on the study website at [www.southportconnector.com](http://www.southportconnector.com).

**Section VII**

**Notice of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Howard J. Perl, Esq., In Re: Hollybrook Golf and Tennis Club Condominium, Inc., Docket No. 2014051933, filed on December 11, 2014. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d)2., Florida Statutes, as it applies to the petitioner.

Whether Hollybrook Golf & Tennis Club Condominium’s bylaw provision requiring unit owners to decide whether to run for the association’s Board as either a “director” or as an “officer” is valid under Section 718.112(2)(d)2., Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danny Brown, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217; (850)717-1486; Daniel.Brown@myfloridalicense.com.

Please refer all comments to: Michael Martinez, Deputy General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

---

**Section VIII**  
**Notice of Petitions and Dispositions**  
**Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

---

Notice of Disposition of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

---

**Section IX**  
**Notice of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

NONE

---

**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

NONE

---

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

NONE

---

**Section XII  
Miscellaneous**

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Certificate of Need**

**Notice of Litigation**

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on December 29, 2014, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Section 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON#	INITIAL	DECISION,	PROJECT,	CTY,
APPLICANT, PARTY REQUEST HEARING (PRH)				
10233	Approval,	to establish a 74-bed child/adolescent psychiatric hospital, Brevard County, Indian River Behavioral Health, LLC, (PRH)	Circles of Care, Inc.	

10233	Approval,	to establish a 74-bed child/adolescent psychiatric hospital, Brevard County, Indian River Behavioral Health, LLC, (PRH)	The Devereux Foundation, Inc.	
10234	Denial,	to establish a 20-bed comprehensive medical rehabilitation unit, Brevard County, North Brevard County Hospital district d/b/a Parrish Medical Center (PRH)	same as applicant	
10234	Denial,	to establish a 20-bed comprehensive medical rehabilitation unit, Brevard County, North Brevard County Hospital district d/b/a Parrish Medical Center, (PRH)	Healthsouth of Sea Pines Limited Partnership d/b/a Healthsouth Sea Pines Rehabilitation Hospital	
10235	Approval,	to establish a 200-bed replacement acute care hospital, Broward County, Plantation General Hospital Limited Partnership d/b/a Plantation General Hospital, (PRH)	Cleveland Clinic Florida Health System Nonprofit Corporation d/b/a Cleveland Clinic Hospital	
10235	Approval,	to establish a 200-bed replacement acute care hospital, Broward County, Plantation General Hospital Limited Partnership d/b/a Plantation General Hospital, (PRH)	South Broward Hospital District d/b/a Memorial Healthcare System	

---

**Section XIII  
Index to Rules Filed During Preceding  
Week**

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

---

## Bist, Kevin

---

**From:** Scott <scott@skdgrp.com>  
**Sent:** Friday, January 09, 2015 3:23 PM  
**To:** Nelson, Patricia A  
**Subject:** FW: Request to be on Rule Negotiating Committee

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Pattie, please see the below request from Robert (Bob) Wallace to be a nursery representative for the Rule Negotiating Committee. His BIO and background information is also below. I am sure the Compassionate Use activity is running more smoothly now that you are on board and leading the effort. I look forward to working with you as we move forward. Please let Bob or me know if you need additional information. Thanks. Scott Dick

Scott Dick  
SKD Consulting Group, Inc.  
210 South Monroe Street  
Tallahassee, FL 32301  
O: 850-421-9100 C: 850-545-4526



---

**From:** Robert Wallace [<mailto:chnuts@gmail.com>]  
**Sent:** Friday, January 9, 2015 1:48 PM  
**To:** Scott  
**Subject:** Request to be on Rule Negotiating Committee

Scott - please advise Pattie Nelson from DOH that I would like to be the Nursery representative for the SB 1030 Rule-negotiating committee. I have included a brief bio below that states my qualifications.

Thank you, and please have Ms. Nelson ask if she needs any additional information from me.

Robert D. Wallace

President

Chestnut Hill Tree Farm

15105 NW 94 Ave

Alachua FL 32615

352-219-5825

Wallace is the grandson of noted plant breeder Dr. Robert T. Dunstan, and son of Dr. A.T. Wallace, plant geneticist and former Dean for Research at the University of Florida College of Agriculture. Wallace founded Chestnut Hill Tree Farm in 1981 after graduation from UF with an interdisciplinary degree in Zoology, Botany and Wildlife Biology. Wallace is one of the leaders in the development of the US chestnut industry, and is a founder and board member of the Chestnut Growers of America. Wallace wrote and received the only U.S. Plant Patents ever given to chestnut tree varieties, and has been growing edible nut and fruit trees and plants for over 33 years.

Chestnut Hill Tree Farm is a 200 acre wholesale and retail nursery operation in Alachua, FL near Gainesville. It is one of the largest growers of edible fruit trees in Florida, and sells trees all over the eastern U.S. In 2011 Wallace formed Chestnut Hill Outdoors, to make the Dunstan Chestnut™, the best tree for attracting deer and wildlife, available to the hunting industry. Wallace also manufactures Chestnut Magic™ the first chestnut based attractant for the hunting market, which is sold at Walmart and other major retailers across the nation. Wallace is also a vendor to Whole Food Market for chestnut food products.

Chestnut Hill Tree Farm is one of the 6 qualified nursery operations for SB 1030 in the NE Florida region. Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

*Bob*

R.D. Wallace  
Chestnut Hill Tree Farm  
15105 NW 94 Ave  
Alachua, FL 32615  
352-219-5825

## Bist, Kevin

---

**From:** Nelson, Patricia A  
**Sent:** Friday, January 09, 2015 3:32 PM  
**To:** scott@skdgrp.com  
**Subject:** RE: Request to be on Rule Negotiating Committee

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Scott,

Thank you for your kind words. I am very optimistic about moving this forward.

Will you ask Mr. Wallace to tell me a little bit more about this, if he can:

Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

Obviously, sometime next week is fine.

Thank you!  
Patty

---

**From:** Scott [mailto:scott@skdgrp.com]  
**Sent:** Friday, January 09, 2015 3:23 PM  
**To:** Nelson, Patricia A  
**Subject:** FW: Request to be on Rule Negotiating Committee

Pattie, please see the below request from Robert (Bob) Wallace to be a nursery representative for the Rule Negotiating Committee. His BIO and background information is also below. I am sure the Compassionate Use activity is running more smoothly now that you are on board and leading the effort. I look forward to working with you as we move forward. Please let Bob or me know if you need additional information. Thanks. Scott Dick

Scott Dick  
SKD Consulting Group, Inc.  
210 South Monroe Street  
Tallahassee, FL 32301  
O: 850-421-9100 C: 850-545-4526



---

**From:** Robert Wallace [mailto:chnuts@gmail.com]  
**Sent:** Friday, January 9, 2015 1:48 PM

**To:** Scott

**Subject:** Request to be on Rule Negotiating Committee

Scott - please advise Pattie Nelson from DOH that I would like to be the Nursery representative for the SB 1030 Rule-negotiating committee. I have included a brief bio below that states my qualifications.

Thank you, and please have Ms. Nelson ask if she needs any additional information from me.

Robert D. Wallace

President

Chestnut Hill Tree Farm

15105 NW 94 Ave

Alachua FL 32615

352-219-5825

Wallace is the grandson of noted plant breeder Dr. Robert T. Dunstan, and son of Dr. A.T. Wallace, plant geneticist and former Dean for Research at the University of Florida College of Agriculture. Wallace founded Chestnut Hill Tree Farm in 1981 after graduation from UF with an interdisciplinary degree in Zoology, Botany and Wildlife Biology. Wallace is one of the leaders in the development of the US chestnut industry, and is a founder and board member of the Chestnut Growers of America. Wallace wrote and received the only U.S. Plant Patents ever given to chestnut tree varieties, and has been growing edible nut and fruit trees and plants for over 33 years.

Chestnut Hill Tree Farm is a 200 acre wholesale and retail nursery operation in Alachua, FL near Gainesville. It is one of the largest growers of edible fruit trees in Florida, and sells trees all over the eastern U.S. In 2011 Wallace formed Chestnut Hill Outdoors, to make the Dunstan Chestnut™, the best tree for attracting deer and wildlife, available to the hunting industry. Wallace also manufactures Chestnut Magic™ the first chestnut based attractant for the hunting market, which is sold at Walmart and other major retailers across the nation. Wallace is also a vendor to Whole Food Market for chestnut food products.

Chestnut Hill Tree Farm is one of the 6 qualified nursery operations for SB 1030 in the NE Florida region. Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

*Bob*

R.D. Wallace  
Chestnut Hill Tree Farm  
15105 NW 94 Ave  
Alachua, FL 32615  
352-219-5825

## Bist, Kevin

---

**From:** Nelson, Patricia A  
**Sent:** Friday, January 09, 2015 3:33 PM  
**To:** Bist, Kevin  
**Subject:** FW: Request to be on Rule Negotiating Committee

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thought you might find the last paragraph of this interesting (I highlighted it).

---

**From:** Scott [<mailto:scott@skdgrp.com>]  
**Sent:** Friday, January 09, 2015 3:23 PM  
**To:** Nelson, Patricia A  
**Subject:** FW: Request to be on Rule Negotiating Committee

Pattie, please see the below request from Robert (Bob) Wallace to be a nursery representative for the Rule Negotiating Committee. His BIO and background information is also below. I am sure the Compassionate Use activity is running more smoothly now that you are on board and leading the effort. I look forward to working with you as we move forward. Please let Bob or me know if you need additional information. Thanks. Scott Dick

Scott Dick  
SKD Consulting Group, Inc.  
210 South Monroe Street  
Tallahassee, FL 32301  
O: 850-421-9100 C: 850-545-4526



---

**From:** Robert Wallace [<mailto:chnuts@gmail.com>]  
**Sent:** Friday, January 9, 2015 1:48 PM  
**To:** Scott  
**Subject:** Request to be on Rule Negotiating Committee

Scott - please advise Pattie Nelson from DOH that I would like to be the Nursery representative for the SB 1030 Rule-negotiating committee. I have included a brief bio below that states my qualifications.

Thank you, and please have Ms. Nelson ask if she needs any additional information from me.

Robert D. Wallace

President

Chestnut Hill Tree Farm

15105 NW 94 Ave

Alachua FL 32615

352-219-5825

Wallace is the grandson of noted plant breeder Dr. Robert T. Dunstan, and son of Dr. A.T. Wallace, plant geneticist and former Dean for Research at the University of Florida College of Agriculture. Wallace founded Chestnut Hill Tree Farm in 1981 after graduation from UF with an interdisciplinary degree in Zoology, Botany and Wildlife Biology. Wallace is one of the leaders in the development of the US chestnut industry, and is a founder and board member of the Chestnut Growers of America. Wallace wrote and received the only U.S. Plant Patents ever given to chestnut tree varieties, and has been growing edible nut and fruit trees and plants for over 33 years.

Chestnut Hill Tree Farm is a 200 acre wholesale and retail nursery operation in Alachua, FL near Gainesville. It is one of the largest growers of edible fruit trees in Florida, and sells trees all over the eastern U.S. In 2011 Wallace formed Chestnut Hill Outdoors, to make the Dunstan Chestnut™, the best tree for attracting deer and wildlife, available to the hunting industry. Wallace also manufactures Chestnut Magic™ the first chestnut based attractant for the hunting market, which is sold at Walmart and other major retailers across the nation. Wallace is also a vendor to Whole Food Market for chestnut food products.

Chestnut Hill Tree Farm is one of the 6 qualified nursery operations for SB 1030 in the NE Florida region. Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

*Bob*

R.D. Wallace  
Chestnut Hill Tree Farm  
15105 NW 94 Ave  
Alachua, FL 32615  
352-219-5825

## Bist, Kevin

---

**From:** Scott <[scott@skdgrp.com](mailto:scott@skdgrp.com)>  
**Sent:** Friday, January 09, 2015 3:40 PM  
**To:** Nelson, Patricia A  
**Subject:** RE: Request to be on Rule Negotiating Committee

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Pattie, Mr. Wallace is out of the state until Monday or Tuesday of next week. I will have him get with you either Monday or Tuesday of next week. Thanks. Have a great weekend. Scott

Scott Dick  
SKD Consulting Group, Inc.  
210 South Monroe Street  
Tallahassee, FL 32301  
O: 850-421-9100 C: 850-545-4526



---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Friday, January 9, 2015 3:32 PM  
**To:** Scott  
**Subject:** RE: Request to be on Rule Negotiating Committee

Scott,

Thank you for your kind words. I am very optimistic about moving this forward.

Will you ask Mr. Wallace to tell me a little bit more about this, if he can:

Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

Obviously, sometime next week is fine.

Thank you!  
Patty

---

**From:** Scott [<mailto:scott@skdgrp.com>]  
**Sent:** Friday, January 09, 2015 3:23 PM

**To:** Nelson, Patricia A

**Subject:** FW: Request to be on Rule Negotiating Committee

Pattie, please see the below request from Robert (Bob) Wallace to be a nursery representative for the Rule Negotiating Committee. His BIO and background information is also below. I am sure the Compassionate Use activity is running more smoothly now that you are on board and leading the effort. I look forward to working with you as we move forward. Please let Bob or me know if you need additional information. Thanks. Scott Dick

Scott Dick

SKD Consulting Group, Inc.

210 South Monroe Street

Tallahassee, FL 32301

O: 850-421-9100 C: 850-545-4526



---

**From:** Robert Wallace [<mailto:chnuts@gmail.com>]

**Sent:** Friday, January 9, 2015 1:48 PM

**To:** Scott

**Subject:** Request to be on Rule Negotiating Committee

Scott - please advise Pattie Nelson from DOH that I would like to be the Nursery representative for the SB 1030 Rule-negotiating committee. I have included a brief bio below that states my qualifications.

Thank you, and please have Ms. Nelson ask if she needs any additional information from me.

Robert D. Wallace

President

Chestnut Hill Tree Farm

15105 NW 94 Ave

Alachua FL 32615

352-219-5825

Wallace is the grandson of noted plant breeder Dr. Robert T. Dunstan, and son of Dr. A.T. Wallace, plant geneticist and former Dean for Research at the University of Florida College of Agriculture. Wallace founded Chestnut Hill Tree Farm in 1981 after graduation from UF with an interdisciplinary degree in Zoology, Botany and Wildlife Biology. Wallace is one of the leaders in the development of the US chestnut industry, and is a founder and board member of the Chestnut Growers of America. Wallace wrote and received the only U.S. Plant Patents ever given to chestnut tree varieties, and has been growing edible nut and fruit trees and plants for over 33 years.

Chestnut Hill Tree Farm is a 200 acre wholesale and retail nursery operation in Alachua, FL near Gainesville. It is one of the largest growers of edible fruit trees in Florida, and sells trees all over the eastern U.S. In 2011 Wallace formed Chestnut Hill Outdoors, to make the Dunstan Chestnut™, the best tree for attracting deer and wildlife, available to the hunting industry. Wallace also manufactures Chestnut Magic™ the first chestnut based attractant for the hunting market, which is sold at Walmart and other major retailers across the nation. Wallace is also a vendor to Whole Food Market for chestnut food products.

Chestnut Hill Tree Farm is one of the 6 qualified nursery operations for SB 1030 in the NE Florida region. Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

*Bob*

R.D. Wallace  
Chestnut Hill Tree Farm  
15105 NW 94 Ave  
Alachua, FL 32615  
352-219-5825

**Bist, Kevin**

---

**From:** Greg Gamet <greg@denverconsultinggroup.com>  
**Sent:** Friday, January 09, 2015 3:58 PM  
**To:** Nelson, Patricia A  
**Subject:** My info

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Nelson,

I would like to submit my application to serve on the panel. As an owner of a Marijuana Consulting company in Colorado, I am very familiar with regulatory process, applications, and requirements.

Additionally, as an owner of a child safe packaging supplier, I can offer great insight into how these concerns factor into our industry.

And as a medical marijuana grower and dispensary owner, I can offer true day-to-day insight on best management practices and how they relate to regulations.

I do not have or represent any financial interests in Florida. I am willing to serve and to negotiate in good faith and to attend the hearings on February 4-5 in Tallahassee.

My resume and other information are attached below.

Please confirm your receipt of this correspondence.

Thank you.

Greg Gamet | Kush Bottles Colorado | Partner  
***Child Resistant. CPSC/ASTM approved. Made in USA.***  
3831 Eudora Way Denver, Co 80207  
[Greg.gamet@kb-colorado.com](mailto:Greg.gamet@kb-colorado.com) | 720-352-2380

**Bist, Kevin**

---

**From:** Pat Shaver <pat@himexperts.com>  
**Sent:** Friday, January 09, 2015 3:59 PM  
**To:** Nelson, Patricia A  
**Subject:** Request to Participate as a Member on the Rule Making Committee, Feb 4,5, 2015  
**Attachments:** Letter to Patricia Nelson, Dept of Health.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please see attached letter from Dr Todd Husty.  
Thank you for your consideration.

**(Mrs) Pat (Shaver) Price**  
**Administrative Assistant to Todd M Husty, DO**  
**President/CEO: Todd M Husty, DO PA,**  
**TMH Medical Services, LLC, and MARS**  
**3040 S Tuskawilla Rd**  
**Oviedo, FL 32765**

[pat@himexperts.com](mailto:pat@himexperts.com)

**(407) 679-6794 - office**  
**(407) 679-3554 - fax**

***Todd M. Husty, D.O., P.A.***

3040 S. Tuskawilla Road

Oviedo, FL 32765

Phone (407)679-6794

Fax (407)679-3554

---

January 9, 2015

Ms. Patricia Nelson  
Department of Health

Dear Ms. Nelson,

I would like to participate as a negotiated rule making committee member for the upcoming meeting February 4 and 5 in Tallahassee in reference to 64-4, Florida Administrative Code as a physician representative. I am a licensed DO in the state of Florida and am board certified by the American College of Emergency Physicians a MD organization. Therefore I am in touch with both the DOs and MDs in the state of Florida. I have read the Statute and had multiple discussions about the requirements both with my colleagues, growers, and other interested parties. I have not yet taken the three hour medical director or ten hour practitioner course. I have been waiting for the final rules and regulations to be promulgated. I do not represent any other organization although I have talked with more than one organization about being a medical director under this statute. I have no signed contracts or even a negotiated involvement. It has been discussion only.

I believed that I have some qualifications that would be useful for the committee. I have seen positive effects from cannabis from my first wife when she received chemotherapy. As an ER physician, I have seen the deleterious effect of drugs also. I have concerns but also an open mind.

I have started and been CEO of multiple small companies. Currently I am CEO of three companies, all medically related. I have proven that I can operate successful businesses with a focus on exceptional patient care. I have had a long track record of making decisions in support of patient care and patient safety. Importantly, I have learned to negotiate compromises in business without compromising patient care.

I do not need a paid position involved with medical marijuana or any other new endeavor to complete my financial planning. My interest is to support physician concerns while trying to provide for the compassionate and safe use of a medicinal substance. I understand the controversies and concerns of many of the interests that are represented on the committee.

Lastly, I spend 14 years as a medical reporter with the NBC affiliate in Orlando, I am well known for providing clear and accurate information. But most importantly, my opinions are still viewed by many and therefore I must be as fair and accurate as possible. I do not take the

responsibility lightly. I no longer am a medical reporter and have not discussed being on the committee with any member of the news media.

It is my hope that you are still looking for someone who is well rounded and, I hope, well respected in the medical community and will consider my request to be on the committee. I understand when the meetings are scheduled and can attend. I will negotiate in good faith. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd M. Husty". The signature is fluid and cursive, with a prominent initial "T" and "H".

Todd M Husty, DO, FACEP

## Bist, Kevin

---

**From:** Nelson, Patricia A  
**Sent:** Friday, January 09, 2015 4:01 PM  
**To:** 'Greg Gamet'  
**Subject:** RE: My info

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thank you, Mr. Gamet. We will let you know if we need any further information.

Patricia Nelson  
Director  
Office of Compassionate Use  
Florida Department of Health

---

**From:** Greg Gamet [<mailto:greg@denverconsultinggroup.com>]  
**Sent:** Friday, January 09, 2015 3:58 PM  
**To:** Nelson, Patricia A  
**Subject:** My info

Ms. Nelson,

I would like to submit my application to serve on the panel. As an owner of a Marijuana Consulting company in Colorado, I am very familiar with regulatory process, applications, and requirements.

Additionally, as an owner of a child safe packaging supplier, I can offer great insight into how these concerns factor into our industry.

And as a medical marijuana grower and dispensary owner, I can offer true day-to-day insight on best management practices and how they relate to regulations.

I do not have or represent any financial interests in Florida. I am willing to serve and to negotiate in good faith and to attend the hearings on February 4-5 in Tallahassee.

My resume and other information are attached below.

Please confirm your receipt of this correspondence.

Thank you.

Greg Gamet | Kush Bottles Colorado | Partner  
***Child Resistant. CPSC/ASTM approved. Made in USA.***  
3831 Eudora Way Denver, Co 80207  
[Greg.gamet@kb-colorado.com](mailto:Greg.gamet@kb-colorado.com) | 720-352-2380

**Bist, Kevin**

---

**From:** Watson.Strategies <watson.strategies@comcast.net>  
**Sent:** Friday, January 09, 2015 4:02 PM  
**To:** Nelson, Patricia A  
**Cc:** Watson.strategies@comcast.net  
**Subject:** Physician for committee  
**Attachments:** 2014 Nesselte CV.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Patty:

I think Dr. Nesselte would be a valuable addition to the rule making committee.  
His CV is attached.

Hope you and yours are well.  
Have a wonderful weekend!

Ron Watson, President  
Watson Strategies  
(850) 567-1202





*Matthew B.R. Nessetti M.D., Ph.D.*

8209 Natures Way, Suite 115-117, Lakewood Ranch, Florida 34202

Phone: 941-388-8997

[drmatt@allcaremedicalcenters.com](mailto:drmatt@allcaremedicalcenters.com)

**Employment**

**Current Employment:** Medical Director/CEO – AllCare Medical Centers. P.C.  
Responsibilities: Administration/Budget/Clinical Protocols/Medicine/Psychology/Psychopharmacology  
Location: 8209 Natures Way (San Marco Plaza)  
Suites 115 – 117  
Lakewood Ranch, FL 34211  
Phone: 941-388-8997  
Web: [www.allcaremedicalcenters.com](http://www.allcaremedicalcenters.com)

Medical Director – Hawthorne Village of Sarasota - Sarasota, Florida

Medical Director – Senior Home Care – Sarasota, Florida

**Past Employment:**

1994 – 2011 – Medical Director/Physician/Psychologist  
Nebraska Comprehensive Health Care/Nebraska Mental Health Centers – Multidisciplinary multi-site integrated primary care facility with it main clinic in Lincoln, Nebraska and ancillary offices in Fremont, Nebraska and Beatrice, Nebraska. Services provided in clinic, hospitals, skilled nursing facilities, assisted living facilities, and substance abuse treatment centers.

**Education**

- |   |  |                         |
|---|--|-------------------------|
| 1) Surgical OB-GYN/Maternal Child Health Fellow - NCHC - Lincoln, NE 68526            | Fellow – Surgical OB-GYN/Maternal Child Health (ABFMO)     | (9/1/2009-8/31/2010)    |
| 2) Creighton University Medical Center 601 North 30 <sup>th</sup> St. Omaha, NE 68131 | Resident Physician in Family Medicine (ACGME)              | (1/1/2007 - 8/31/2009)  |
| 2) University of Iowa Hospitals and Clinics 200 Hawkins Dr. Iowa City, IA 52242       | Resident Physician in Family Medicine (ACGME)              | (7/1/2006 - 10/31/2006) |
| 3) International University of the Health Sciences                                    | Doctor of Medicine (M.D.)                                  | (2004)                  |
| 4) American Psychological Association   | Fellow   | (2004)                  |
| 5) National Academies of Practice   | Elected Distinguished Member                               | (1999)                  |
| 6) American Board of Medical Psychology   | Board Certified in Medical Psychology & Psychopharmacology | (1999)                  |
| 7) Comprehensive Psychological Services   | Residency in Family/Clinical Psychology                    | (1994)                  |
| 8) VAMC Tempe, AZ.  | Internship in Clinical Psychology/Neuropsychology          | (1993)                  |
| 9) University of Nebraska 501 North 14 <sup>th</sup> St. Lincoln, NE 68583            | Doctor of Philosophy in Psychology (Ph.D.)                 | (1993)                  |



**2008 - Modified Uterine Transplant Procedure in the Sheep Model.** Edwin R. Ramirez, M.D., Hugo A. Ramirez, M.D., Matthew B.R. Nessetti, M.D., Ph.D., Vincent T. Pillari, M.D., Masood Khatamee, M.D., Ph.D. — Second Prize - Jerome J. Hoffman” competition for the 37<sup>th</sup> Global Congress of Minimally Invasive Gynecology

Writings: **Comprehensive Integrated Family Medicine. Medicine, Psychology & Psychopharmacology: An Era of Integrated Health Care for the Family** (In Progress)

Book: *Quick Clinical Consult* (Managing Editor)

Founding & Managing Editor - *The Journal of the Academy of Medical Psychology* (e-journal)

Guest/Interviewee for KLIN/KGIN (Ch 11) and KOLN (Ch 8) television and KFRX radio (106.3)

**2008 – Journal Club – “Does Low Dose Aspirin Reduce Preeclampsia and Other Maternal-Fetal Complications?”** Creighton University Medical Center

**2008 — “Family Medicine: THE Model for the Integrated Assessment and Treatment of Chronic Pain.”** Presentation given at the 60<sup>th</sup> Annual Meeting of the Nebraska Academy of Family Physicians

**2008 – Essentials in Pain Scholarship Awardee** – awarded scholarship to attend the training in Essentials in Pain Medicine training and American Association of Pain Medicine Conference in Orlando, Florida.

**2006: (September):** Morbidity and Mortality on Inpatient Medicine. University of Iowa Hospitals and Clinics.

**2006: (August):** The Integrated Treatment of Alcoholism. University of Iowa Hospitals and Clinics.

**2006: (July):** The Management of Hypertension. University of Iowa Hospitals and Clinics.

### Professional Memberships

National Academies of Practice—Psychology—Distinguished Member

American Association of Clinical Psychopharmacologists

American Psychological Association - Fellow (2004) Member (1989)

The Association of Directors of Psychology Training Clinics (ADTPC) an organization affiliated with the American Psychological Association

Nebraska Psychological Association

National Register of Health Service Providers In Psychology

Academy of Medical Psychology (Past President)

American Board of Medical Psychology (Past Board Member)

American Academy of Family Physicians

American Board of Family Medicine

American Medical Association

Nebraska Academy of Family Physicians

Nebraska Medical Association

American Academy of Pain Medicine

American Society of Addiction Medicine

Lancaster County Medical Society

### Licenses and Board Certifications:

American Board of Family Medicine (ABFM)	Active	#138126
American Board of Medical Psychology (ABMP)	Active	#1
National Register of Health Service Providers in Psychology	Active	#43526
Florida Medical License	Active	#ME103524
Florida Psychology License	Active	#PY7989
Nebraska Medical Licensure	Inactive	# 5539
Nebraska Psychology License	Inactive	#365
Iowa Medical Licensure	Inactive	#38081

**Professional Interests**

Healthcare Advocacy

Primary Care Family Medicine

Surgical Obstetrics and Gynecology, Women's Health, Maternal/Child Health

The Integration of Medicine and Psychology at the Primary Care Level

Establishment of Medical Homes – Patient Advocacy

Outpatient Procedural Medicine in Family Medicine

**Certifications:**

Advanced Life Support for Obstetrics (ALSO) – Instructor

Neonatal Resuscitation Program (NRP) – Instructor

Pediatric Advanced Life Support (PALS)

Basic Life Support (BLS)

Advanced Cardiac Life Support (ACLS)

**Language:**

English and Spanish.

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Friday, January 09, 2015 4:05 PM  
**To:** Watson.strategies@comcast.net  
**Subject:** RE: Physician for committee

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Do you know if he has any experience recommending cannabis for patients?

---

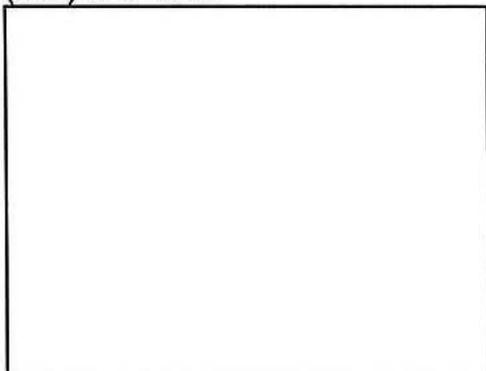
**From:** Watson.Strategies [<mailto:watson.strategies@comcast.net>]  
**Sent:** Friday, January 09, 2015 4:02 PM  
**To:** Nelson, Patricia A  
**Cc:** [Watson.strategies@comcast.net](mailto:Watson.strategies@comcast.net)  
**Subject:** Physician for committee

Patty:

I think Dr. Nesselletti would be a valuable addition to the rule making committee.  
His CV is attached.

Hope you and yours are well.  
Have a wonderful weekend!

Ron Watson, President  
Watson Strategies  
(850) 567-1202



## Bist, Kevin

---

**From:** david.roberts@akerman.com  
**Sent:** Friday, January 09, 2015 4:11 PM  
**To:** Nelson, Patricia A  
**Cc:** kevin2476@gmail.com  
**Subject:** Applicant for the Negotiated Rulemaking Committee  
**Attachments:** CV advisory group florida 1030.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Patty – I have attached the CV for Kevin Fisher who is the owner and operator of Rocky Mountain Remedies, the first medical marijuana dispensary in Northwest Colorado, which opened in August 2009. Kevin is very experienced and knowledgeable in the cultivation and dispensing of medical marijuana and has also worked very closely with local and state officials in establishing the legislative and regulatory framework for the medical marijuana industry in Colorado. Here is a link to Rocky Mountain Remedies website:  
<http://rmmmmj.com/>

Kevin is very interested in serving on the Negotiated Rulemaking Committee to help develop the rules for the dispensing of the low-THC cannabis ("Charlotte's Web") and he is available to attend the workshop in Tallahassee on February 4<sup>th</sup> and 5<sup>th</sup>.

We would appreciate the Florida Department of Health and your consideration of Kevin Fisher for the Negotiated Rulemaking Committee. Please let me know if you have any questions.

Thank you,

Dave Roberts

**David J. Roberts**  
Public Policy Advisor  
Akerman LLP | Suite 1200 | 106 East College Avenue | Tallahassee, FL 32301  
Dir: 850.521.8009 | Main: 850.224.9634 | Cell: 850.443.4820 | Fax: 850.325.2548  
[david.roberts@akerman.com](mailto:david.roberts@akerman.com)



**CONFIDENTIALITY NOTE:** The information contained in this transmission may be privileged and confidential, and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please immediately reply to the sender that you have received this communication in error and then delete it. Thank you.

# Kevin Fisher



2750 Downhill Plaza #205 • Steamboat Springs, CO 80487 • Phone: (970) 846-1081 • E-Mail: kevin@rockymountainremedies.com

## Objective

To provide practical manufacturing knowledge and policy-making expertise in the drafting of rules associated with SB1030

## Experience

Owner/Operator RK Enterprises, Ltd.

08/2009 - Present

- Type 3 (largest category w/ less than 5% of those operating qualifying as such) medical marijuana dispensary
- Type 3 recreational dispensary
- Medical/recreational infused products manufacturer
- Medical/recreational cultivation operations
- These facilities lease 20,000sq feet of space
- Employ approximately 50 individuals
- Serve thousands of patients and customers
- Distribute infused products to over 100 centers
- Cultivate CBD-heavy strains including WZ-CBD which exhibits a 30-1 CBD to THC ratio
- 16 total marijuana licenses held by RK Enterprises, Ltd.

Owner/Operator Fisher Properties, Ltd.

2014 - Present

FPL provides intellectual property for the marijuana industry including:

- Branded products- RemPen, RemPen Slim, Loose Juice, WonderWax, Steamboat Shatter
- Production techniques, and proprietary genetics
- FPL also offers comprehensive expertise in the management, licensing, and growth of marijuana enterprises

Board Chair, Marijuana Industry Group

Board Member, 2011 - 2014

- Worked with government officials and industry stakeholders to develop the legislative framework for Colorado's medical and adult-use marijuana model
- Designed a reasonable and workable model for industry advertising standards now implemented in the City of Denver
- Guided MMIG's participation in past and present rulemaking sessions for HB 10-1284 and 1043

## Previous Work Group Positions

- Record Keeping, Enforcement, and Discipline Working Group
  - Developed recommendations and proposed statutory rules for the implementation of Amendment 64
- Consumer Safety/Social Issues Workgroup
  - Developed recommendations for the implementation of Amendment 64, including personally authoring segments on product packaging, product testing, and potency limitations



## Skills

Medicinal cannabis legalization and its associated retail sale presents a new frontier with a unique set of pitfalls and opportunities for the patients, citizens, industry participants, and governments of Florida. My background in medical and recreational marijuana is one of success derived through hard work, thoughtful decision-making, and the co-operative acknowledgement of community and lawmaker concerns regarding this sometimes-controversial substance. My experience in both the front and back-ends of commercial cannabis sale as well as my continued involvement local, state, and federal politics would help provide this advisory group with the perspective and benchmarking needed to responsibly implement SB1030.

**Bist, Kevin**

---

**From:** Watson.Strategies <watson.strategies@comcast.net>  
**Sent:** Friday, January 09, 2015 4:12 PM  
**To:** Nelson, Patricia A  
**Cc:** Watson.strategies@comcast.net  
**Subject:** Re: Physician for committee

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Can any Florida licensed physician legally answer that? Unless licensed in other legal states, I guess. I will ask, but pretty sure the answer is no. He does have extensive knowledge and wants to be a Medical Director though.

---

**From:** "Patricia A Nelson"  
**To:** "Watson strategies"  
**Sent:** Friday, January 9, 2015 4:04:36 PM  
**Subject:** RE: Physician for committee

Do you know if he has any experience recommending cannabis for patients?

---

**From:** Watson.Strategies [<mailto:watson.strategies@comcast.net>]  
**Sent:** Friday, January 09, 2015 4:02 PM  
**To:** Nelson, Patricia A  
**Cc:** [Watson.strategies@comcast.net](mailto:Watson.strategies@comcast.net)  
**Subject:** Physician for committee

Patty:

I think Dr. Nessetti would be a valuable addition to the rule making committee.

His CV is attached.

Hope you and yours are well.

Have a wonderful weekend!

Ron Watson, President

Watson Strategies

(850) 567-1202



**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Friday, January 09, 2015 4:14 PM  
**To:** Watson.strategies@comcast.net  
**Subject:** RE: Physician for committee

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I know that is a difficult question. Thank you for asking.

He can call me if he wants.

---

**From:** Watson.Strategies [mailto:watson.strategies@comcast.net]  
**Sent:** Friday, January 09, 2015 4:12 PM  
**To:** Nelson, Patricia A  
**Cc:** [Watson.strategies@comcast.net](mailto:Watson.strategies@comcast.net)  
**Subject:** Re: Physician for committee

Can any Florida licensed physician legally answer that? Unless licensed in other legal states, I guess. I will ask, but pretty sure the answer is no. He does have extensive knowledge and wants to be a Medical Director though.

---

**From:** "Patricia A Nelson" <Patricia.Nelson@flhealth.gov>  
**To:** "Watson strategies" <[Watson.strategies@comcast.net](mailto:Watson.strategies@comcast.net)>  
**Sent:** Friday, January 9, 2015 4:04:36 PM  
**Subject:** RE: Physician for committee

Do you know if he has any experience recommending cannabis for patients?

---

**From:** Watson.Strategies [mailto:watson.strategies@comcast.net]  
**Sent:** Friday, January 09, 2015 4:02 PM  
**To:** Nelson, Patricia A  
**Cc:** [Watson.strategies@comcast.net](mailto:Watson.strategies@comcast.net)  
**Subject:** Physician for committee

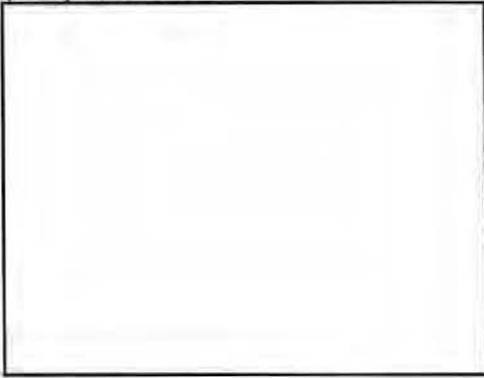
Patty:

I think Dr. Nessetti would be a valuable addition to the rule making committee. His CV is attached.

Hope you and yours are well.  
Have a wonderful weekend!

Ron Watson, President  
Watson Strategies

(850) 567-1202



**Bist, Kevin**

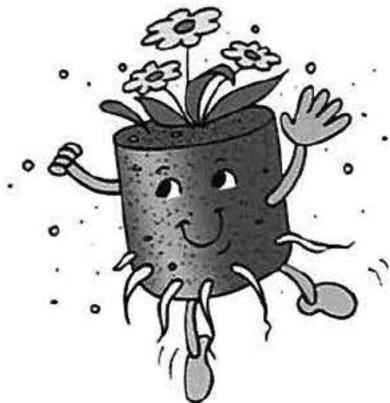
---

**From:** Bruce Knox <bruce@knoxnursery.com>  
**Sent:** Friday, January 09, 2015 4:22 PM  
**To:** Nelson, Patricia A  
**Subject:** RE: Low-THC Cannabis Rulemaking  
**Attachments:** 20150109161434013.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Nelson,  
I am sorry to be sending this in so late on Friday but please accept the attached letter asking to be part of the negotiated rules making committee.  
Have a great weekend!

Thanks for your business,  
Bruce Knox  
407-948-9618



---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Monday, January 05, 2015 5:11 PM  
**To:** DL 64-4 Interested Parties; Dunn, Nathan P  
**Subject:** Low-THC Cannabis Rulemaking

Dear Interested Parties,

Please see the attached Notice of Negotiated Rulemaking (on page 1 of the attached document) scheduled for February 4 and 5, 2015, in Tallahassee.

Sincerely,  
Patty

Patricia Nelson  
Director  
Office of Compassionate Use

SINCE 1962

# Knox Nursery Inc.

THE BEDDING PLANT SPECIALISTS

January 7, 2015

Patricia Nelson, Director

Office of Compassionate Use

Florida Department of Health

2585 Merchants Row Boulevard

Tallahassee, FL 32399

Dear Ms. Nelson:

First and foremost, I want to thank you for your efforts in creating the rules for implementation of Senate Bill 1030 passed during the 2014 Legislative Session.

I understand and appreciate your intent to create a Negotiating Committee for the purpose of expediting the development of the ultimate rules. In that regard, I would like to submit my name for your consideration for this committee.

Knox Nursery, headquartered in Winter Garden, was founded in 1962 by my parents and the business has grown to be one of the Top 100 Greenhouse Growers in the USA. We currently have 750,000 square feet in production space. We primarily grow annual young plants. The growing of young plant annuals is highly specialized as the root mass is less than 5/8" of soil depth and width. The attention to detail is critical to the survival of the plant and we produce over 125 million plants annually.

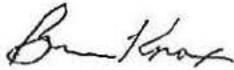
What sets Knox Nursery apart from the competitors in Florida is our history of innovation. We have state-of-the-art greenhouses that are environmentally controlled. Our computer system maintains the environment, turns on and off all necessary equipment, and records the temperature, humidity and lighting every day. Our greenhouses are designed and constructed to handle 100 mph wind loads which is something that very few nurseries in our state can lay claim to. All plants are grown on raised aluminum benches that move through the facility using pneumatics. In terms of inventory control and security, which will be two central issues for our state as we move towards developing a viable low-THC cannabis market, we are the only Grower in the country utilizing a combination of proprietary software coupled with Radio Frequency Identification (RFID) to track and trace over 20,000 inventory items on an item-level basis. My experience in working with this technology, which produces a record for every



activity of the production and distribution process, I believe would aid this committee in developing a sound and secure distribution methodology.

In closing, I have a deep understanding of how to run a successful nursery operation, a track record of developing and utilizing innovative technologies for inventory control, and a passion for helping develop a successful regulatory framework for the growth, sale and distribution of quality low-THC cannabis in a safe manner. I seek your favorable consideration of my candidacy for selection to be on the Negotiating Committee for the development of the rules implementing Senate Bill 1030.

Regards,

A handwritten signature in cursive script that reads "Bruce Knox".

Bruce Knox

President

Knox Nursery, Inc.

**Bist, Kevin**

---

**From:** Lynn Griffith <lynngriffithjr@gmail.com>  
**Sent:** Friday, January 09, 2015 4:48 PM  
**To:** Nelson, Patricia A  
**Subject:** Committee Nomination For Lynn P. Griffith Jr  
**Attachments:** DOH Letter 1-9-15.pdf; Lynn\_Griffith\_CV (1).pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Nelson, please see 2 attached documents. Lynn Griffith

## **LYNN GRIFFITH- TROPICAL PLANT AND SOIL EXPERT**

7358 WILSON RD, WEST PALM BEACH 33413

1/9/2015

**Ms. Patricia Nelson  
Department of Health  
State of Florida**

Dear Ms. Nelson,

I wish to nominate myself for Committee Position 5, "An individual with demonstrated experience in sound agricultural practices and negotiated rulemaking", under Section 1, Notice of Development of Proposed Rules and Negotiated Rulemaking for the Compassionate Use Act. I think you will find my experience and accomplishments in the field of horticulture to be exceptional. I can be reached at 561 231 1407 if you require any additional information. My slightly outdated cv is attached. The information below is a little more current.

I was educated in chemistry and biology at Duke University. After college, I spent three years with the Florida Department of Agriculture as laboratory supervisor. I then left to become a commercial grower of tropical foliage and landscape plants for several South Florida nurseries. In October 1980 I was promoted to Technical Field Representative with A&L Southern Agricultural Laboratories, to serve as a horticultural consultant. I quintupled the business in five years, and at the age of 29 was able to buy the company. A&L is the largest chain of agricultural testing and consulting labs in the world.

I owned A&L Southern for 28 years, supervising a staff of 20, composed of horticulturists, pathologists, chemists and nematologists. The company provided agricultural testing and consulting services to over 9000 clients worldwide. I returned to full-time horticultural consulting in May, 2013. I am currently the turfgrass consultant for the Miami Dolphins, the soil and plant consultant for Walt Disney World for more than 30 years, the landscaping consultant for the Fontainebleau Hotel, soil and plant consultant for the Smithsonian Institution, the Bellagio in Las Vegas, and numerous others. Clients also include the former president of El Salvador, the current president and vice president of Angola, the Royal Botanic Gardens at Kew, Buckingham Palace, Ringling Brothers, Palm Jameirah in Dubai, and many others.

I have written four books on production and diagnosis of tropical plants, as well as hundreds of articles. I am a regular columnist for Pest Pro Magazine and Florida Turf Digest. I have served as an expert witness in well over 100 horticultural cases, and consult all over the United States, as well as in 28 foreign countries. I work with hundreds of different crops, and have experience with Cannabis. I designed an organic potting media for hydroponic Cannabis growers in Colorado, and am told they sell it there by the truckload. I have also worked recently with medicinal marijuana growers in California. My scope of work includes general horticultural practices, varietal selection, fertilization, disease, insect and nutrient disorder diagnosis, soil evaluation, weed control, and irrigation.

**I appreciate your consideration, and look forward to a very successful association.**

**Kindest regards,      Lynn Griffith      Tropical Plant and Soil Expert      "Get the Soil Right"**

Consultant  
561-231-1407  
Lynn Griffith- tropical plant and soil expert  
"Get the Soil Right"

**Bist, Kevin**

---

**From:** SCC <sunrisecompassionatecare@gmail.com>  
**Sent:** Sunday, January 11, 2015 2:40 PM  
**To:** Nelson, Patricia A  
**Subject:** Re: Low-THC Cannabis Rulemaking

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

January 11, 2015

Patricia Nelson

Department of Health

4052 Bald Cypress Way, Bin A-02

Tallahassee, FL 32399

Dear Ms. Nelson,

I am writing you today on behalf of Sunrise Compassionate Care, LLC and the medically needy residents of Florida. Sunrise Compassionate Care is a pharmacist based company that was organized to help Florida patients get the proper care and pharmacist oversight that is required in safe and effective drug use management. Our group of pharmacists has been very active in the rule making process to this point but feel that the expertise of our profession has been grossly overlooked when it comes to what is best for a patient who can truly benefit from medical marijuana.

There are many complexities in the recommending of medical marijuana for which pharmacists are the trained professionals to offer answers. Dosing, sterile compounding, drug interactions, side effects and research are just a few areas in which a pharmacist should be the one to direct outcomes.

Connecticut and Minnesota both have Medical Marijuana laws that require pharmacist intervention in the dispensing process. Further, through the passage of a resolution that I presented at last year's annual convention, the Florida Pharmacy Association (FPA) supports pharmacist involvement in the dispensing of medical marijuana.

We do not advocate for dispensing from a traditional pharmacy and understand that the legislators explicitly forbid pharmacies from being involved. However, we feel that this message has confused things in the past and carried into excluding pharmacists, the medication professionals, from the table as well.

Please feel free to contact me if there is anything I can do to assist and/or if we are able to send a representative to the committee meeting in February!

Sincerely,

Steven Nemeroff, Pharm.D, C.Ph

Sunrise Compassionate Care, LLC

11110 W. Oakland Park Blvd. Suite 348

Sunrise, FL 33351

[sunrisecompassionatecare@gmail.com](mailto:sunrisecompassionatecare@gmail.com)

(954)559-9638

On Mon, Jan 5, 2015 at 5:11 PM, Nelson, Patricia A <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

Dear Interested Parties,

Please see the attached Notice of Negotiated Rulemaking (on page 1 of the attached document) scheduled for February 4 and 5, 2015, in Tallahassee.

Sincerely,

Patty

Patricia Nelson

Director

Office of Compassionate Use

**Bist, Kevin**

---

**From:** Travis Howard <travis@shiftcannabis.com>  
**Sent:** Monday, January 12, 2015 8:37 AM  
**To:** Nelson, Patricia A  
**Subject:** Florida Rules Promulgation  
**Attachments:** Travis Howard Resume Sept 2014.docx; ATT00001.htm

Ms. Nelson,

Here is the information you have requested.

Travis L. Howard

Shift Cannabis Co.

1750 30<sup>th</sup> Street #201

Boulder, Colorado 80301

303-956-4518

[travishoward@gmail.com](mailto:travishoward@gmail.com)

I operate a medical marijuana consulting firm in Colorado called CannaCounsel dba Shift Cannabis. I have previously operated physician and staffing business units in the sector. Shift Cannabis focuses on best practices and compliance consulting, having been invited to speak for the industry in Boston, Chicago, San Francisco and most recently Las Vegas. I have also owned and operated (still active) a medical marijuana dispensary and production facilities with multiple state and local license renewals over the past 5 years.

I originally served as an attorney in the marijuana industry, helping to establish legal frameworks of business and to navigate administrative law and reviews in 2009 and 2010 ... and to serve as a patient advocate when a Colorado family member was diagnosed with stomach cancer.

I have advised in Illinois, California, Colorado, New Jersey and Arizona. I have no clients or business interests presently in Florida.

Please see my detailed resume attached. Note my time with TalkTools (Innovative Therapists) where we focused exclusively on special needs children and their access to a new and innovative therapy technique. Education, access, and efficacy were the models we operated our business on and I find them highly applicable to the very important process and exercise Florida is about to undertake.

I am willing to negotiate in good faith and to attend the scheduled meetings (February 4-5) in Tallahassee.

Sincerely,

Travis Howard

## TRAVIS L. HOWARD

1750 30<sup>th</sup> Street #201 Boulder, Colorado 80301 – 303.956.4518  
travishoward@gmail.com

### PROFESSIONAL EXPERIENCE:

**CannaCounsel, LLC (dba Shift Cannabis Co.)** 6/2010 – Present Boulder, CO

*Founder/General Manager*

Built the structure and core team for launching the first medical marijuana full-service consulting firm in Colorado. After selling off the physician and staffing business units, (CannaStaff and CannaLicense) the Shift Cannabis Co. brand is focused on national lecturing on best practices, contract production services, and business operations, management, and compliance consulting.

**Health Services, LLC (Green Dream Health Services)** 8/2010 – Present Boulder, CO

*Founder/Director of Operations*

Founded and managed a medical marijuana dispensary from the ground up, including multiple state and local license renewals. Successfully carved out a “high quality” niche in an industry nationally recognized as a “race to the bottom” price market. Created statewide brand for Green Dream and fostered the “Hand Raised Cannabis” movement, recipient of two 1<sup>st</sup> Place Cannabis Cup Awards and one 1<sup>st</sup> Place Hemp Connoisseur Award. In a juvenile stage industry, Health Services was founded on professionalism, service, and quality.

**The Basix Group, LLC** 10/2006 – Present Denver, CO

*Founder/Attorney*

Built and managed an entrepreneurial law and consulting firm specializing in small business matters.

**Dealerslink, Inc.** 6/05 to 10/06 – 8/08 to 5/10 Broomfield, CO

*Owner/Vice President of Operations/Consultant*

Partnered in introducing a software product into the automobile dealership marketplace bringing service and financial benefits for both dealerships and purchasers. Acquired and managed potential clients and business alliances delivering over \$500,000,000.00 in automobiles/assets. Performed legal and market analysis, strategic marketing plan, direct sales to launch Colorado and Arizona, and human resources management to grow revenue from \$0/month to \$75,000/month with 300 car dealership clients upon initial launch. Currently perform legal and operational services on a consulting basis. (Company is now in 20+ states, with billions of assets listed daily and accelerating.)

**Innovative Therapists International - TalkTools®** 10/2006 – 11/2007 Tucson, AZ

*Co-CEO/Director of International Operations* – Revolutionized the International Operations, transforming it into a solid revenue stream with value while adding distributorships. Transformed operations and business functions to reinvigorate employee morale, reduce costs, increase customer satisfaction, and grow revenue year over year. Roles performed and achievements realized include:

- Recovering \$60,000 in stale accounts receivable and creating \$25,000/yr licensing program
- Established first distributorships in Cyprus, Saudi Arabia, Sweden and Korea
- Reduced costs by stabilizing inventory turnover from a variable of 0.5 to 20 times per year to 4 to 6 times per year

**Thistle Community Housing – (Non-profit)** 5/2004 – 10/2005 Boulder, CO

*Development and Acquisition Assistant*

Provided support to Acquisition and Development department preparing due diligence reviews, financial spreadsheets, correspondence, reporting, deal-point documentation and negotiation. Conducted policy outreach, including direct correspondence with federal legislative offices and congressional appropriations analysis for government sponsored enterprises (Fannie Mae, Freddie Mac, etc.).

*Asset Management Assistant*

Personally pursued and achieved tax exemption for Thistle saving over 16% of property taxes owed for 2003. Drafted and presented a proposal to modify state tax exemption regulations for non-profits, serving low-income residents. Developed a "Deal Book" template for recording financing, acquisition, and rehab/development of past and future projects meeting legal and business requirements.

**Sun Microsystems, Inc.**

6/2000 – 8/2003

Broomfield, CO

*IR System Technologist II*

Sun Certified Systems and Network Administrator responsible for supporting thousands of users and systems through an internal call center. Chosen out of 250 employees to provide front-end support for the rebuilding of Manhattan office and services after the 9/11 collapse of Sun's World Trade Center offices.

**Los Alamos Technical Associates (LATA)**

1/1999 – 8/1999

Denver, CO

*Network Analyst / Year 2000 Engineer*

Managed portions of a network installation for a large-scale desktop rollout for the City and County of Denver to update all infrastructures and become Y2K compliant while taking 21 credits in college.

**ADDITIONAL EXPERIENCE:**

- Worked as summer associate for Neaton and Puklich PLLP performing legal analysis and documentation for the firm's partners. Emphasis included business entities under partnership and LLC law (UPA, RUPA, ULLCA).
- Worked as a project engineer, foreman, and carpenter for Bogard Construction, Holthouse Construction, and MacGregor Wathen Construction.

**BUSINESS SYSTEM SKILLS**

- Expert (Customer Relationship Management, Accounting/ERP, and eCommerce)
- Intermediate UNIX Administration

**PROFESSIONAL MEMBERSHIP:** Colorado and Boulder Bar Associations

**EDUCATION:**

*University of Colorado School of Law – Boulder, Colorado*

Juris Doctor, May 2006

Honors: Dean's List

Sustainable Development Law Scholarship Grantee

Activities: Construction and Real Estate Law Association, Founder/President

Colorado Legal Mediation Program, Certified Member

*Colorado State University – Fort Collins, Colorado*

Bachelor of Science in Business Administration with emphasis in Computer Information Systems, June 2000

Computer Information Systems Club

**PERSONAL INTERESTS:** I have a passion for building something new, identifying and motivating potential, increasing value through transformation, saving the world with hemp, low-income housing creation and sustainability, mountain sports, camping, and the wild animal kingdom.

**Bist, Kevin**

---

**From:** robert tornello <roberttornello@me.com>  
**Sent:** Monday, January 12, 2015 12:09 PM  
**To:** Nelson, Patricia A  
**Subject:** Request for rule-making committee consideration

Dear Patty,

Robert Tornello here.

On the day of the announcement of the application process, while at Tampa General visiting my mother (85), I picked up a nasty virus that has knocked me out.

What has made this hard to recover from is the persistent vertigo, as my inner ears are ringing and swollen, it makes my vision see double, and I cant walk or spend much time upright without stumbling. I can now type though with one eye open. This is why my application was not in your inbox within hours of the notice.

This e mail is just to advise you of my sincere interest and overwhelming desire to be considered for a seat at the table. My life's experiences and knowledge

of all encompassed in the two categories below, once submitted will prove to you that I am a top qualified candidate that will bring more to the table than any other person I know of, I promise to be unbiased and factual, I also understand the importance of the position and responsibility to the state, and patients.

This e mail is to just request that you give me the time, (next 48 hours) to get it prepared, once I can return to the office and put my package together and submit it to you for consideration.

Thanking you in advance,  
Robert

*1. A nursery that meets the criteria in Section 381.986(5)(b)1., Florida Statutes*

*5. An individual with demonstrated experience in sound agricultural practices and necessary regulation;*

robert tornello  
[roberttornello@me.com](mailto:roberttornello@me.com)

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Monday, January 12, 2015 12:47 PM  
**To:** 'robert tornello'  
**Subject:** RE: Request for rule-making committee consideration

Robert,

I'm so sorry to hear about your illness. It sounds terrible!

I think 48 hours is fine. Let me know if you continue to have trouble.

Patty

---

**From:** robert tornello [<mailto:roberttornello@me.com>]  
**Sent:** Monday, January 12, 2015 12:09 PM  
**To:** Nelson, Patricia A  
**Subject:** Request for rule-making committee consideration

Dear Patty,

Robert Tornello here.

On the day of the announcement of the application process, while at Tampa General visiting my mother (85), I picked up a nasty virus that has knocked me out.

What has made this hard to recover from is the persistent vertigo, as my inner ears are ringing and swollen, it makes my vision see double, and I cant walk or spend much time upright without stumbling. I can now type though with one eye open. This is why my application was not in your inbox within hours of the notice.

This e mail is just to advise you of my sincere interest and overwhelming desire to be considered for a seat at the table. My life's experiences and knowledge of all encompassed in the two categories below, once submitted will prove to you that I am a top qualified candidate that will bring more to the table than any other person I know of, I promise to be unbiased and factual, I also understand the importance of the position and responsibility to the state, and patients.

This e mail is to just request that you give me the time, (next 48 hours) to get it prepared, once I can return to the office and put my package together and submit it to you for consideration.

Thanking you in advance,  
Robert

*1. A nursery that meets the criteria in Section 381.986(5)(b)1., Florida Statutes*

*5. An individual with demonstrated experience in sound agricultural practices and necessary regulation;*

robert tornello  
[roberttornello@me.com](mailto:roberttornello@me.com)

**Bist, Kevin**

---

**From:** Joe Hodas <JHodas@dixieelixirs.com>  
**Sent:** Monday, January 12, 2015 2:43 PM  
**To:** Nelson, Patricia A  
**Subject:** Application for Negotiated Rule Making Panel  
**Attachments:** Florida(2).docx

Hi Patricia-

Attached, please find my application for the Negotiated Rule Making Panel. Hopefully this covers the information you would need to consider. However, if you need anything else or have any follow up questions about my submission, please don't hesitate to give me a shout.

Thanks so much for your consideration. And thanks in advance for your work on the challenging task at hand.

Best,  
Joe



**Joe Hodas**  
*Chief Marketing Officer*  
303.827.6972 / Cell  
[DixieElixirs.com](http://DixieElixirs.com)



**Name:** Joe Hodas, Chief Marketing Officer

**Company Name:** Dixie Brands, Inc.

**Business Address:** 4990 Oakland Street  
Denver, CO 80239

**Telephone Number:** 303-827-6972

**Description of Your Organization:**

Located in Denver, Colorado, Dixie Brands, Inc., (Dixie) through its affiliates across the country, has been formulating and producing award-winning THC-infused products since 2009. Dixie manufactures and distributes over 30 different products across over 100 SKUs, representing the industry's finest tinctures, topicals, pills, and pharmaceutical grade extractions. To find out more about Dixie's innovative products, or about how Dixie is building the future of cannabis, please visit us at <http://www.dixieelixirs.com>. Remember—you must be 21 to visit our site, as cannabis products are not for those under the age of 21

**How you believe your background and experience can help the rule making process in Florida?**

While edibles specifically are not yet legal in Florida, it is important to note that Dixie is first and foremost a manufacturer. So, while edibles are one of the "delivery systems" we manufacture, we also provide other delivery systems such as topicals, tinctures, pills etc. In addition, extraction and the necessary technologies to achieve the highest levels of safety and quality are central to our business. As such, we have exposure to all facets of the industry from growing, to process and retail sales. Finally, and equally as important, we are very well versed in the appropriate packaging and distribution schema for all products including pills, topicals, and tinctures. This has been a crucial area of rapid development in Colorado over the past year.

**Your experience helping to establish other regulatory structures in other states (if any)?**

Dixie Brands, and I personally, have been intimately involved in the rules promulgation of Amendment 64 in Colorado, both directly through workgroups/personal relationships and via third party organizations like the Cannabis Business Alliance and the Marijuana Industry Group. Specifically, we have helped with the development of the rules which will go into effect on Feb. 2, 2015, as well as HB-1366 (to name two examples).

While we have not been as deeply involved in other states, we have indirectly worked through organizations on which we hold board seats, such as the National Cannabis Industry Association (NCIA) and Council for Responsible Cannabis Regulation (CRCR).

**How will the rule making process in Florida affect you or any parties you represent?**

The rule making process currently has no impact on Dixie Brands or any of our associated parties. We have no existing business/investment/distribution relationships in the state of Florida.

**A statement that you are willing to negotiate in good faith and can attend the scheduled meetings (February 4th and 5th in Tallahassee).**

If I am chosen to participate in this process, I will always negotiate in good faith and full transparency. In addition, I will gladly attend the scheduled meetings in Tallahassee on Feb. 4<sup>th</sup> and 5<sup>th</sup>.

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Monday, January 12, 2015 2:44 PM  
**To:** Jmilley2@tampabay.rr.com  
**Subject:** RE: Low-THC Cannabis Rulemaking

The statute requires the negotiation to be in a public meeting. Anyone can attend, but the only people that will participate in the negotiation will be the members of the committee and the facilitator/mediator.

---

**From:** Jeff milley [mailto:jmilley2@tampabay.rr.com]  
**Sent:** Monday, January 12, 2015 2:28 PM  
**To:** Nelson, Patricia A  
**Subject:** Re: Low-THC Cannabis Rulemaking

Dear Patty,

Will this rule making be in a forum that interested parties may attend? I will be traveling from Tampa so I would like to confirm. Thank you

Regards,

Jeffrey Milley R.Ph.

On Jan 5, 2015, at 5:11 PM, Nelson, Patricia A <Patricia.Nelson@flhealth.gov> wrote:

Dear Interested Parties,

Please see the attached Notice of Negotiated Rulemaking (on page 1 of the attached document) scheduled for February 4 and 5, 2015, in Tallahassee.

Sincerely,  
Patty

Patricia Nelson  
Director  
Office of Compassionate Use

**Bist, Kevin**

---

**From:** Hugh Gramling <gramling1@gmail.com>  
**Sent:** Monday, January 12, 2015 2:46 PM  
**To:** Nelson, Patricia A  
**Subject:** Application for The Negotiated Rulemaking Committee  
**Attachments:** DOH Rule Committee.pdf

**Importance:** High

Ms. Nelson

Attached is my application for the Negotiated Rulemaking Committee position for agriculture. I appreciate your consideration.

Hugh Gramling

**Hugh M. Gramling**  
**507 West Reynolds Street**  
**Plant City, FL 33566**  
(813) 763-4246

January 12, 2015

Ms. Patricia Nelson  
Department of Health  
4052 Bald Cypress Way  
Bin A-02  
Tallahassee, FL 32399

Dear Ms. Nelson:

Please consider this letter as my application for the Medical Cannabis Negotiated Rulemaking Committee. I am specifically applying as "An Individual with demonstrated experience in sound agricultural practices and necessary regulation." (No. 5).

I believe my experience squarely fits this position. I have nearly 30 years of experience as a wholesale nursery grower and have successfully run two wholesale nursery businesses. I am willing to negotiate in good faith on behalf of the nursery industry and have regulatory experience in doing so.

I served three years as a member of the Southwest Florida Water Management District (SWFWMD) basin board and 4½ years as a member of the SWFWMD Governing Board. For two years, I served as its Vice Chair. Water management districts have regulatory authority over the agricultural industries.

I am well versed in nursery issues as evidenced by my 15 years as Executive Director of the Tampa Bay Wholesale Growers -- a regional wholesale nursery production association. I also currently serve on four advisory committees for the Institute of Food and Agricultural Sciences of the University of Florida.

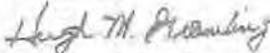
There are many other experiences which qualify me for the position the Department of Health is seeking to fill. I am attaching a current resume with details of my additional qualifications.

I am available February 4 and 5 to participate in committee activities.

As part of my disclosure, I contracted for consulting services with the Institute for Medical Outcomes to introduce that group to nurserymen who qualified under Senate Bill 1030. That agreement was terminated December 20 when it was mutually determined I had fulfilled my obligations under the contract. I currently am retired from any consulting or business activities with which the rulemaking process will have an impact.

I believe I have provided the information requested in the FAR notice, yet I will promptly furnish any additional information you require.

Sincerely,

  
Hugh M Gramling

Enclosure

# Curriculum Vitae of Hugh M. Gramling

507 West Reynolds Street  
Plant City, FL 33566

## Employment

1997-2012 employed as Executive Director of the Tampa Bay Wholesale Growers, a trade association representing wholesale production nurserymen. Responsibilities include producing a 360-booth trade show, production of a plant availability publication, preparation and administration of association budget, governmental liaison and membership administration.

1994-97 Founder and manager of Horticultural Products, a wholesale plant nursery.

1973-97 Owner and manager of Gramling Nursery Inc., wholesale plant nursery.

1970-73 Division of Information Services, University of Florida. Served as Information Specialists I, II and editor performing public relations activities.

1970 Administrative Assistant Naples Area Chamber of Commerce.

1968-69 Staff Writer/photographer for the Plant City Courier, 4<sup>th</sup> largest weekly newspaper in Florida.

## Awards & Honors

Outstanding Committee Chairman (81) by FL Nurserymen & Growers Assn. Volunteer of the Year (84, 86), Hillsborough County Cooperative Extension Service. Outstanding Agriculturist (84) by FL Assn. of County Agricultural Agents. Rotary International Young Businessmen Exchange Program to Brazil (86). Listed in Outstanding Young Men in America (86). Eisenhower Foundation People to People Professional Exchange program to China (88). Distinguished Service Award (01), FL Exotic Pest Plant Council. Award of Merit (05), Gamma Sigma Delta Honor Society of Agriculture. Plant Protection Award of Eminence (06), FL Dept. of Agriculture and Consumer Services, Division of Plant Industry. Public Service Award (10), FL Strawberry Growers Assn.; named as Fellow, Southern Region International Plant Propagators Society.

## Past Activities

Vice Chair, Southwest FL Water Management District Governing Board. Chair Ex-officio, Hillsborough River Basin Board, SWFWMD. Chair, Hillsborough County Soil and Water Conservation District. Chair, Hillsborough County Agricultural Economic Development Council. Chair, FL Nursery, Growers & Lands. Assn. Research Committee, Chair, Hillsborough County Water Technical Advisory Committee. Policy Board, Tampa Bay Estuary Program, Past President, Southern Region of International Plant Propagators Society. Director, FL Agricultural Hall of Fame Foundation, member, IFAS Invasive Plant Working Group. Gulf Coast Research & Ed. Ctr. Advisory Committee, Mid-Florida REC Advisory Committee, FL Medical Entomological Laboratory Advisory Committee. Board, Museum of Science and Industry, Tampa.

## Education

BS in Journalism (Public Relations Sequence), University of Florida 1969.

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Monday, January 12, 2015 3:05 PM  
**To:** 'Jeremy Lawton Susac'  
**Subject:** RE: Negotiated Rulemaking Committee Question

All rulemaking is open to participation by parties who will be regulated by the rules. I don't see any difference here because it is negotiated rulemaking, and it has never come up in the past.

---

**From:** Jeremy Lawton Susac [<mailto:JSusac@bergersingerman.com>]  
**Sent:** Thursday, January 08, 2015 3:54 PM  
**To:** Nelson, Patricia A  
**Subject:** Negotiated Rulemaking Committee Question

Dear Patricia, I trust all is well. Would sitting on the Negotiated Rulemaking Committee disqualify that appointed person/entity from being a future applicant? My reading is that it would not, but I wanted to double-check. Thanks for any guidance.

 **BERGER SINGERMAN**

**Jeremy L. Susac**

125 South Gadsden Street | Suite 300 | Tallahassee FL 32301

office: (850) 561-3010 | direct: (850) 521-6736 | fax: (850) 561-3013

email: [JSusac@bergersingerman.com](mailto:JSusac@bergersingerman.com)

website: [www.bergersingerman.com](http://www.bergersingerman.com)

doing business in Florida resource: [www.flabusinesslaw.com](http://www.flabusinesslaw.com)

 Please consider the environment before printing this email.

This transmission is intended to be delivered only to the named addressee(s) and may contain information that is confidential, proprietary, attorney work-product or attorney-client privileged. If this information is received by anyone other than the named and intended addressee(s), the recipient should immediately notify the sender by E-MAIL and by telephone at the phone number of the sender listed on the email and obtain instructions as to the disposal of the transmitted material. In no event shall this material be read, used, copied, reproduced, stored or retained by anyone other than the named addressee(s), except with the express consent of the sender or the named addressee(s). Thank you.

.....

**Bist, Kevin**

---

**From:** samantha <samantha@healthlawservices.org>  
**Sent:** Monday, January 12, 2015 3:13 PM  
**To:** Nelson, Patricia A  
**Subject:** Christopher Ralph Curriculum Vitae  
**Attachments:** Chris Ralph CV.pdf

Dear Ms. Nelson, attached please find Mr. Ralph's Curriculum Vitae. Mr. Ralph would like to apply for a position on the task force regarding the rule making for low-THC cannabis.

Thank you,  
Samantha C. Joseph  
Legal Rights Coordinator

# Christopher Ralph: Curriculum Vitae

---

## **CURRENT RESPONSIBILITIES:**

### **Advisory Board Co-Chairman: Cannabinoid Therapy Institute**

Jacksonville, Florida 2014

Research Director: Dr. C.C. Sharma. Cannabinoid Therapy Institute conducts translational research on the effects of exogenous cannabinoids on numerous medical conditions, including epilepsy, cancer, neurological disorders and more.

Duties include advising physicians on cannabinoid profiling to maximize patient benefit.

---

### **Legal Administrator and Research Analyst: Health Law Services**

Jacksonville, Florida 2012-current

Supervising Physician: Alan Shackelford, M.D. Cannabinoid Medicine Treatment Center; patient population included seniors, adults and children with numerous debilitating medical conditions.

Duties included oversight and management of medical care for patients undergoing treatment using cannabinoid-based medicine; Oversight and management of translational research on profile effectiveness, strain selection and overall efficacy of specific cannabinoid profiles; Oversight and management of bio-genetic manipulation of cannabis sativa L. via asexual plant reproduction to create low-THC strains of cannabis.

---

## **Consultant/lecturer roles**

### **Medical Conference: Florida Hospitals**

#### **Training for Board of Neurology on cannabinoid medicine**

Orlando, FL – July 2014

Lectured the Board of Neurology on the intricacies of cannabinoid-based medicine in treating numerous neurological disorders, including epilepsy. This included manipulation of the endocannabinoid system, retrograde neurotransmission and

to Florida-licensed medical doctors about the use of High CBD / Low TCH Cannabis Based Treatments, how it works in the human body to safely and effectively treat the diseases listed in S.B. 1030. He also lectured on the current state of research on the topic of the endocannabinoid system and exogenous cannabinoid supplementation.

## **Christopher Ralph: Curriculum Vitae**

---

The State of Florida held this conference for physicians to further their knowledge level of medical marijuana and the best practices of its preparation and use. Mr. Ralph was asked to speak due to his expertise in this emerging field of study and practice.

---

### **Medical Symposium: Charlotte's Web**

#### **Prepared Physicians for Use of High CBD / Low TCH Cannabis Based Treatments**

Rollins College - Winter Park, FL - 2014

Provided valuable research data to Florida-licensed medical doctors about the use of High CBD / Low TCH Cannabis Based Treatments, how it works in the human body to safely and effectively treat the diseases listed in S.B. 1030. He also lectured on the current state of research on the topic of the endocannabinoid system and exogenous cannabinoid supplementation.

The State of Florida held this conference for physicians to further their knowledge level of medical marijuana and the best practices of its preparation and use. Mr. Ralph was asked to speak due to his expertise in this emerging field of study and practice.

---

### **Florida Department of Health**

#### **Rule Development Hearings on SB 1030**

Tallahassee, FL - 2014

The hearing topic summary was held for the establishment of a regulatory structure supporting the Compassionate Medical Cannabis Act of 2014, including the creation of dispensing regions, application procedures for dispensing organizations, and access requirements for the Compassionate Use Registry.

I Provided expertise on several key aspects of the medicinal applications of marijuana, the differences in "Charlotte's Web" forms of medical grade cannabis and hemp, the practical implications of S.B. 1030, and the current legality of all forms of medical marijuana for all ages of those in need, whether or not they contain THC.

---

### **Cannabis Career Institute (CCI)**

May 3 – 4, 2014, May 17 – 18, 2014, May 31 – June 1, 2014, June 7 – 8, 2014, June 21 – 22, 2014, June 28 – 29, 2014, July 12 – 13, 2014, July 19 – 20, 2014

CCI regularly holds educational conferences throughout the United States on Medical Marijuana and supportive industries. Mr. Ralph speaks as a guest speaker at numerous CCI seminars in several different cities. His topics included a range of material, such as overviews of evidenced-based research on medical marijuana and the endocannabinoid system, explanations of the current legality of medical marijuana use in the state of Florida, and the potential changes to

## **Christopher Ralph: Curriculum Vitae**

---

medical necessity rights implied in current legislative and constitutional level efforts surrounding the subject.

---

### **BYCB MEDICAL CANNABIS CONFERENCE**

Orlando, FL - 2014

Lecture included both foundational and in depth information on the medical aspects of cannabinoid medicine and the endocannabinoid system, among other topics including the statewide negative ramifications of amendment 2's passage. Dr. C.C. Sharma, Research Director for Cannabinoid Therapy Institute of Florida, spoke along with Mr. Ralph for part of this presentation, providing detail on the translational research of exogenous cannabinoid application for numerous medical conditions.

---

### **CANNABIS RX CONFERENCE**

Orlando, FL - 2014

Lecture included both benefits and concerns in cannabinoid medicine and the need for more research facilities in Florida. Mr. Ralph , among other topics including the statewide negative ramifications of amendment 2's passage. Dr. C.C. Sharma, Research Director for Cannabinoid Therapy Institute of Florida, spoke along with Mr. Ralph for part of this presentation, providing detail on the translational research of exogenous cannabinoid application for numerous medical conditions.

---

### **CHARLOTTE WEB AT UF**

University of Florida Brain Institute – 2014

Lectured numerous parents of epileptic children and their physicians on the role of cannabidiol and Tetrahydrocannabinol in the regulation of energy homeostasis and its role in preventing seizure activity.

---

### **THE FUTURE OF CANNABINOID MEDICINE – with Alan Shackelford and Christopher Ralph**

University of North Florida, Jacksonville, FL - 2013

## Christopher Ralph: Curriculum Vitae

---

Lecture included the history of cannabis in the United States, it's early support by the AMA, the story of Charlotte Figi and how Charlotte's web was created, worldwide research on cannabinoid-based medicine, it's role in preventing cancer and in preventing future generations from neurological and endocrine dysfunction.

---

### **Past Relevant Work Experience:**

**Owner/Clinician: Table Mesa Wellness Center**  
Boulder, Colorado 2009-2011.

Supervising Physician: Alan Shackelford, M.D. Cannabinoid Medicine Treatment Center; patient population included seniors, adults and children with numerous debilitating medical conditions.

Duties included oversight and management of medical care for patients undergoing treatment using cannabinoid-based medicine; Oversight and management of translational research on profile effectiveness, strain selection and overall efficacy of specific cannabinoid profiles; Oversight and management of bio-genetic manipulation of cannabis sativa L. via asexual plant reproduction to create low-THC strains of cannabis.

### **Accreditations:**

American Association of Cannabinoid Medicine  
Society of Cannabis Clinicians  
2014 Member

### **Legislative History**

Colorado HB-1284 (2010)  
Assisted in drafting legislation sponsored by Senator Chris Romer (CO)

## Christopher Ralph: Curriculum Vitae

---

### RECENT NEWS ARTICLES

**“MEDICAL MARIJUANA TRAINING IN FLORIDA”**

NEWS 4 JAX – Jacksonville Fl

April 2014

**“MEDICAL MARIJUANA LEGAL IN SOME CASES IN FLORIDA”**

WINK NEWS – Ft. Myers Fl

May 2014

**“A LITTLE GIRL GETS A MIRACLE”**

FIRST COAST NEWS – Jacksonville Fl

June 2014

**“MEDICAL MARIJUANA OK WITH PROOF OF NEED”**

NEWS 4 JAX – Jacksonville Fl

July 2014

**“MOMS HELPING CHILDREN WITH CANNABIS”**

NBC-10 – Tampa, Fl

July 2014

**Bist, Kevin**

---

**From:** Scott <scott@skdgrp.com>  
**Sent:** Monday, January 12, 2015 3:54 PM  
**To:** Nelson, Patricia A  
**Cc:** chnuts@gmail.com  
**Subject:** RE: Request to be on Rule Negotiating Committee

Patty, I have copied Mr. Wallace on this email. He would prefer to discuss the matter below, UF Medical Research, either by phone or in person. Whatever is best for you. Can you let Mr. Wallace know a good time and number to call you tomorrow morning if a phone call is your preferred communication, or a day that works best for you. Thanks Patty. Scott Dick

Scott Dick  
SKD Consulting Group, Inc.  
210 South Monroe Street  
Tallahassee, FL 32301  
O: 850-421-9100 C: 850-545-4526



---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Friday, January 9, 2015 3:32 PM  
**To:** Scott  
**Subject:** RE: Request to be on Rule Negotiating Committee

Scott,

Thank you for your kind words. I am very optimistic about moving this forward.

Will you ask Mr. Wallace to tell me a little bit more about this, if he can:

Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

Obviously, sometime next week is fine.

Thank you!  
Patty

---

**From:** Scott [<mailto:scott@skdgrp.com>]  
**Sent:** Friday, January 09, 2015 3:23 PM

**To:** Nelson, Patricia A

**Subject:** FW: Request to be on Rule Negotiating Committee

Pattie, please see the below request from Robert (Bob) Wallace to be a nursery representative for the Rule Negotiating Committee. His BIO and background information is also below. I am sure the Compassionate Use activity is running more smoothly now that you are on board and leading the effort. I look forward to working with you as we move forward. Please let Bob or me know if you need additional information. Thanks. Scott Dick

Scott Dick

SKD Consulting Group, Inc.

210 South Monroe Street

Tallahassee, FL 32301

O: 850-421-9100 C: 850-545-4526



---

**From:** Robert Wallace [mailto:chnuts@gmail.com]

**Sent:** Friday, January 9, 2015 1:48 PM

**To:** Scott

**Subject:** Request to be on Rule Negotiating Committee

Scott - please advise Pattie Nelson from DOH that I would like to be the Nursery representative for the SB 1030 Rule-negotiating committee. I have included a brief bio below that states my qualifications.

Thank you, and please have Ms. Nelson ask if she needs any additional information from me.

Robert D. Wallace

President

Chestnut Hill Tree Farm

15105 NW 94 Ave

Alachua FL 32615

352-219-5825

Wallace is the grandson of noted plant breeder Dr. Robert T. Dunstan, and son of Dr. A.T. Wallace, plant geneticist and former Dean for Research at the University of Florida College of Agriculture. Wallace founded Chestnut Hill Tree Farm in 1981 after graduation from UF with an interdisciplinary degree in Zoology, Botany and Wildlife Biology. Wallace is one of the leaders in the development of the US chestnut industry, and is a founder and board member of the Chestnut Growers of America. Wallace wrote and received the only U.S. Plant Patents ever given to chestnut tree varieties, and has been growing edible nut and fruit trees and plants for over 33 years.

Chestnut Hill Tree Farm is a 200 acre wholesale and retail nursery operation in Alachua, FL near Gainesville. It is one of the largest growers of edible fruit trees in Florida, and sells trees all over the eastern U.S. In 2011 Wallace formed Chestnut Hill Outdoors, to make the Dunstan Chestnut™, the best tree for attracting deer and wildlife, available to the hunting industry. Wallace also manufactures Chestnut Magic™ the first chestnut based attractant for the hunting market, which is sold at Walmart and other major retailers across the nation. Wallace is also a vendor to Whole Food Market for chestnut food products.

Chestnut Hill Tree Farm is one of the 6 qualified nursery operations for SB 1030 in the NE Florida region. Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

*Bob*

R.D. Wallace  
Chestnut Hill Tree Farm  
15105 NW 94 Ave  
Alachua, FL 32615  
352-219-5825

## Bist, Kevin

---

**From:** Nelson, Patricia A  
**Sent:** Monday, January 12, 2015 3:58 PM  
**To:** scott@skdgrp.com  
**Subject:** RE: Request to be on Rule Negotiating Committee

I understand. Tomorrow morning is not good for me, but I would love to talk to him Wednesday morning if that works for him. He can call me at 850-245-4657.

If Wednesday morning does not work, let me know my other options.

Thank you,  
Patty

---

**From:** Scott [mailto:scott@skdgrp.com]  
**Sent:** Monday, January 12, 2015 3:54 PM  
**To:** Nelson, Patricia A  
**Cc:** chnuts@gmail.com  
**Subject:** RE: Request to be on Rule Negotiating Committee

Patty, I have copied Mr. Wallace on this email. He would prefer to discuss the matter below, UF Medical Research, either by phone or in person. Whatever is best for you. Can you let Mr. Wallace know a good time and number to call you tomorrow morning if a phone call is your preferred communication, or a day that works best for you. Thanks Patty. Scott Dick

Scott Dick  
SKD Consulting Group, Inc.  
210 South Monroe Street  
Tallahassee, FL 32301  
O: 850-421-9100 C: 850-545-4526



---

**From:** Nelson, Patricia A [mailto:Patricia.Nelson@flhealth.gov]  
**Sent:** Friday, January 9, 2015 3:32 PM  
**To:** Scott  
**Subject:** RE: Request to be on Rule Negotiating Committee

Scott,

Thank you for your kind words. I am very optimistic about moving this forward.

Will you ask Mr. Wallace to tell me a little bit more about this, if he can:

Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to

cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

Obviously, sometime next week is fine.

Thank you!  
Patty

---

**From:** Scott [<mailto:scott@skdgrp.com>]  
**Sent:** Friday, January 09, 2015 3:23 PM  
**To:** Nelson, Patricia A  
**Subject:** FW: Request to be on Rule Negotiating Committee

Pattie, please see the below request from Robert (Bob) Wallace to be a nursery representative for the Rule Negotiating Committee. His BIO and background information is also below. I am sure the Compassionate Use activity is running more smoothly now that you are on board and leading the effort. I look forward to working with you as we move forward. Please let Bob or me know if you need additional information. Thanks. Scott Dick

Scott Dick  
SKD Consulting Group, Inc.  
210 South Monroe Street  
Tallahassee, FL 32301  
O: 850-421-9100 C: 850-545-4526



---

**From:** Robert Wallace [<mailto:chnuts@gmail.com>]  
**Sent:** Friday, January 9, 2015 1:48 PM  
**To:** Scott  
**Subject:** Request to be on Rule Negotiating Committee

Scott - please advise Pattie Nelson from DOH that I would like to be the Nursery representative for the SB 1030 Rule-negotiating committee. I have included a brief bio below that states my qualifications.

Thank you, and please have Ms. Nelson ask if she needs any additional information from me.

Robert D. Wallace  
President  
Chestnut Hill Tree Farm  
15105 NW 94 Ave  
Alachua FL 32615  
352-219-5825

Wallace is the grandson of noted plant breeder Dr. Robert T. Dunstan, and son of Dr. A.T. Wallace, plant geneticist and former Dean for Research at the University of Florida College of Agriculture. Wallace founded Chestnut Hill Tree Farm in 1981 after graduation from UF with an interdisciplinary degree in Zoology, Botany and Wildlife Biology. Wallace is one of the leaders in the development of the US chestnut industry, and is a founder and board member of the Chestnut Growers of America. Wallace wrote and received the only U.S. Plant Patents ever given to chestnut tree varieties, and has been growing edible nut and fruit trees and plants for over 33 years.

Chestnut Hill Tree Farm is a 200 acre wholesale and retail nursery operation in Alachua, FL near Gainesville. It is one of the largest growers of edible fruit trees in Florida, and sells trees all over the eastern U.S. In 2011 Wallace formed Chestnut Hill Outdoors, to make the Dunstan Chestnut™, the best tree for attracting deer and wildlife, available to the hunting industry. Wallace also manufactures Chestnut Magic™ the first chestnut based attractant for the hunting market, which is sold at Walmart and other major retailers across the nation. Wallace is also a vendor to Whole Food Market for chestnut food products.

Chestnut Hill Tree Farm is one of the 6 qualified nursery operations for SB 1030 in the NE Florida region. Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

*Bob*

R.D. Wallace  
Chestnut Hill Tree Farm  
15105 NW 94 Ave  
Alachua, FL 32615  
352-219-5825

**Bist, Kevin**

---

**From:** Lyttleton Stewart <lstewart@amexpharmacy.com>  
**Sent:** Monday, January 12, 2015 4:19 PM  
**To:** Nelson, Patricia A  
**Subject:** APPLICATION TO REPRESENT- NEGOTIATED RULEMAKING COMMITTEE  
**Attachments:** Negotiated Rulemaking Committee- Request for Inclusion.docx

Hi Patricia,

My name is Lyttleton Stewart. I am a multi-state, board certified Pharmacist.

I am respectfully requesting that you consider my application to be a representative on your Negotiated Rulemaking Committee ( Feb 4<sup>th</sup> and 5<sup>th</sup>)

Please see attached.

**Lyttleton Stewart**  
**Registered Pharmacist**  
**Senior Director- Product Development & Strategy**  
**AMEX Pharmacy Group**  
**Office: 800.644.9431 EXT. 600**  
**Cell: 863.409.5414**

Date: 1.12.15

To: Patricia Nelson  
Committee Chair- Negotiated Rulemaking Committee  
Department of Health- Office of Compassionate Use

From: Lyttleton Stewart  
State of Florida- *Registered Pharmacist*  
Senior Executive

RE: **Application to Request Inclusion as a Committee Member**

### **Application**

- (1) Name: Lyttleton Stewart
- (2) Business Address/Leadership Title:  
Senior Director- Product Development and Strategy  
AmEx Pharma Group  
1515 Elizabeth Street Ste J  
Melbourne, FL 32901  
Office phone: 321-872-0723 EXT 600  
Mobile phone: 863-409-5414
- (3) Representing an independent organization; official name not yet announced
- (4) This organization will be a comprehensive, multi-channel and vertically integrated conglomerate with total control of the process from seed to sale. This ensures 100% tracking and accountability through the supply chain to protect patients, people and process. QA and QC protocols are strictly measured and executed with total control by internal operations executives, above and beyond external audit. This ensures that we will preserve CAPA- should it become necessary- and the highest standards across all channels.
- (5) The members/executives of this organization include seasoned professionals practicing in their respective industries for an average of 20 plus years. We have put together an executive/operations team that includes physicians, pharmacists, manufacturing execs, nursery owners/agricultural experts, retail operations executives, chemists, lab specialists, R&D scientists, internal auditors, MBA Finance execs, inventory managers, risk management specialists, patient care advocates, security experts, production line engineers and corporate professionals.
- (6) We believe that all business protocols and rule language relevant to this new medical industry must be reverse engineered from one outcome: compassionate, medically relevant and effective- patient care. This outcome reflects the product from a structured system (vertical medical organization) of medicine that is securely dispensed to a defined patient population. Built into that end to end supply chain are multiple points of audit, security, quality control and quality assurance. We believe that we must make this medicine

available at multiple points of "infrastructure reasonably located" or multiple dispensaries. This ensures cost containment, elevates security and equally important- increases availability and patient access. All of the protocols and processes that lead up to this outcome must be carefully and methodically presented discussed and qualified through diversified thought leaders across relevant industries. We, as medical and industry professionals who seek to protect and serve this delicate patient population, believe that the language finalized in this rulemaking committee must reflect efficient and effective processes, procedures and general directives that dictate how we arrive at the best product for these patients. Therefore, the actions and rulemaking of this committee directly affects our ability to serve this patient population.

- (7) The represented groups, as currently stated, are necessary to arrive at the most relevant and appropriate rule language. However, perhaps one of the most important representatives from the medical community- is missing. I think it is imperative that you include a Florida Board Registered Pharmacist. There are many instances in the current language that refer to "dispensing." The reason is that we will be "dispensing" a medical drug. The medical industry authorities on dispensing are Pharmacists. They understand QA, QC, CQI (Continuous Quality Improvement), inventory controls, pharmaceutical care (holistic patient care), medical drug counseling, MTM (med therapy management), patient outcomes, drug interactions, biochemistry and pharmacokinetics. All of the aforementioned core competencies serve as a necessary knowledge base to drive processes, procedures and directives generated from this rulemaking session. While the current representatives listed possess necessary competencies relevant to this agenda, they are not experts in comprehensive dispensing processes- that start as soon as the oil is extracted in the production line and extend all the way through dispensing the drug at dispensaries and finally to counseling the patient. This includes one of the largest parts to this operation- the compounding lab....which is staffed by pharmacists. This committee needs to include an experienced pharmacist.

- (8) I am willing to negotiate in good faith and can attend the scheduled meetings.

**Comment:**

I am Board Certified/Registered as a Pharmacist in 11 states including Florida, with a 12th state in process. This means that I have taken and successfully passed 12 state regulatory law exams. I believe that this serves a strong reference point as we engage the framework for this rule. I have 22 years of experience in the profession of pharmacy and have been in executive operations that include both retail field and corporate operations. I currently lead a multi-million dollar pharma conglomerate comprised of multiple business verticals including both the sterile and non-sterile platforms coupled with pharmacogenomics and toxicology platforms. I founded and grew a successful nutrition company ( [www.pocketprotein.com](http://www.pocketprotein.com)) that involved start-up company dynamics, product development, R&D, vendor contracting, executive leadership placement, market analyses, retail penetration, chemistry and science initiatives for formula development, corporate financials, physician relations, FDA regulation adherence and interface, investor relations and legal representation.

I hope that you may see the above as a benefit to be involved in this rulemaking committee on February 4<sup>th</sup> and 5<sup>th</sup>.

If you have any questions, please do not hesitate to contact me.

Professionally,

*Lyttleton Stewart*

Lyttleton Stewart  
863.409.5414

## Bist, Kevin

---

**From:** Darrick McGhee <darrick@teamjb.com>  
**Sent:** Monday, January 12, 2015 4:20 PM  
**To:** Nelson, Patricia A  
**Subject:** FW: Holley letter to DOH.docx  
**Attachments:** Holley letter to DOH.docx; ATT00001.htm

Good Afternoon Patty,

I am following back up with you regarding the task force selections. I meant to ask what your timeframe was for selecting? I have an anxious client and colleague (two separate individuals).

---

Darrick D. McGhee  
Vice President of Government Relations  
Johnson & Blanton, LLC

**Phone:** (850) 321-6489

**Email:** [darrick@teamjb.com](mailto:darrick@teamjb.com) **Facebook:** Darrick McGhee

**Twitter:** @DarrickDMcGhee **Web:** [www.teamjb.com](http://www.teamjb.com)

**LinkedIn:** [www.linkedin.com/pub/darrick-d-mcghee/4b/916/7b6](http://www.linkedin.com/pub/darrick-d-mcghee/4b/916/7b6)

"Whenever men and women straighten their backs up, they are going somewhere, because a man can't ride your back unless it is bent". - **Dr. Martin Luther King, Jr.**

---

**From:** "Darrick D. McGhee" <darrick@teamjb.com>  
**Date:** Wednesday, January 7, 2015 at 11:44 AM  
**To:** Patricia Nelson <Patricia.Nelson@flhealth.gov>  
**Subject:** Holley letter to DOH.docx

Good Afternoon Patty,

Thank you for taking the time to speak with me this morning. Pursuant to our conversation and your request, attached, please find a letter from Ms. Holley expressing her interest in being considered for the Rule Task Force and why. Thank you again for taking the time.

## Education

- University of South Alabama, Bachelors in the Science of Nursing

## Work History

- Lee Memorial Children's Hospital, Fort Myers (May 2004 – Sept 2005)
  - Pediatric Floor Nurse
- Sacred Heart Children's Hospital, Pensacola (Sept 2005 – March 2007)
  - Infant/Toddler, School Age/Adolescent, PICU, and NICU
- Child Neurology Center / Clinical Research Group, Gulf Breeze (2005 – 2012)
  - Assisted with BOTOX administration
  - Clinical Research Nurse certified
  - Conducted pharmaceutical clinical trial for epilepsy, migraines, DMD, etc
- Epilepsy Society of Northwest Florida, Pensacola (Sept 2012 – Jan 2014)
  - Executive Director

But more important than my education or work history, I am the mother of a child with intractable epilepsy. My oldest daughter, RayAnn, is 11 years old and diagnosed with cerebral palsy and intractable epilepsy. I have done my research on high CBD cannabis oil and I believe it could change RayAnn's quality of life. I have had the opportunity to visit Charlotte Figi and the other patients using Charlotte's Web in CO, as well as, visit to Stanley Brother's greenhouses and lab. I would like to share what I have learned about high CBD oil with the DOH and help make this program the best it can be. My daughter's life depends on it!

Thank you for your consideration.

Holley Moseley

holleybythesea41@yahoo.com

**Bist, Kevin**

---

**From:** Mary Thomas <MThomas@flmedical.org>  
**Sent:** Monday, January 12, 2015 4:47 PM  
**To:** Nelson, Patricia A  
**Subject:** Negotiated Rulemaking Committee Application - FMA  
**Attachments:** Negotiated Rulemaking Committee App - FMA.pdf

Patricia Nelson,

Please find attached the Florida Medical Association's application for participation in the negotiated rulemaking committee.

Thank you for your consideration and please do not hesitate to contact me if I can be of any further assistance.

Best,



Mary Thomas, Esq.  
Assistant General Counsel  
1430 Piedmont Dr. E  
Tallahassee, FL 32308  
850.224.6496..257  
[www.flmedical.org](http://www.flmedical.org)  
[facebook](#) | [twitter](#) | [linkedin](#)

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and permanently delete the original and any copy of this e-mail and any printout thereof.



January 12, 2015

Patricia Nelson  
Department of Health  
4052 Bald Cypress Way  
Bin A-02  
Tallahassee, FL 32399

### **Application for Participation in Negotiated Rulemaking Committee**

The Florida Medical Association (FMA) is a professional association dedicated to the service and assistance of Doctors of Medicine and Doctors of Osteopathic Medicine in Florida. The FMA represents more than 20,000 physicians on issues of legislation and regulatory affairs, medical economics and education, public health, and ethical and legal issues. We advocate for physicians and their patients to promote the public health, ensure the highest standards of medical practice, and to enhance the quality and availability of health care in the Sunshine State.

The FMA's inclusion in the rulemaking committee is necessary because the regulatory structure for dispensing organizations of low-THC cannabis directly affects physicians throughout the State. Physicians will be tasked with the critical responsibility of assessing and diagnosing qualified patients and subsequently ordering low-THC Cannabis products. The FMA is attuned to physician concerns and works tirelessly to ensure their interests are well represented. Further, the Legislature charged the FMA with the sole responsibility for creating and providing the Compassionate Medical Cannabis CME course – demonstrating the FMA's experience and knowledge of this issue. The current representative groups do not allow for the well-rounded representation of over 20,000 physicians in the state of Florida. For all reasons stated above, and because the FMA is the largest advocacy group for physicians in the state, physicians would best be represented in the negotiated rulemaking committee by the FMA.

The Florida Medical Association is willing to negotiate in good faith on behalf of Florida physicians and their patients. The FMA will have a representative present at the February 4-5, 2015 meetings. Thank you and please do not hesitate to contact me if I can be of further assistance.

Sincerely,

Alan B. Pillersdorf, M.D.  
President

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Monday, January 12, 2015 4:55 PM  
**To:** 'Mary Thomas'  
**Subject:** RE: Negotiated Rulemaking Committee Application - FMA

Ms. Thomas,

Do you have a copy of the continuing education class and examination, developed by FMA, that I can review?

Patty

Patricia Nelson  
Director  
Office of Compassionate Use  
Florida Department of Health

---

**From:** Mary Thomas [<mailto:MThomas@flmedical.org>]  
**Sent:** Monday, January 12, 2015 4:47 PM  
**To:** Nelson, Patricia A  
**Subject:** Negotiated Rulemaking Committee Application - FMA

Patricia Nelson,

Please find attached the Florida Medical Association's application for participation in the negotiated rulemaking committee.

Thank you for your consideration and please do not hesitate to contact me if I can be of any further assistance.

Best,



Mary Thomas, Esq.  
Assistant General Counsel  
1430 Piedmont Dr. E  
Tallahassee, FL 32308  
850.224.6496..257  
[www.flmedical.org](http://www.flmedical.org)  
[facebook](#) | [twitter](#) | [linkedin](#)

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and permanently delete the original and any copy of this e-mail and any printout thereof.

## Bist, Kevin

---

**From:** chnuts@gmail.com  
**Sent:** Monday, January 12, 2015 4:56 PM  
**To:** scott@skdgrp.com  
**Cc:** Nelson, Patricia A  
**Subject:** Re: Request to be on Rule Negotiating Committee

Hi Patty. I will call at 9am on Wed if that works for you.

Thanks,  
Bob Wallace  
Chestnut Hill  
352.219.5825

Sent from my iPhone

On Jan 12, 2015, at 3:53 PM, Scott <[scott@skdgrp.com](mailto:scott@skdgrp.com)> wrote:

Patty, I have copied Mr. Wallace on this email. He would prefer to discuss the matter below, UF Medical Research, either by phone or in person. Whatever is best for you. Can you let Mr. Wallace know a good time and number to call you tomorrow morning if a phone call is your preferred communication, or a day that works best for you. Thanks Patty. Scott Dick

Scott Dick  
SKD Consulting Group, Inc.  
210 South Monroe Street  
Tallahassee, FL 32301  
O: 850-421-9100 C: 850-545-4526

---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]

**Sent:** Friday, January 9, 2015 3:32 PM

**To:** Scott

**Subject:** RE: Request to be on Rule Negotiating Committee

Scott,

Thank you for your kind words. I am very optimistic about moving this forward.

Will you ask Mr. Wallace to tell me a little bit more about this, if he can:

Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

Obviously, sometime next week is fine.

Thank you!

Patty

---

**From:** Scott [<mailto:scott@skdgrp.com>]

**Sent:** Friday, January 09, 2015 3:23 PM

**To:** Nelson, Patricia A

**Subject:** FW: Request to be on Rule Negotiating Committee

Pattie, please see the below request from Robert (Bob) Wallace to be a nursery representative for the Rule Negotiating Committee. His BIO and background information is also below. I am sure

the Compassionate Use activity is running more smoothly now that you are on board and leading the effort. I look forward to working with you as we move forward. Please let Bob or me know if you need additional information. Thanks. Scott Dick

Scott Dick

SKD Consulting Group, Inc.

210 South Monroe Street

Tallahassee, FL 32301

O: 850-421-9100 C: 850-545-4526

---

**From:** Robert Wallace [<mailto:chnuts@gmail.com>]

**Sent:** Friday, January 9, 2015 1:48 PM

**To:** Scott

**Subject:** Request to be on Rule Negotiating Committee

Scott - please advise Pattie Nelson from DOH that I would like to be the Nursery representative for the SB 1030 Rule-negotiating committee. I have included a brief bio below that states my qualifications.

Thank you, and please have Ms. Nelson ask if she needs any additional information from me.

Robert D. Wallace

President

Chestnut Hill Tree Farm

15105 NW 94 Ave

Alachua FL 32615

352-219-5825

Wallace is the grandson of noted plant breeder Dr. Robert T. Dunstan, and son of Dr. A.T. Wallace, plant geneticist and former Dean for Research at the University of Florida College of Agriculture. Wallace founded Chestnut Hill Tree Farm in 1981 after graduation from UF with an interdisciplinary degree in Zoology, Botany and Wildlife Biology. Wallace is one of the leaders in the development of the US chestnut industry, and is a founder and board member of the Chestnut Growers of America. Wallace wrote and received the only U.S. Plant Patents ever given to chestnut tree varieties, and has been growing edible nut and fruit trees and plants for over 33 years.

Chestnut Hill Tree Farm is a 200 acre wholesale and retail nursery operation in Alachua, FL near Gainesville. It is one of the largest growers of edible fruit trees in Florida, and sells trees all over the eastern U.S. In 2011 Wallace formed Chestnut Hill Outdoors, to make the Dunstan Chestnut™, the best tree for attracting deer and wildlife, available to the hunting industry. Wallace also manufactures Chestnut Magic™ the first chestnut based attractant for the hunting market, which is sold at Walmart and other major retailers across the nation. Wallace is also a vendor to Whole Food Market for chestnut food products.

Chestnut Hill Tree Farm is one of the 6 qualified nursery operations for SB 1030 in the NE Florida region. Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research.

The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

*Bob*

R.D. Wallace  
Chestnut Hill Tree Farm  
15105 NW 94 Ave  
Alachua, FL 32615  
352-219-5825

## Bist, Kevin

---

**From:** chnuts@gmail.com  
**Sent:** Monday, January 12, 2015 4:59 PM  
**To:** Nelson, Patricia A  
**Cc:** scott@skdgrp.com  
**Subject:** Re: Request to be on Rule Negotiating Committee

Thank you, looking forward to it!

Sent from my iPhone

On Jan 12, 2015, at 4:57 PM, Nelson, Patricia A <Patricia.Nelson@flhealth.gov> wrote:

That would be great. I will put you on my calendar.  
Thank you!

---

**From:** [chnuts@gmail.com](mailto:chnuts@gmail.com) [<mailto:chnuts@gmail.com>]  
**Sent:** Monday, January 12, 2015 4:56 PM  
**To:** [scott@skdgrp.com](mailto:scott@skdgrp.com)  
**Cc:** Nelson, Patricia A  
**Subject:** Re: Request to be on Rule Negotiating Committee

Hi Patty. I will call at 9am on Wed if that works for you.

Thanks,  
Bob Wallace  
Chestnut Hill  
352.219.5825

Sent from my iPhone

On Jan 12, 2015, at 3:53 PM, Scott <[scott@skdgrp.com](mailto:scott@skdgrp.com)> wrote:

Patty, I have copied Mr. Wallace on this email. He would prefer to discuss the matter below, UF Medical Research, either by phone or in person. Whatever is best for you. Can you let Mr. Wallace know a good time and number to call you tomorrow morning if a phone call is your preferred communication, or a day that works best for you. Thanks Patty. Scott Dick

Scott Dick  
SKD Consulting Group, Inc.  
210 South Monroe Street  
Tallahassee, FL 32301  
O: 850-421-9100 C: 850-545-4526

---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Friday, January 9, 2015 3:32 PM  
**To:** Scott  
**Subject:** RE: Request to be on Rule Negotiating Committee

Scott,  
Thank you for your kind words. I am very optimistic about moving this forward. Will you ask Mr. Wallace to tell me a little bit more about this, if he can:

Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding. Obviously, sometime next week is fine.

Thank you!

Patty

---

**From:** Scott [<mailto:scott@skdgrp.com>]

**Sent:** Friday, January 09, 2015 3:23 PM

**To:** Nelson, Patricia A

**Subject:** FW: Request to be on Rule Negotiating Committee

Pattie, please see the below request from Robert (Bob) Wallace to be a nursery representative for the Rule Negotiating Committee. His BIO and background information is also below. I am sure the Compassionate Use activity is running more smoothly now that you are on board and leading the effort. I look forward to working with you as we move forward. Please let Bob or me know if you need additional information. Thanks. Scott Dick

Scott Dick

SKD Consulting Group, Inc.

210 South Monroe Street

Tallahassee, FL 32301

O: 850-421-9100 C: 850-545-4526

---

**From:** Robert Wallace [<mailto:chnuts@gmail.com>]

**Sent:** Friday, January 9, 2015 1:48 PM

**To:** Scott

**Subject:** Request to be on Rule Negotiating Committee

Scott - please advise Pattie Nelson from DOH that I would like to be the Nursery representative for the SB 1030 Rule-negotiating committee. I have included a brief bio below that states my qualifications.

Thank you, and please have Ms. Nelson ask if she needs any additional information from me.

Robert D. Wallace

President

Chestnut Hill Tree Farm

15105 NW 94 Ave

Alachua FL 32615

352-219-5825

Wallace is the grandson of noted plant breeder Dr. Robert T. Dunstan, and son of Dr. A.T. Wallace, plant geneticist and former Dean for Research at the University of Florida College of Agriculture. Wallace founded Chestnut Hill Tree Farm in

1981 after graduation from UF with an interdisciplinary degree in Zoology, Botany and Wildlife Biology. Wallace is one of the leaders in the development of the US chestnut industry, and is a founder and board member of the Chestnut Growers of America. Wallace wrote and received the only U.S. Plant Patents ever given to chestnut tree varieties, and has been growing edible nut and fruit trees and plants for over 33 years.

Chestnut Hill Tree Farm is a 200 acre wholesale and retail nursery operation in Alachua, FL near Gainesville. It is one of the largest growers of edible fruit trees in Florida, and sells trees all over the eastern U.S. In 2011 Wallace formed Chestnut Hill Outdoors, to make the Dunstan Chestnut™, the best tree for attracting deer and wildlife, available to the hunting industry. Wallace also manufactures Chestnut Magic™ the first chestnut based attractant for the hunting market, which is sold at Walmart and other major retailers across the nation. Wallace is also a vendor to Whole Food Market for chestnut food products.

Chestnut Hill Tree Farm is one of the 6 qualified nursery operations for SB 1030 in the NE Florida region. Wallace is working with Doctors at the College of Pharmacy and the College of Medicine at UF Health to develop testing programs for Charlottes Web and other diverse medical uses for marijuana that will provide for the mandate of SB 1030 for medical research. The College of Pharmacy has DEA clearance to work on Schedule 1 drugs, and a group of professors are being organized by Wallace to cooperatively pursue Phase 2 and 3 laboratory and clinical testing for different illnesses and various treatment programs with both private and public funding.

*Bob*

R.D. Wallace  
Chestnut Hill Tree Farm  
15105 NW 94 Ave  
Alachua, FL 32615  
352-219-5825

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Monday, January 12, 2015 5:34 PM  
**To:** 'Mary Thomas'  
**Subject:** RE: Negotiated Rulemaking Committee Application - FMA

Perfect!

Ms. Carter can call me at 850-245-4657

Patty

---

**From:** Mary Thomas [<mailto:MThomas@flmedical.org>]  
**Sent:** Monday, January 12, 2015 5:32 PM  
**To:** Nelson, Patricia A  
**Cc:** Melissa Carter  
**Subject:** RE: Negotiated Rulemaking Committee Application - FMA

Ms. Nelson,

The continuing education course and examination are in an online format that encompasses text and audio along with examination questions throughout the course. I have added Melissa Carter to this email who is our Senior Vice President of Education and Membership – she will be able to provide you with an individual login so that you may review the course.

We appreciate your sensitivity to this confidential login information and please let me know if there is anything else I can do for you.

Best,

Mary Thomas

---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Monday, January 12, 2015 4:55 PM  
**To:** Mary Thomas  
**Subject:** RE: Negotiated Rulemaking Committee Application - FMA

Ms. Thomas,

Do you have a copy of the continuing education class and examination, developed by FMA, that I can review?

Patty

Patricia Nelson  
Director  
Office of Compassionate Use  
Florida Department of Health

---

**From:** Mary Thomas [<mailto:MThomas@flmedical.org>]  
**Sent:** Monday, January 12, 2015 4:47 PM  
**To:** Nelson, Patricia A  
**Subject:** Negotiated Rulemaking Committee Application - FMA

Patricia Nelson,

Please find attached the Florida Medical Association's application for participation in the negotiated rulemaking committee.

Thank you for your consideration and please do not hesitate to contact me if I can be of any further assistance.

Best,



Mary Thomas, Esq.  
Assistant General Counsel  
1430 Piedmont Dr. E  
Tallahassee, FL 32308  
850.224.6496 .257  
[www.flmedical.org](http://www.flmedical.org)  
[facebook](#) | [twitter](#) | [linkedin](#)

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and permanently delete the original and any copy of this e-mail and any printout thereof.

**Bist, Kevin**

---

**From:** anneliese clark <annelieseclark@gmail.com>  
**Sent:** Monday, January 12, 2015 6:23 PM  
**To:** Nelson, Patricia A  
**Subject:** Re: Low-THC Cannabis Rulemaking

Hi Patty,  
I am just following up with the Committee selection process. Please advise.  
I look forward to hearing from you and serving those in need in our state.  
Anneliese

On Wed, Jan 7, 2015 at 11:05 AM, anneliese clark <annelieseclark@gmail.com> wrote:  
Patty,  
I am very interested in committee position #2:  
*2. A qualified patient or patient representative;*

I was not clear as to the selection process of the actual committee members, so I am reaching out to you personally. I feel I would be an ideal candidate. I have attended every DOH Rule Workshop and spoke at the Senate Criminal Justice subcommittee. Spending my own money, I went to CO in September and toured 3 types of grow operations (hydro, indoor and outdoor); 8 dispensaries to better educate myself about what "successful programs" look like. In October, I spent 2 weeks in CA touring labs, dispensary, extraction facility and attended educational classes taught by a PhD plant scientist and a 20 year caregiver. I am not employed or representing any of the future applicants to SB1030 which allows me to remain objective without bias. I spent the summer months traveling around the state, speaking to groups about the importance of having medicinal cannabis as an option as well as the importance to regulated, structured safe access. I am a member of several "think tank" groups surrounding the science and delivery methods of the oils - tracking what works and what does not.

Personally - [REDACTED]  
these "other avenues" exist in our state, a structured, regulated program with education and safe, tested access is a must. [REDACTED]

Florida under these "other avenues". I do not favor CBD only [REDACTED]  
cannabinoids are necessary, however I am strongly committed to seeing a medical marijuana program get up and running *correctly* in our state. I am hopeful and confident that our legislators will do the right thing in regards to expansion of the program.

A little background: My daughter is [REDACTED] She has [REDACTED]  
[REDACTED] 2013, [REDACTED]  
[REDACTED] I reached out to the Realm of Caring about moving to CO. The waiting list was over 10 months long. This made no sense to me and I knew my daughter would not make it another 10 months especially if we had to move to a strange place. I took matters into my own hands and threw myself into researching every aspect of this as medicine. [REDACTED]  
[REDACTED]

Last week I participated in a project to help raise awareness - legislatively, nationally. I am including the link.

<https://www.youtube.com/watch?v=I55kd5PvEuk>

A few references: Bill Wohlsifer, Ron Watson, Rutledge and Encina,

Thank you for your consideration

Anneliese Clark

904-813-5228

On Mon, Jan 5, 2015 at 5:11 PM, Nelson, Patricia A <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

Dear Interested Parties,

Please see the attached Notice of Negotiated Rulemaking (on page 1 of the attached document) scheduled for February 4 and 5, 2015, in Tallahassee.

Sincerely,

Patty

Patricia Nelson

Director

Office of Compassionate Use

--

*Anneliese Clark*

904-813-5228

--

*Anneliese Clark*

904-813-5228

**Bist, Kevin**

---

**From:** Joe Sansonetti <[jsansonetti@earthlink.net](mailto:jsansonetti@earthlink.net)>  
**Sent:** Monday, January 12, 2015 6:51 PM  
**To:** Nelson, Patricia A  
**Cc:** 'Joe Sansonetti'  
**Subject:** Rulemaking Committee  
**Attachments:** Patricia Nelson 2.doc

Director Nelson,

I hand delivered to your offices this morning a letter requesting to serve on the negotiated rulemaking committee. It might be helpful for you to receive my request by email as well. Please find attached my letter of request.

Thank you in advance for your consideration.

**Joseph Sansonetti**

1/12/2015 6:51pm

[jsansonetti@earthlink.net](mailto:jsansonetti@earthlink.net)

[josephsansonetti@myamericanaccess.com](mailto:josephsansonetti@myamericanaccess.com)

Cell: 678-576-0479

## JOSEPH SANSONETTI

Patricia Nelson, PhD.  
Director, Compassionate Use Registry  
Department of Health  
4052 Bald Cypress Way, Bin A-02  
Tallahassee, FL 32399

January 12, 2015

Director Nelson:

I appreciate the committee structure you have created to implement the Compassionate Medical Cannabis Act of 2014. I also appreciate that though the proposed committee membership is diverse, you have anticipated that there are other interests that may not be represented by those named in the Notice of January 5, 2015. You have invited other interested parties and interests to participate with a written request.

I would like to take this opportunity to request a place on the negotiated rulemaking committee. In order to comply with the requirements of accountability for all raw materials, finished products, and any byproducts as required in the law, [s. 381.986 (5) (b) 3], there must be an intersection between the activities of an authorized dispensing organization and law enforcement. Controls are necessary to prevent diversion, both outbound and inbound, and to prevent unlawful access to or possession of these substances. These controls must generate a manifest that is accessible to law enforcement, the Department of Health, the Department of Agriculture and Consumer Services, and the Department of Transportation.

The committee must include a spokesperson who will advocate for seed-to-oil-to-sale event tracking to create the required level of accountability. I am an advocate for event tracking to create a secure record for proof of chain of custody for law enforcement. The dispensing organization must prove the plant was grown in Florida by a legitimate, authorized, grow facility located within a dispensing organization. And, the dispensing organization must be able to intersect the process for accountability of the product, with the physician's order and the patient's receipt of the order at point of sale.

As stated above, absent rigorous control and reporting, every patient, physician, nurseryman, member of law enforcement, and the public in general, will be affected negatively. I do not know that anyone among the named committee members intends to address this matter...but I do know that these issues must be considered. I am prepared to do that.

I will negotiate in good faith and I will attend the committee meeting speak about these important aspects of the statute. Thank you for your consideration of my request as you proceed.

Respectfully,  
*Joseph Sansonetti*

**Joseph Sansonetti 11079 Tradewinds Blvd. Largo, Fl. 33773 Cell: 678-576-0479**

## Bist, Kevin

---

**From:** Nelson, Patricia A  
**Sent:** Monday, January 12, 2015 10:28 PM  
**To:** Bist, Kevin  
**Subject:** Re: information you requested

Thank you, Kevin. I'll take care of it.

Patty

On Jan 12, 2015, at 8:31 PM, Bist, Kevin <[Kevin.Bist@flhealth.gov](mailto:Kevin.Bist@flhealth.gov)> wrote:

Patty,

Please see Dr. Le's email below and his question regarding the upcoming meeting. I will be glad to contact Representative Gaetz's office if you prefer.

Please let me know how you would like to proceed.

Thank you,

Kevin

**From:** Ngoc Minh Le [<mailto:cephalemd@gmail.com>]

**Sent:** Monday, January 12, 2015 4:31 PM

**To:** Bist, Kevin

**Subject:** Re: information you requested

Hi Kevin,

Not sure if you got my last e-mail.

I was told that the DOH is holding another meeting on February 4-5. Unfortunately, I will be out of the country then. Does Patty and DOH want to meet with me beforehand or after I get back as I would like to be the physician to give input into all this?

I also had a chance to talk to Charlie Brinks today at Full Spectrum Labs and get details into what they are doing. I am going to have my connections at Courtagen look into this further as he has more of a basic science background, but I think what they can offer is worth looking into. We have an opportunity in Florida to do what no other state has done, from making different ratios available, to making consistent batches available, to properly study CBD.

Also, did Representative Matt Gaetz's office get back to you about how I can contact him best?

Thanks,

~ Ngoc Minh D. Le, MD

On Wed, Jan 7, 2015 at 4:24 PM, Ngoc Minh Le <[cephalemd@gmail.com](mailto:cephalemd@gmail.com)> wrote:

Thanks Kevin.

I was told that the DOH is holding another meeting on February 4-5. Unfortunately, I will be out of the country then. Does Patty and DOH want to meet with me beforehand or after I get back as I would like to be the physician to give input into all this?

On Mon, Jan 5, 2015 at 9:20 AM, Bist, Kevin <[Kevin.Bist@flhealth.gov](mailto:Kevin.Bist@flhealth.gov)> wrote:

Good Morning Dr. Le,

Hope you had a Happy New Year!

I'm waiting to hear back from Senator Gaetz's office, but the holiday may delay their response.

Best,

Kevin

**From:** Ngoc Minh Le [mailto:[cephalemd@gmail.com](mailto:cephalemd@gmail.com)]

**Sent:** Wednesday, December 31, 2014 2:59 PM

**To:** Bist, Kevin

**Subject:** Re: information you requested

Thanks Kevin and have a great New Years!

On Wed, Dec 31, 2014 at 1:19 PM, Bist, Kevin <[Kevin.Bist@flhealth.gov](mailto:Kevin.Bist@flhealth.gov)> wrote:

Hi Dr. Le,

I've forwarded your email and cell to Patty, and have left a voice mail at Senator Gaetz's office for guidance as to the best way to get that info to him.

Here is the contact information you requested:

Charles R. Brink

Chairman, Full Spectrum Labs

813-391-6878

[Charlie@fullspectrumlabs.com](mailto:Charlie@fullspectrumlabs.com)

Please let me know if I may be of additional assistance.

Happy New Year!

Kevin

**From:** Ngoc Minh Le [mailto:[cephalemd@gmail.com](mailto:cephalemd@gmail.com)]

**Sent:** Tuesday, December 30, 2014 6:53 PM

**To:** Bist, Kevin

**Subject:** Re: Dec. 30 meeting

Kevin,

Thank you for fitting me in today and introducing me to Patty. Please forward my e-mail and cell to her. Also, Senator Gaetz met with me as I was leaving, but neither of us had our card on hand. Can you please forward him my info as well?

Also, do you have the contact info for the guy from Canada Health whose lab provides the testing for the cannabis and are able to water dissolve it?

Thanks,

~ Minh D. Le

On Mon, Dec 22, 2014 at 11:53 AM, Bist, Kevin <[Kevin.Bist@flhealth.gov](mailto:Kevin.Bist@flhealth.gov)> wrote:

Thank you sir. I look forward to meeting you.

**From:** Ngoc Minh Le [<mailto:cephalemd@gmail.com>]

**Sent:** Monday, December 22, 2014 11:53 AM

**To:** Bist, Kevin

**Subject:** Re: Dec. 30 meeting

Thanks Kevin. I will try to be there by 9am after I make hospital rounds.

On Mon, Dec 22, 2014 at 11:39 AM, Bist, Kevin <[Kevin.Bist@flhealth.gov](mailto:Kevin.Bist@flhealth.gov)> wrote:

Dear Dr. Le,

We look forward to seeing you at the December 30<sup>th</sup> meeting in Orlando.

While we will be unable to provide a specific time for you to speak, we will do everything we can to accommodate your schedule. The morning may be best to plan to attend, and when you arrive, please let me know and I will alert the leader of the panel. My private cell number is [850-544-1466](tel:850-544-1466).

Thank you for your understanding.

Kind Regards,

Kevin

---

**From:** Bist, Kevin

**Sent:** Friday, December 19, 2014 4:05 PM

**To:** '[cephalemd@gmail.com](mailto:cephalemd@gmail.com)'

**Subject:** Dec. 30 meeting

Dear Dr. Le,

It was a pleasure to speak with you regarding the upcoming DOH hearing in Orlando. Please see below the information you requested:

The Department of Health announces a workshop to which all persons are invited.

**DATES AND TIMES:** December 30, 2014, 9:00 a.m. – 5:00 p.m., or until the conclusion of the workshop

**PLACE:** The Florida Department of Health in Orange County, 6101 Lake Ellenor Drive, Orlando, Florida

In order for you to arrange your clinic schedule I will investigate whether a block of time can be set aside for you to speak, and will respond to you via a separate email.

Kind Regards,

Kevin

Kevin Bist

Program Specialist

Office of Compassionate Use

Florida Department of Health

850-245-4658

**Bist, Kevin**

---

**From:** Jerry Chesler <jerry.chesler@gmail.com>  
**Sent:** Tuesday, January 13, 2015 1:58 AM  
**To:** Nelson, Patricia A  
**Cc:** jerry chesler  
**Subject:** Negotiated Rulemaking Committee

Ms. Nelson:

I am interested in participating in the Negotiated Rulemaking Committee for the regulatory structure for dispensing organizations for low THC cannabis. I am qualified under Group 7.

I am an Arizona attorney and national cannabis business consultant. I have been actively involved in the Arizona MMJ program since its inception. I recently closed my law practice to focus on national consulting.

Through my consulting business, I serve as general counsel for a publicly traded company (American Green, Inc. OTC: ERBB) that focuses on development and distribution of CBD medications from both hemp and cannabis sources.

I have been deeply involved in all aspects of the highly regulated, Arizona medical marijuana program. I am a speaker, lecturer and instructor in medical marijuana issues, and have provided accredited continuing medical education courses for naturopathic and other physicians.

As an attorney, I navigated Arizona's regulatory system to acquire licenses for and successfully operate numerous medical marijuana dispensaries for clients. I have testified to the Arizona Department of Health Services on MMJ related veterans' issues and PTSD.

Please advise whether I can be considered for this committee. If so, I am happy to provide a CV or any other information you require.

Jerry Chesler  
Chesler Consulting  
480-235-3368

6137 East Quail Track Drive  
Scottsdale, AZ 85266

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Tuesday, January 13, 2015 8:53 AM  
**To:** 'Jerry Chesler'  
**Subject:** RE: Negotiated Rulemaking Committee

Mr. Chesler,

You can be considered for the committee. There are no automatic disqualifiers. Forward your resume, and I will add your name to my ever-growing list. I appreciate your time trying to help us with this important job.

Patty

Patricia Nelson  
Director  
Office of Compassionate Use  
Florida Department of Health



**From:** Jerry Chesler [<mailto:jerry.chesler@gmail.com>]  
**Sent:** Tuesday, January 13, 2015 1:58 AM  
**To:** Nelson, Patricia A  
**Cc:** jerry chesler  
**Subject:** Negotiated Rulemaking Committee

Ms. Nelson:

I am interested in participating in the Negotiated Rulemaking Committee for the regulatory structure for dispensing organizations for low THC cannabis. I am qualified under Group 7.

I am an Arizona attorney and national cannabis business consultant. I have been actively involved in the Arizona MMJ program since its inception. I recently closed my law practice to focus on national consulting.

Through my consulting business, I serve as general counsel for a publicly traded company (American Green, Inc. OTC: ERBB) that focuses on development and distribution of CBD medications from both hemp and cannabis sources.

I have been deeply involved in all aspects of the highly regulated, Arizona medical marijuana program. I am a speaker, lecturer and instructor in medical marijuana issues, and have provided accredited continuing medical education courses for naturopathic and other physicians.

As an attorney, I navigated Arizona's regulatory system to acquire licenses for and successfully operate numerous medical marijuana dispensaries for clients. I have testified to the Arizona Department of Health Services on MMJ related veterans' issues and PTSD.

Please advise whether I can be considered for this committee. If so, I am happy to provide a CV or any other information you require.

Jerry Chesler  
Chesler Consulting  
480-235-3368

6137 East Quail Track Drive  
Scottsdale, AZ 85266

## Bist, Kevin

---

**From:** Seth Hyman <shyman@kelleykronenberg.com>  
**Sent:** Tuesday, January 13, 2015 10:53 AM  
**To:** Nelson, Patricia A  
**Subject:** RE: Follow Up

Patty;

One quick thing for now.

Some folks I have spoken to including myself are a little confused about the committees. The notice list the types of committees and states "committee members listed above", but does not actually list any members names. So it's difficult to determine if our interests are adequately represented.

If I submit the information specified in the notice, can I participate on the "Qualified Patient or Representative" committee?

Thanks,

Warm regards,

Seth Hyman  
**Business Development/Special Project Director**  
8201 Peters Road | Suite 4000  
Fort Lauderdale | FL 33324  
954. 370.9970 | Office  
954. 394. 9100 | Cell  
954. 382.1988 | Fax  
[Biography](#) | [Website](#) | [Email](#) | [LinkedIn](#)



Important - Kelley Kronenberg utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via phone in one of our office locations available [here](#).

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. Thank you.

---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Tuesday, January 13, 2015 10:44 AM  
**To:** Seth Hyman  
**Subject:** RE: Follow Up

Seth,

I am really slammed right now. Friday (maybe Thursday afternoon) looks like a possibility if nothing comes up.

I haven't forgotten you!

Patty

---

**From:** Seth Hyman [<mailto:shyman@kelleykronenberg.com>]  
**Sent:** Tuesday, January 13, 2015 10:38 AM  
**To:** Nelson, Patricia A  
**Subject:** Follow Up

Hi Patty;

Not sure if you listened to my vmail last week, just wanted to know when would be a good time to call you for a brief follow up conversation?

Warm regards,

Seth Hyman  
**Business Development/Special Project Director**  
8201 Peters Road | Suite 4000  
Fort Lauderdale | FL 33324  
954. 370.9970 | Office  
954. 394. 9100 | Cell  
954. 382.1988 | Fax  
[Biography](#) | [Website](#) | [Email](#) | [LinkedIn](#)



Important - Kelley Kronenberg utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via phone in one of our office locations available [here](#).

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. Thank you.

## **Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Tuesday, January 13, 2015 11:10 AM  
**To:** 'Seth Hyman'  
**Subject:** RE: Follow Up

There is one committee, the negotiating committee. There are several groups identified to participate in the committee. Each group will have ONE individual on the committee to represent that group. The individuals have not been chosen yet. If anyone would like to be the individual for the patient group, all you have to do is submit your request by email, telling me what you have to offer that will help us reach a good set of rules.

---

**From:** Seth Hyman [<mailto:shyman@kelleykronenberg.com>]  
**Sent:** Tuesday, January 13, 2015 10:53 AM  
**To:** Nelson, Patricia A  
**Subject:** RE: Follow Up

Patty;

One quick thing for now.

Some folks I have spoken to including myself are a little confused about the committees. The notice list the types of committees and states "committee members listed above", but does not actually list any members names. So it's difficult to determine if our interests are adequately represented.

If I submit the information specified in the notice, can I participate on the "Qualified Patient or Representative" committee?

Thanks,

Warm regards,

**Seth Hyman**

**Business Development/Special Project Director**

8201 Peters Road | Suite 4000

Fort Lauderdale | FL 33324

954. 370.9970 | Office

954. 394. 9100 | Cell

954. 382.1988 | Fax

[Biography](#) | [Website](#) | [Email](#) | [LinkedIn](#)



Important - Kelley Kronenberg utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via phone in one of our office locations available [here](#).

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. Thank you.

---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Tuesday, January 13, 2015 10:44 AM  
**To:** Seth Hyman  
**Subject:** RE: Follow Up

Seth,

I am really slammed right now. Friday (maybe Thursday afternoon) looks like a possibility if nothing comes up.

I haven't forgotten you!

Patty

---

**From:** Seth Hyman [<mailto:shyman@kelleykronenberg.com>]  
**Sent:** Tuesday, January 13, 2015 10:38 AM  
**To:** Nelson, Patricia A  
**Subject:** Follow Up

Hi Patty;

Not sure if you listened to my vmail last week, just wanted to know when would be a good time to call you for a brief follow up conversation?

Warm regards,

**Seth Hyman**

**Business Development/Special Project Director**

8201 Peters Road | Suite 4000

Fort Lauderdale | FL 33324

954. 370.9970 | Office

954. 394. 9100 | Cell

954. 382.1988 | Fax

[Biography](#) | [Website](#) | [Email](#) | [LinkedIn](#)



Important - Kelley Kronenberg utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via phone in one of our office locations available [here](#).

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. Thank you.

## Bist, Kevin

---

**From:** Seth Hyman <shyman@kelleykronenberg.com>  
**Sent:** Tuesday, January 13, 2015 11:14 AM  
**To:** Nelson, Patricia A  
**Subject:** RE: Follow Up

Will do. I'll send you an e-mail with the info requested. I would like to participate on 4<sup>th</sup> & 5<sup>th</sup>.

BTW, thanks for not forgetting about me! ☺

I'll reach out to you on Thursday/Friday.

Best,

Seth Hyman  
**Business Development/Special Project Director**  
8201 Peters Road | Suite 4000  
Fort Lauderdale | FL 33324  
954. 370.9970 | Office  
954. 394. 9100 | Cell  
954. 382.1988 | Fax  
[Biography](#) | [Website](#) | [Email](#) | [LinkedIn](#)



Important - Kelley Kronenberg utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via phone in one of our office locations available [here](#).

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. Thank you.

---

**From:** Nelson, Patricia A [mailto:Patricia.Nelson@flhealth.gov]  
**Sent:** Tuesday, January 13, 2015 11:10 AM  
**To:** Seth Hyman  
**Subject:** RE: Follow Up

There is one committee, the negotiating committee. There are several groups identified to participate in the committee. Each group will have ONE individual on the committee to represent that group. The individuals have not been chosen yet. If anyone would like to be the individual for the patient group, all you have to do is submit your request by email, telling me what you have to offer that will help us reach a good set of rules.

---

**From:** Seth Hyman [mailto:shyman@kelleykronenberg.com]  
**Sent:** Tuesday, January 13, 2015 10:53 AM  
**To:** Nelson, Patricia A  
**Subject:** RE: Follow Up

Patty;

One quick thing for now.

Some folks I have spoken to including myself are a little confused about the committees. The notice list the types of committees and states "committee members listed above", but does not actually list any members names. So it's difficult to determine if our interests are adequately represented.

If I submit the information specified in the notice, can I participate on the "Qualified Patient or Representative" committee?

Thanks,

Warm regards,

Seth Hyman

**Business Development/Special Project Director**

8201 Peters Road | Suite 4000

Fort Lauderdale | FL 33324

954. 370.9970 | Office

954. 394. 9100 | Cell

954. 382.1988 | Fax

[Biography](#) | [Website](#) | [Email](#) | [LinkedIn](#)



Important - Kelley Kronenberg utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via phone in one of our office locations available [here](#).

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. Thank you.

---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]

**Sent:** Tuesday, January 13, 2015 10:44 AM

**To:** Seth Hyman

**Subject:** RE: Follow Up

Seth,

I am really slammed right now. Friday (maybe Thursday afternoon) looks like a possibility if nothing comes up.

I haven't forgotten you!

Patty

---

**From:** Seth Hyman [<mailto:shyman@kelleykronenberg.com>]

**Sent:** Tuesday, January 13, 2015 10:38 AM

**To:** Nelson, Patricia A

**Subject:** Follow Up

Hi Patty;

Not sure if you listened to my vmail last week, just wanted to know when would be a good time to call you for a brief follow up conversation?

Warm regards,

Seth Hyman

**Business Development/Special Project Director**

8201 Peters Road | Suite 4000

Fort Lauderdale | FL 33324

954. 370.9970 | Office

954. 394. 9100 | Cell

954. 382.1988 | Fax

[Biography](#) | [Website](#) | [Email](#) | [LinkedIn](#)



Important - Kelley Kronenberg utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via phone in one of our office locations available [here](#).

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. Thank you.

## **Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Tuesday, January 13, 2015 3:32 PM  
**To:** 'George Fernandez'  
**Subject:** RE: MCS Formal comments

Mr. Hernandez,

Has MCS consulted the U.S. Pharmacopeia Herbal Medicines Compendium for any of your SOPs, methods, or QA/QC?

Thank you,  
Patty

**From:** George Fernandez [<mailto:george@moderncanna.com>]  
**Sent:** Wednesday, December 31, 2014 8:17 AM  
**To:** Nelson, Patricia A  
**Subject:** MCS Formal comments

Good morning,

I have attached our formal comments regarding Senate Bill 1030 that were previously submitted. I just want to make sure you have a copy in case it didn't transfer over. My colleague and I attended and spoke at each of the previous workshops in Tallahassee. Unfortunately, we were unable to attend yesterday's workshop, but I did watch the live stream online.

We own a full service quality control testing laboratory, equipped with all of the instrumentation needed for medical cannabis testing. Up until now we've specialized in environmental and petroleum analysis. I heard you mention that you have experience in a lab and ran a GC. We have GC's, LC's, ICP's, HPLC, and micro biological instrumentation at our facilities. We've created SOP's, quality assurance manuals, and safety manuals for our cannabis testing facility, based on extensive research, consultations with laboratories in CO, and protocol from our existing environmental lab. Also, we were recently inspected by the DOH and received minimal deficiencies.

It's nice to hear you have a laboratory background. We have researched cannabis testing methods thoroughly and the sample prep portion is fairly simple. The only thing left for us is equipment calibration. As I'm sure you know, in order to do that we would need to order standards (legally). This cannot be completed (legally) until testing facilities are granted immunity. I am working with Ron Watson to help write this portion of the glitch bill.

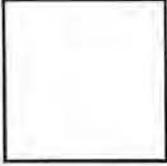
I also brought up this idea at the last hearing: We could set up a mobile testing facility and perform analysis on site at the dispensing organizations. They have been granted immunity, so perhaps this would help resolve this issue for the time being. The down side would be the cost to perform these tests would increase due to fuel charges.

I think this is an amazing opportunity for Florida to really set the bar high in this industry in terms of quality control. I would be happy to share any documents or information you need. Like everyone else, I want to see this medicine get into the hands of patients quickly.

Should you have any questions or would like to discuss these comments in further detail, please don't hesitate to contact me. Thank you for all of your hard work. I look forward to meeting you.

--

**George Fernandez**  
Chief Executive Officer



3615 Century Blvd., Unit 2  
Lakeland, FL 33811  
(863) 797-9963



[www.moderncanna.com](http://www.moderncanna.com)

**Bist, Kevin**

---

**From:** Dunn, Nathan P  
**Sent:** Tuesday, January 13, 2015 3:59 PM  
**To:** Nelson, Patricia A  
**Subject:** RE: WMFE

I will follow-up with this reporter. Thanks.

---

**From:** Nelson, Patricia A  
**Sent:** Tuesday, January 13, 2015 2:42 PM  
**To:** Dunn, Nathan P  
**Subject:** FW: WMFE

---

**From:** Abe Aboraya [<mailto:aaboraya@wmfe.org>]  
**Sent:** Tuesday, January 13, 2015 12:43 PM  
**To:** Nelson, Patricia A  
**Subject:** WMFE

My name's Abe Aboraya, I'm the health care reporter at WMFE. I'm working on a story about the DOH doing a negotiated rulemaking committee for Charlotte's Web. I have a couple questions: When will the DOH make a final decision on who will be on the committee? And will a draft rule be issued before the committee meets?

Abe Aboraya  
Health Reporter at WMFE  
407+273-2300 x 183  
@AbeAboraya on Twitter

**Bist, Kevin**

---

**From:** Ted <ted@temescalwellness.com>  
**Sent:** Tuesday, January 13, 2015 4:15 PM  
**To:** Nelson, Patricia A  
**Subject:** Application and Request to Participate as a Committee Member on the Negotiated Rulemaking Committee for Senate Bill 1030 of 2014  
**Attachments:** SB1030 Rulemaking Comm TRebholz Qualifications 2015.1.13.final.pdf

Dear Director Nelson:

Attached please find a two-page PDF outlining my qualifications to participate as a committee member on the Negotiated Rulemaking Committee for Senate Bill 1030 of 2014.

As a second-generation Floridian with five years of experience in the state-legal medical cannabis industry, I would look forward to helping in any way that I can.

Please do not hesitate to reach me on 650-438-7698 with any questions.

Thank you,  
Ted Rebholz

**Ted Rebolz**  
1900 South Ocean Drive, #501  
Ft. Lauderdale, FL, 33316  
[ted@temescalwellness.com](mailto:ted@temescalwellness.com)  
650.438.7698

**Director Patricia Nelson**  
The Florida Department of Health  
The Office of Compassionate Use  
4052 Bald Cypress Way, Bin A-02  
Tallahassee, FL, 32399

January 13, 2015

**RE: Application and Request to Participate as a Committee Member on the Negotiated Rulemaking Committee for Senate Bill 1030 of 2014 (hereinafter SB 1030).**

Dear Director Nelson:

Pursuant to the January 5, 2015, Florida Department of Health (DOH) Notice of Development of Rulemaking (Notice), I respectfully submit this letter to serve as committee member on the DOH rule-making committee to implement SB 1030 for the medical community as soon as possible. As requested by the Notice, and outlined below, is a brief statement as to how this rule affects me and the party I represent; a statement supporting my desire to fill seat #7; my qualifications, including my personal and professional background. I am willing to negotiate in good faith and can attend the scheduled meeting on February 4 and 5, 2015, in Tallahassee, Florida.

#### **Required Statements**

If selected, I would represent Florida for Care, of which I am a Founding Board Member. Florida for Care advocates for a strictly-regulated market to serve Florida's medical cannabis patients, and our members will be directly affected by any rule-making decision from the DOH.

#### **Qualifications**

- As a consulting member of Harborside Health Center's Executive Management Team, acting as Chief Financial Officer, I have helped oversee the operations of the world's largest medical cannabis dispensary, including 130 employees, serving 1,000 patients per day, at two retail locations, and with a delivery service covering a 100-mile radius.
- I have consulted in the medical cannabis industry since 2010. Acting as Chief Financial Officer to Harborside since late 2013, I lead efforts to serve more medical cannabis patients. During 2014, I participated in applications in multiple new states and local jurisdictions, evaluated dozens of acquisition and partnership opportunities, and raised over \$7 million from investors for three different medical cannabis businesses.
- In addition to my work with Harborside Health Center, I have also been a member of the ArcView group, a network of cannabis investors, where I have mentored and critiqued entrepreneurs. I have also presented and published on industry topics, such as the importance of working closely with state and local officials<sup>1</sup>.

---

<sup>1</sup> See <http://4frontpublishing.org/reflections-from-ted-rebolz/>

- As guiding principles for my work in the medical cannabis industry, it is essential to provide to medical cannabis patients a consistently wide variety of reliably high-quality cannabis medicines, and to do so in a safe dispensary with respectful and educated staff. For communities, it is imperative to ensure security on-site and for the neighboring community, and to work closely with law enforcement and regulatory officials. Compliance is necessary but not sufficient; a good, sustainable business is well-integrated into its community, and is respectful of all its stakeholders.

### **Background**

- **Personal, Academic & Volunteer:** I am a second-generation Floridian, residing in Ft. Lauderdale, with substantial business experience in California's medical marijuana sector. I have been married for almost ten years (Erin), and have a three-year-old daughter (Emily). Currently, I commute back and forth to Oakland, CA, which is the headquarters of Harborside Health Center. I earned a BA in Philosophy and Economics from Columbia University, an MA, International Relations from Johns Hopkins University, and an MBA from The Wharton School, University of Pennsylvania. During graduate school, I was a Boren Fellow with the U.S. Department of Defense. Among my volunteer service, I served as Treasurer of the Board of Yu Ming, a public charter school in Oakland offering Mandarin-English immersion to K-8 students. I enjoy outdoor recreation, reading and cooking.
- **Professional:** I build sustainable businesses by focusing relentlessly on the patient (or customer), by being a disciplined steward of financial resources, and by being a committed supporter of employees. Prior to focusing full-time on the medical cannabis sector, I worked as founding CFO for Beyond Meat, a vertically-integrated manufacturer and distributor of branded health food products, which was backed by Bill Gates, Kleiner Perkins and others. I was also founding CFO for WhipTail Technologies, which was sold to Cisco in 2013. Earlier in my career, I was Director of Corporate Finance for Ports America, the country's largest operator of container seaport terminals, where I was deeply involved in large-scale projects with municipalities, such as the Port of Oakland's \$3.2 billion Outer Harbor Terminal concession.

Notwithstanding my ongoing consulting to Harborside, my efforts in Florida are my own, in concert with other, Florida-based family members, and with Florida for Care.

### **Conclusion**

As briefly outlined above, I have the necessary background and expertise stemming from my consulting with Harborside – the largest medical marijuana distributor in the world. It is my true desire to help those that would benefit from medical marijuana, and I would be honored to serve on this rulemaking committee to properly implement Florida law and get patients treated as soon and safe as reasonably possible. Please do not hesitate to contact me on 650-438-7698 if you have any concerns or questions.

Sincerely,

Ted Rebholz

**Bist, Kevin**

---

**From:** Latresia Wilson <lawful77@icloud.com>  
**Sent:** Wednesday, January 14, 2015 12:51 AM  
**To:** Nelson, Patricia A  
**Subject:** 'rulemaking committee'  
**Attachments:** rulemaking committee.docx; ATT00001.txt

Ms. Nelson

I have enclosed my request for inclusion on the Rulemaking Committee below and hope that if you need additional information that you could reach me at 352-425-5676 or at [redbirdllc@gmail.com](mailto:redbirdllc@gmail.com). Thank you and please note I will be there to give legitimate input and not be a disruptive force. I take my duties seriously and will work hard to bring intelligent and cohesive input to the Committee.

Dr. Latresia A. Wilson

## Rulemaking Committee

Latresia A. Wilson, PhD,MD,MBA  
3330 NW 2<sup>nd</sup> avenue  
Ocala, Florida 34475  
redbirdllc@gmail.com  
352-425-5676

Vice President, Florida Black Farmers and Agriculturalists Association (FLBFAA)

FLBFAA has members throughout the State of Florida whose mission in addition to the National organization's goals are to educate and train Black farmers in the latest techniques of farming for economic improvement and self-independence all the while promoting and marketing their products and providing cultural fellowship.

It is clear that the State Legislature did not consider minorities, especially African Americans, in the process of providing medical marijuana when it choose only nurseries with 30 or more years of experience, whereby there are none owned by African Americans, although medical marijuana has been grown by farmers and even amateurs of less experience. My organization has members who have over 30 years farming experience in growing fruits, vegetables and plants who are capable of growing medical marijuana also.

By getting involved in the Rulemaking Committee, we feel there still maybe opportunities that will allow for African Americans and other minorities to be able to participate in the process. We feel it is imperative that we have a stake in the process like others since most rules are usually etched in stone. For me personally, I am an emergency medicine physician who is on the front lines daily of patient suffering. I can see where medical marijuana would offer something other than the very addictive drugs we currently have for there symptoms. I have been active in getting training in marijuana production and dispensing by attending classes both at the renown Oaksterdam University in Oakland California and various marijuana business classes through out the State. I plan to attend a marijuana horticulture course and visit the various dispensaries in Denver in the near future. I believe I bring allot of knowledge both as a physician and as a representative of the FLBFAA to the Committee. As a beginning farmer I have been active nationally and a member of the Secretary of Agriculture, Tom Vilsak's Advisory Committee on Biotechnology and the 21<sup>st</sup> Century Agriculture. Marijuana maybe apart of that conversation in the future.

We, FLBFAA, believe the above group as proposed does not and will not represent our interest in being apart of the medical marijuana conversation. Although there will be a farmer represented on the Committee history has shown that our interest has never been represented by the mainstream. We want to be apart of the conversation now and in the future of medical marijuana. By having a representative there we are assured our interest is covered.

As a representative of FLBFAA and my medical profession I agree to negotiate in good faith and can actually attend the meetings.

I hope you see our interest and willingness to contribute and include me on the Committee.

## Bist, Kevin

---

**From:** anthony ardizzone <tvanursery@yahoo.com>  
**Sent:** Wednesday, January 14, 2015 8:43 AM  
**To:** Nelson, Patricia A  
**Subject:** Fw: Committee Participant

Patricia,

Just wanted to touch base, and make sure you received this email I sent last week.  
Please let me know you received this.

Thank you for your time

Anthony Ardizzone  
Ed Miller & Son  
772-201-3065

Sent from Yahoo Mail on Android

From:"anthony ardizzone"  
Date:Wed, Jan 7, 2015 at 6:52 am  
Subject:Committee Participant

Patricia Nelson,

Anthony Ardizzone  
Ed Miller & Son Quallified Nursery under SB 1030

I would like to be part of the committee as a qualified Nursery, however, I do believe there should be more than one nursery on the committee, different perspectives are always a good thing. The past statements I made in the rule making process over the last several months show that I have been consistent in recommending what is fair to all. I will be open minded to all suggestions, and have many of my own. I can bring knowledge of the CBD industry, knowledge of rules in place for other states, as well as over 30 years of business experience in the landscape nursery industry which, will help us to succeed in this rule making process. I have been working on a set of rules since the challenge was initiated, knowing the outcome would delay getting this out to those who need it desperately. The rules must put the patient first, and allow nurseries to compete on a level field without the special interests of each competitor. Costs are a serious factor also, taking into account the end result to the patient. Rules and procedures can drive the price to a point that would not be affordable to most.

SB1030 gives us the outline, if we stick to it I belive we can do this quickly, and avoid challenges. With the right participation, understanding, and knowledge of the industry we will create rules for, we can get this done!

Look forward to working with you  
Any questions you may have for me I am always available by cell phone @ 772-201-3065

Anthony Ardizzone  
Ed Miller & Son Nursery  
Martin County FL Southeast Region

Sent from Yahoo Mail on Android

## Bist, Kevin

---

**From:** Bist, Kevin  
**Sent:** Wednesday, January 14, 2015 12:14 PM  
**To:** Nelson, Patricia A  
**Subject:** FW: questions on panel of grow experts  
**Attachments:** Darrin's Resume.pdf; Darrin's Awards.pdf; 10253955\_10201899560390804\_2337316663409925638\_n.jpg; 1380040\_10200835223223040\_658445082\_n.jpg; DSC\_0752.JPG; 998798\_10200932241128427\_154726046\_n.jpg

Patty,

FYI.

Kevin

---

**From:** [darrin@growhealthy.com](mailto:darrin@growhealthy.com) [<mailto:darrin@growhealthy.com>]  
**Sent:** Monday, January 12, 2015 1:43 PM  
**To:** zzzz Feedback, Compassionate Use  
**Subject:** questions on panel of grow experts

Office of Compassionate Use,

Hello, I am writing concerning the panel of cannabis cultivation experts to be chosen for consultation concerning the new cannabis regulatory laws. I have attached my resume as well added a few pictures and accolades for consideration to become a member of the panel. Below you will find a short bio of myself to add to this.

My name is Darrin Potter. I was born and raised in Pahokee, Florida. I received my first award in science at the age of thirteen when I received 2nd place at the Florida State Science Fair for an agricultural observation I submitted on soil science. This sparked an interest in science and agriculture that would carry through out my life. I was an avid environmentalist as a young man and facilitated a number of community service projects during my time in the Boy Scouts of America. I received the highest award of Eagle Scout during that time.

I attended the University of Central, where I received a bachelors of science in biology. I studied under Dr. Henry Whittier and Dr. Walter Taylor, taking every course concerning botany. During my time at the University of Central Florida, I was the assistant manager of the UCF Arboretum, held the positions of Vice President of the UCF Environmental Society and President of the UCF Agricultural/Horticultural Society.

I moved to California in early 2007, where I cultivated cannabis for medical marijuana dispensaries in the San Francisco bay area. I later moved to Colorado in 2009 where I cultivated cannabis for a number of medical marijuana dispensaries and became a partner in a dispensary named KindLove (<http://mmjdenver.net>). I later moved on to become the General Manager of Cultivation for The Green Solution (<http://tgscolorado.com>) one of the leading marijuana dispensaries in Colorado.

During my time as the General Manager of Cultivation at The Green Solution, I consulted the Colorado Marijuana Enforcement Division on cannabis plant nomenclature, assisted the MED in developing standard operation procedures which are now part of the Colorado regulatory process, toured and educated MED staff members on numerous occasion and also conducted a tour for Governor Hickenlooper. Attached to this email you will find a number of awards in cannabis as well extractions I have won in the past few years.

I have recently relocated back to Florida to take part in the oncoming cannabis cultivation process. As a native to Florida and the experience I have acquired in the cannabis cultivation and extraction process, it is in my belief that I am a perfect candidate for the Florida Compassionate Use Department as a grow expert.

If there are any questions and if you would like to contact me, please feel free. It would be my honor and duty as a son of Florida to contribute my knowledge to this endeavour.

Thank you,

Darrin Potter

GrowHealthy

Head of Cultivation

O: 863-514-8036

C: 720-620-1284

# Darrin Z. Potter

10810 West Beach Pkwy • Lake Wales, Florida 33898  
720.620.1284 • dzenp@growhealthy.com

## WORK EXPERIENCE:

- The Green Solution** Denver, Colorado  
2012 – 2014  
General Manager/Plant Biologist
- Design cultivation methods, calculate monthly costs, track inventory, develop and implement policies and standard operating procedures
  - Provide management over 40+ employees: training, scheduling, weekly/monthly task, and quotas
  - Responsible for maintaining health of 20,000+ medical marijuana plants, rotation of 600 plants daily, production of 125+ lbs of medical marijuana weekly
  - Schedule strict pest management including insect, fungus and mold prevention
  - Implementation of automated controls to increase functionality and overall profitability
  - Research and implementation of agricultural advancement in irrigation, lighting, cultivation methods, and nutrients
- Kind Love, LLC** Glendale, Colorado  
2010 – 2012  
Division Manager/Member
- Performed administrative tasks including: scheduling, calculating monthly costs, tracking inventory, developing and implementing policies and procedures
  - Responsible for maintaining plant health and training employees at two indoor Medical Marijuana Cultivation Facilities
  - Utilized agricultural skills such as propagation techniques, crop rotation, and automated irrigation
  - Scheduled a strict pest management program including insect, fungus and mold prevention
  - Provided consultation to patients in maintaining plant health and advised on private cultivation methods
  - Continued education in new products and methods in agriculture and plant health
- (2004-2009 Ask)*
- Orlando Regional Medical Center** Orlando, Florida  
2001 – 2003  
Radiology Support Staff
- Categorized, updated and prepared patient records and radiology exams for ER, OR, etc.
  - Communicated and maintained relationships with physicians regarding patient conditions and radiologist transcription
  - Data entry, patient scheduling and general office maintenance
- University of Central Florida  
Environmental Center** Orlando, Florida  
1999 – 2001  
Assistant Manager/ Research
- Lead and developed community service programs and managed participants in projects
  - Managed and lead environmental tours of 20+ people through 75 acres of protected Florida lands, educating on Florida endangered environments, plant, animals, and reptiles
  - Maintained and set up multiple terrariums and aquariums as well as providing sanctuary for injured snakes, fish, and reptiles
- University of Central Florida  
Biology Department** Orlando, Florida  
1998 – 2000  
Lab Technician
- Maintained extensive inventory of laboratory instrument and government regulated chemicals
  - Conducted lab experiments to confirm outcome and predictability prior to preparing lab for college courses
  - Maintained and used lab equipment such as autoclave, automated nutrient and blood agar platelet dispenser, centrifuge, etc.

## **QUALIFICATIONS**

### **Horticultural and Commercial Growing Skills/Knowledge**

- 15+ years of Cultivation and Horticultural practice and knowledge
- 4+ years Colorado Medical Marijuana Industry experience
- Manage warehouse labor/trim crew of 40+ employees
- Management of 15,000+ plant cannabis cultivation facility
- Experienced with plant scheduling, organization, and inventory management
- Highly experienced in hydroponic growing methods including Ebb & Flow, DWC and Aeroponic growing methods
- Experienced with soil, coco, nutrient implementation, beneficial organisms, compost teas and soil composition
- Knowledge of plant diseases, insects, fungi, etc. as well pest mitigation and pest control products
- Knowledge of nutrient deficiencies, toxicities as well as nutrient/micronutrient application
- Experienced with indoor environmental control and maintenance
- In-depth knowledge and experience with propagation techniques including cloning and breeding
- Skilled and experienced with mass harvesting, trimming, and curing processes
- Experienced with multiple nutrient lines and cultivation products
- Experience with cultivation of 100+ cannabis varieties

### **EDUCATION:**

**University of Central Florida**  
Orlando, Florida  
Bachelors of Biological Science

### **Skills:**

Proficient in Microsoft Word, Excel, Power Point  
Skilled in laboratory techniques and procedure  
Proficient in Spanish

### **Honors and Activities:**

3<sup>rd</sup> Place Solvent-less Extraction Colorado High Times Cannabis Cup 2013

12 awards at THC The Hemp Connoisseur Championship 2013

- Highest Tested Cindy White
- Highest Tested H2O extractions
- 1<sup>st</sup> place H2O extractions
- 1<sup>st</sup> place Hybrid
- 1<sup>st</sup> place shatter concentrate....

6 awards at the Colorado High Times Cannabis Cup 2014

- 1<sup>st</sup> place patient's choice Flower
- 1<sup>st</sup> place patient's choice Extraction....

President of the University of Central Florida Agricultural/Horticultural Society

Vice President of the University Central Florida Environmental Society

Micro/Molecular Biology Student Association

Induction Officer Lambda Theta Phi, Latin Fraternity Inc.

National Eagle Scout Association

Assistant Scout Master

Eagle Scout Award

*References Available Upon Request*

## **Darrin Z. Potter**

### **2014 High Times Cannabis Cup Awards:**

<b>1st Place - Presidential Kush</b>	<b>People's Choice Cup Flower</b>
<b>1st Place - Golden Goat Shatter</b>	<b>People's Choice Cup Hash</b>
<b>2nd Place - Boss Ice Wax</b>	<b>Best US Non-Solvent Hash</b>
<b>3rd Place - Golden Goat</b>	<b>Best Medical Hybrid Flower</b>
<b>3rd Place - Twista</b>	<b>Best US Sativa Flower</b>
<b>3rd Place - MK Ultra</b>	<b>Best US Indica Flower</b>

### **2013 THC Hemp Connoisseur Championship:**

<b>1st Place - Golden Goat</b>	<b>Shatter Concentrate</b>
<b>1st Place - Cindy White</b>	<b>Best Indica Flower</b>
<b>1st Place - Cindy Ice Wax</b>	<b>Best Overall</b>
<b>1st Place - Cindy White Ice Wax</b>	<b>H2O Extraction</b>
<b>2nd Place - Shark Shock CBD Shatter</b>	<b>CBD Concentrate</b>
<b>2nd Place - Grape Stomper Ice Wax</b>	<b>H2O Extraction</b>
<b>2nd Place - Golden Goat</b>	<b>Wax/Budder Concentrate</b>
<b>2nd Place - Grape Stomper</b>	<b>Best Sativa Flower</b>
<b>Best Tested - Cindy White</b>	<b>Hybrid</b>
<b>Patient's Choice - Cindy White Ice Wax</b>	<b>H2O Extraction</b>
<b>Best Tested - Grape Stomper Ice Wax</b>	<b>H2O Extraction</b>
<b>Patient's Choice - Shark Shock CBD Shatter</b>	<b>Concentrate</b>

### **2013 High Times Cannabis Cup Awards:**

<b>3rd Place - Presidential Ice Wax</b>	<b>Medical Non-Solvent Hash</b>
---	---------------------------------

## **Bist, Kevin**

---

**From:** Tom Terwilliger <tomterwilliger@hotmail.com>  
**Sent:** Wednesday, January 14, 2015 3:04 PM  
**To:** Bist, Kevin; Nelson, Patricia A  
**Subject:** I would like to offer my services for the Charlotte's Web Committee

Hello Pat and Kevin,

I am the gentlemen from Pompano Beach. I have attended the past meetings of the Dept. of Health. I am not a grower. My interests focus on technology and municipal / governmental relations.

If you should desire a non-grower to be a member of your new Charlotte's Web committee I would like to offer my services.

Please call me at your convenience.

Tom Terwilliger  
786 267 7444  
Homeopathic Partners, Inc.  
3160 NW 1st Ave.  
Pompano Beach, Fl., 33064

## **Bist, Kevin**

---

**From:** Bist, Kevin  
**Sent:** Wednesday, January 14, 2015 3:10 PM  
**To:** TomT@NetOpCtr.com; Nelson, Patricia A  
**Subject:** RE: I would like to offer my services for the Charlotte's Web Committee

Dear Mr. Terwilliger,

Thank you for reaching out to the Office of Compassionate Use (OCU) regarding the upcoming negotiated rulemaking. It was a pleasure to see you at the workshop in Orlando.

Patty is currently reviewing the credentials of individuals who are interested in serving as members of the team. Please submit your curriculum vita or resume' and reasons you feel most qualified to serve. We will contact you if you are selected for the rulemaking team.

Best Regards,

Kevin

---

**From:** Tom Terwilliger [<mailto:tomterwilliger@hotmail.com>]  
**Sent:** Wednesday, January 14, 2015 3:04 PM  
**To:** Bist, Kevin; Nelson, Patricia A  
**Subject:** I would like to offer my services for the Charlotte's Web Committee

Hello Pat and Kevin,

I am the gentlemen from Pompano Beach. I have attended the past meetings of the Dept. of Health. I am not a grower. My interests focus on technology and municipal / governmental relations.

If you should desire a non-grower to be a member of your new Charlotte's Web committee I would like to offer my services.

Please call me at your convenience.

Tom Terwilliger  
786 267 7444  
Homeopathic Partners, Inc.  
3160 NW 1st Ave.  
Pompano Beach, Fl., 33064

**Bist, Kevin**

---

**From:** John <jotipton@tampabay.rr.com>  
**Sent:** Wednesday, January 14, 2015 3:28 PM  
**To:** Nelson, Patricia A  
**Subject:** dept. of health letter.docx  
**Attachments:** dept. of health letter.docx

1/13/2015

Patty;

My name is John Tipton and I am the controller for Plants of Ruskin, Inc. I would like to be considered for your rulemaking committee. Plants of Ruskin, was one of the two original growers, along with Costa, that filed suit against the Department. I want you to know that it was with much deliberation and great reservation that we took that action. I think that you would agree from watching the tapes from the hearing that we were the only grower there that did not use the platform as an opportunity to promote ourselves. We only presented evidence of what we believed to be errors or overreaching by the Department of Health, in writing the rules. We believe the correction of these issues better serve both the nurseries and patients, regardless of whether Plants of Ruskin ultimately receives one of the licenses.

My qualifications for the Committee include that I am a CPA and I have worked in the agriculture industry and the nursery business for more than 25 years. My agriculture experience, however, goes far beyond the nursery business; I have been involved in the citrus and cattle business and have extensive background in the fresh market tomato industry. Along with affiliates and partners, our business ships more than 60,000,000 pounds of fresh market tomatoes annually all across North America. I think the fresh market tomato industry gives me a unique background that other agriculture or nursery experts may not have. Our industry has been extremely proactive, particularly in Florida, on insuring food safety and product tracking. Assuming proper handling by third party receivers, we are able to track a tomato purchased anywhere in North America back to not only the farm, but the block in the field, variety, and harvest date. I have been intensively involved in proposed rule process, attending all of the workshops, heard the testimony and concerns from nursery owners, growers, patient advocates and other concerned citizens. I believe that I could assist in creating a rule that would both comply with the law and the direction given by legislation and give applicants clear direction so that each nursery can determine if applying is the right decision for their organization.

Thank You for your consideration.

John Tipton

## Bist, Kevin

---

**From:** Jodi James <jjamesflorida@gmail.com>  
**Sent:** Wednesday, January 14, 2015 3:42 PM  
**To:** Nelson, Patricia A  
**Subject:** considered for the panel on Feb 4 and 5  
**Attachments:** 15\_FLCAN\_Speakerbio\_JodiJames.docx

Hi Ms. Nelson,  
It was a pleasure to watch you work at the December 30 hearing in Orlando.

At this time I would like to formally request to be considered as a panelist for the rule making on the 2014 Compassionate Medical Cannabis Act.

I currently serve as the Executive Director of the Florida Cannabis Action Network. We represent over 22 thousand supporters many of whom are patients. Our president, Cathy Jordan is thriving despite a diagnosis in 1986 of ALS or Lou Gehrig's disease, her medicine is cannabis. Robert Tornello suggested we apply to jointly hold the position of patient/patient advocate. Cathy requires a caregiver and we would speak with one voice- one vote.

Since 1995, I've worked to reform cannabis laws to protect patients first. Attached is my resume. Our office hears from patients every day. For twenty years I've advocated for patients. Cathy and I began working together in 1998. We've attended three international medical cannabis conferences, produced by Patients Out of Time, the premiere organization bringing cutting edge cannabis research to doctors and advocates.

In 2011, we helped then representative Jeff Clemens to work his first medical cannabis bill, it was the first pro-medical cannabis bill filed in the legislature since 1978. We have taken residence in Tallahassee since then during the legislative season to help lawmakers understand the needs of patients and the best practices developed in other states.

In short, we know the history, the current applications, the leadership of the national reform movement and the most credible voices in research, policy and advocacy. When it comes to cannabis reform, Florida CAN is recognized as experts in the field.

Please let me know that you have received this e-mail and that I have fulfilled the requirements for consideration as a patient advocate for the panel to establish rules for the implementation of the Compassionate Medical Cannabis Act.

Jodi

Jodi James  
Executive Director



Florida Cannabis Action Network  
PO Box 360653  
Melbourne, FL 32936  
office 321-253-3673 cell 321-890-7302

“We take on the mantles of politics and war so that our children might be architects and engineers, and their children might be artists and musicians.”

JJ - Adapted from a quote by John Adams.

# Jodi James

## Brevard County, Florida

**“How we regulate cannabis is critical for safe, legal access.”**



**Jodi James** serves as the Executive Director of the Florida Cannabis Action Network, the oldest continuously running cannabis reform group in the state. She leads the group’s multi-pronged strategy to create sensible cannabis laws for Florida and raise the level of national debate. Over the past two decades, she has directly assisted with 16 states in successfully passing legislation protecting patient access to cannabis.

Jodi is a respected speaker, teacher, debater, strategic planner, thought-leader, and mentor to a new generation of reformers. In October 2013, she spoke at the International Drug Policy Alliance conference regarding the future of cannabis in Florida. In the spring of 2014, she shared the stage with Florida Sheriff Association President Sheriff Judd in a panel discussion regarding Amendment 2.

In addition to her work with FLCAN, Jodi spent three years on staff with Law Enforcement Against Prohibition, an international speakers bureau of current and former law enforcement professionals. Prior to that, she was at the Florida-based, Coalition Advocating Medical Marijuana. She is also on the advisory board of Veterans for Medical Cannabis Access.

Jodi is proudest of her family. She and her husband, David McKinney, raised two wonderful young men. Joshua and Justus have been given truthful, age-appropriate information about the benefits and harms of all classes of drugs. Now both teens practice healthy habits for their minds and bodies.

Contact the Florida Cannabis Action Network to arrange interviews or schedule speaking dates.

To Contact FLCAN or this expert:

**Jodi James**

[Info@FLCAN.org](mailto:Info@FLCAN.org)

Media Line: (321) 253-3673x2

## Bist, Kevin

---

**From:** Nelson, Patricia A  
**Sent:** Wednesday, January 14, 2015 4:00 PM  
**To:** stoilas@yahoo.com  
**Subject:** RE: Low-THC Cannabis Rulemaking

We will pick the committee prior to the negotiated rulemaking meeting. The meeting will consist of a negotiation among those on the committee along with a mediator/facilitator. The committee will be selected from those who have sent me a request to be on the committee. Such a request should contain an explanation of what that person has to add to the negotiation – how that person can help us arrive at a rule.

The negotiation occurs at a public meeting, so anyone can attend, but the only people that participate in the negotiation are the individuals that make up the negotiating committee.

Hope this helps,  
Patty

---

**From:** Kostas Stoilas [<mailto:stoilas@yahoo.com>]  
**Sent:** Tuesday, January 13, 2015 9:26 PM  
**To:** Nelson, Patricia A  
**Subject:** Re: Low-THC Cannabis Rulemaking

You're very welcome. Thank you for being open to feedback and inputs. If there's anything I can help with further, please let me know if you need clarification on the points in what I emailed. I'd like to ask again if I'm correct in assuming that Feb 4-5 is open to all and that you will pick a committee workgroup out of the attendees from that workshop?

Is it ok to invite members of the American Cannabis Nurses Association?

Thanks,

Kostas Stoilas

On Jan 13, 2015, at 9:16 AM, Nelson, Patricia A <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

Thank you very much for your comments. You are one of the only people to actually send me what I asked for. I appreciate it.

Patty

---

**From:** Kostas Stoilas [<mailto:stoilas@yahoo.com>]  
**Sent:** Monday, January 12, 2015 8:36 PM  
**To:** Nelson, Patricia A; Dunn, Nathan P  
**Cc:** McMullen, Linda N; Bobby Brantley; Adam S. Woodruff  
**Subject:** Re: Low-THC Cannabis Rulemaking

Patty - thanks for the email notice below. Attached are some suggested criteria you asked for from the Orlando workshop, and although it's not comprehensive of all criteria points, it is a start. It's based on research and conversations I've had with experts around the country that have been involved in other state applications. Throughout January, I hope to gain more information and share it on Feb 4-5.

Am I correct in understanding that the Feb 4-5 meeting is open to anyone that has participated this far, and that you will pick a workgroup committee after that based on attendees with appropriate expertise?

Just wanted to let you know that we reached out to the American Cannabis Nurses Association and there is interest in having two of their Board Members participate in the Rulemaking Meetings in February (both their President, Mary Lynn Mathre and their President-Elect Eileen Konieczny). Mary Lynn can drive there, but Eileen lives in NY state, so we're trying to find out how to get her to town for the meeting.

## Bist, Kevin

---

**From:** Nelson, Patricia A  
**Sent:** Wednesday, January 14, 2015 4:05 PM  
**To:** tvanursery@yahoo.com  
**Subject:** RE: Committee Participant

Mr. Ardizzone,

I did receive your email. Thank you for your willingness to help with the rulemaking. We are in the process of reviewing all of the requests and choosing a committee. We will let you know as soon as the committee is chosen.

Patty

**From:** anthony ardizzone [<mailto:tvanursery@yahoo.com>]  
**Sent:** Wednesday, January 14, 2015 8:43 AM  
**To:** Nelson, Patricia A  
**Subject:** Fw: Committee Participant

Patricia,

Just wanted to touch base, and make sure you received this email I sent last week. Please let me know you received this.

Thank you for your time

Anthony Ardizzone  
Ed Miller & Son  
772-201-3065

[Sent from Yahoo Mail on Android](#)

From:"anthony ardizzone" <[tvanursery@yahoo.com](mailto:tvanursery@yahoo.com)>  
Date:Wed, Jan 7, 2015 at 6:52 am  
Subject:Committee Participant

Patricia Nelson,

Anthony Ardizzone  
Ed Miller & Son Quallified Nursery under SB 1030

I would like to be part of the committee as a qualified Nursery, however, I do believe there should be more than one nursery on the committee, different perspectives are always a good thing. The past statements I made in the rule making process over the last several months show that I have been consistent in recommending what is fair to all. I will be open minded to all suggestions, and have many of my own. I can bring knowledge of the CBD industry, knowledge of rules in place for other states, as well as over 30 years of business experience in the landscape nursery industry which, will help us to succeed in this rule making process. I have been working on a set of rules since the challenge was initiated, knowing the outcome would delay getting this out to those who need it desperately. The rules must put the patient first, and allow nurseries to compete on a level field without the special interests of each competitor. Costs are a serious factor also, taking into account the end result to the patient. Rules and procedures can drive the price to a point that would not be affordable to most.

SB1030 gives us the outline, if we stick to it I believe we can do this quickly, and avoid challenges. With the right participation, understanding, and knowledge of the industry we will create rules for, we can get this done!

Look forward to working with you  
Any questions you may have for me I am always available by cell phone @ 772-201-3065

Anthony Ardizzone  
Ed Miller & Son Nursery  
Martin County FL Southeast Region

Sent from Yahoo Mail on Android

## Bist, Kevin

---

**From:** Nelson, Patricia A  
**Sent:** Wednesday, January 14, 2015 4:14 PM  
**To:** jjamesflorida@gmail.com  
**Subject:** RE: considered for the panel on Feb 4 and 5

Jodi,

I received your email. Thank you for the detailed explanation of why you would be a good choice for the committee. We will be choosing the committee members soon, and we will let you know.

Patty

---

**From:** Jodi James [mailto:jjamesflorida@gmail.com]  
**Sent:** Wednesday, January 14, 2015 3:42 PM  
**To:** Nelson, Patricia A  
**Subject:** considered for the panel on Feb 4 and 5

Hi Ms. Nelson,  
It was a pleasure to watch you work at the December 30 hearing in Orlando.

At this time I would like to formally request to be considered as a panelist for the rule making on the 2014 Compassionate Medical Cannabis Act.

I currently serve as the Executive Director of the Florida Cannabis Action Network. We represent over 22 thousand supporters many of whom are patients. Our president, Cathy Jordan is thriving despite a diagnosis in 1986 of ALS or Lou Gehrig's disease, her medicine is cannabis. Robert Tornello suggested we apply to jointly hold the position of patient/patient advocate. Cathy requires a caregiver and we would speak with one voice- one vote.

Since 1995, I've worked to reform cannabis laws to protect patients first. Attached is my resume. Our office hears from patients every day. For twenty years I've advocated for patients. Cathy and I began working together in 1998. We've attended three international medical cannabis conferences, produced by Patients Out of Time, the premiere organization bringing cutting edge cannabis research to doctors and advocates.

In 2011, we helped then representative Jeff Clemens to work his first medical cannabis bill, it was the first pro-medical cannabis bill filed in the legislature since 1978. We have taken residence in Tallahassee since then during the legislative season to help lawmakers understand the needs of patients and the best practices developed in other states.

In short, we know the history, the current applications, the leadership of the national reform movement and the most credible voices in research, policy and advocacy. When it comes to cannabis reform, Florida CAN is recognized as experts in the field.

Please let me know that you have received this e-mail and that I have fulfilled the requirements for consideration as a patient advocate for the panel to establish rules for the implementation of the Compassionate Medical Cannabis Act.

Jodi

Jodi James  
Executive Director



Florida Cannabis Action Network  
PO Box 360653  
Melbourne, FL 32936  
office 321-253-3673 cell 321-890-7302

"We take on the mantles of politics and war so that our children might be architects and engineers, and their children might be artists and musicians."

JJ - Adapted from a quote by John Adams.

## Bist, Kevin

---

**From:** Nelson, Patricia A  
**Sent:** Wednesday, January 14, 2015 4:24 PM  
**To:** 'George Fernandez'  
**Subject:** RE: MCS Formal comments

I appreciate the detailed response. I have the AHP monograph, which is very helpful.

I am very familiar with Restek, although I think I ordered my GC-MS columns from Supelco. But, it's been a long time. Do you remember Restek's Wizard Dollar program? I used to love that! I have a really cool pitcher and mug set that say Restek on them. Only I think they are cool. Anyway, I digress...

I will definitely use you as a resource, and I appreciate your willingness to be so helpful.

Patty

**From:** George Fernandez [mailto:george@moderncanna.com]  
**Sent:** Wednesday, January 14, 2015 3:47 PM  
**To:** Nelson, Patricia A  
**Subject:** Re: MCS Formal comments

Good afternoon Ms. Nelson,

My apologies for the late response. No, we have not consulted the U.S.P Herbal Medicines Compendium. However, we are reaching out to them now.

We plan to order the cannabis monograph from the American Herbal Pharmacopoeia website, which can be found here [http://www.herbal-ahp.org/order\\_online.htm](http://www.herbal-ahp.org/order_online.htm).

We've worked on additional method development using 3 separate methods. We've performed these trial runs with the following LC column - Phenomenox Luna 5 Micron C-18 (2)(100A) 250x30mm and using acetonitrile as the mobile phase.

I have attached all 3 methods for you to view along with the chromatograms and standard.

On the environmental side, our SOPs, methods, and QA/QC are all in compliance with NELAP (National Environmental Laboratory Accrediting Program) standards under the DOH. We've been waiting to see what the department recommends in regards to cannabis standards. I went ahead and had our lab director & QA/QC manager reach out to Restek back in July 2014 regarding cannabis testing methods (mainly potency, residual solvents, & terpene analysis). The cannabis pesticide testing shouldn't be a problem, due to the environmental background.

Restek has been one of our suppliers for years. Here is their medical cannabis landing page <http://www.restek.com/Landing-Pages/Medical-Marijuana>. It has all of their published resources for medical cannabis testing. They update it regularly.

Additionally, our QA/QC manager reached out to Absolute Standards and acquired detailed information on mycotoxin testing and it's importance.

I've listed some of the methods we've acquired from Restek below.

## **Potency Testing:**

A chromatogram with the method Restek developed here can be found on their website:

[http://www.restek.com/chromatogram/view/LC\\_GN0553](http://www.restek.com/chromatogram/view/LC_GN0553). The conditions include all the associated part numbers for the column and standards. I can send you a draft extraction method that Restek has used before. We've obviously never used this method here in FL on cannabis. I'm sure you can understand why. According to Restek, it seems to work for other labs and it's very straightforward.

## **Terpenes:**

Both LC and GC methods have their drawbacks. Terpenes are hard to separate using LC, and some don't have chromophores, and they don't ionize well, ruling out LC-MS. On the GC side, the column that's most selective for terpenes does not elute the cannabinoids, so headspace injections are required. I can send you a draft technical article on terpene analysis by GC if you'd like.

## **Pesticides:**

We have an extraction/cleanup method for pesticides in cannabis plant material that we received from Restek. It should work for concentrates as well. The method addresses both GC and LC approaches, and the GC approach does require a little more cleanup than LC does. Also, there are a few pesticides that are commonly used on cannabis that cannot be analyzed by GC, most notably Abamectin, so LC-MS/MS for pesticides may be the way to go.

## **Residual Solvents**

I can send you a draft technical article on this method, as well as the full chromatogram and conditions for Figure 4 in the article. According to Restek and other labs we've reached out to, most people are doing this analysis using GC with a headspace instrument, although it may work with P&T if you can get your sample to dissolve in a solvent compatible with P&T that doesn't interfere with your residual solvents of interest. Sample dissolution for this method is the most problematic part, as you'll read in the article. When real samples are analyzed, oven programs will have to go up to 240°C and hold for about 5 minutes to elute the terpenes that will be present in the cannabis samples. The column Restek recommends is very robust and handles 240°C just fine.

Regarding heavy metals testing; we already hold the certification for solids. We're doing additional research to find the most efficient methods for extracting heavy metals from plant tissue.

I apologize for the lengthy response. I would like to help out in any way I can. If you need anything else, please feel free to contact me at your convenience.

On Tue, Jan 13, 2015 at 3:31 PM, Nelson, Patricia A <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

Mr. Hernandez,

Has MCS consulted the U.S. Pharmacopeia Herbal Medicines Compendium for any of your SOPs, methods, or QA/QC?

Thank you,

Patty

**From:** George Fernandez [<mailto:george@moderncanna.com>]  
**Sent:** Wednesday, December 31, 2014 8:17 AM  
**To:** Nelson, Patricia A  
**Subject:** MCS Formal comments

Good morning,

I have attached our formal comments regarding Senate Bill 1030 that were previously submitted. I just want to make sure you have a copy in case it didn't transfer over. My colleague and I attended and spoke at each of the previous workshops in Tallahassee. Unfortunately, we were unable to attend yesterday's workshop, but I did watch the live stream online.

We own a full service quality control testing laboratory, equipped with all of the instrumentation needed for medical cannabis testing. Up until now we've specialized in environmental and petroleum analysis. I heard you mention that you have experience in a lab and ran a GC. We have GC's, LC's, ICP's, HPLC, and micro biological instrumentation at our facilities. We've created SOP's, quality assurance manuals, and safety manuals for our cannabis testing facility, based on extensive research, consultations with laboratories in CO, and protocol from our existing environmental lab. Also, we were recently inspected by the DOH and received minimal deficiencies.

It's nice to hear you have a laboratory background. We have researched cannabis testing methods thoroughly and the sample prep portion is fairly simple. The only thing left for us is equipment calibration. As I'm sure you know, in order to do that we would need to order standards (legally). This cannot be completed (legally) until testing facilities are granted immunity. I am working with Ron Watson to help write this portion of the glitch bill.

I also brought up this idea at the last hearing: We could set up a mobile testing facility and perform analysis on site at the dispensing organizations. They have been granted immunity, so perhaps this would help resolve this issue for the time being. The down side would be the cost to perform these tests would increase due to fuel charges.

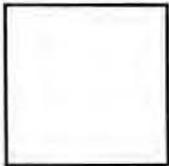
I think this is an amazing opportunity for Florida to really set the bar high in this industry in terms of quality control. I would be happy to share any documents or information you need. Like everyone else, I want to see this medicine get into the hands of patients quickly.

Should you have any questions or would like to discuss these comments in further detail, please don't hesitate to contact me. Thank you for all of your hard work. I look forward to meeting you.

--

**George Fernandez**

Chief Executive Officer



3615 Century Blvd., Unit 2

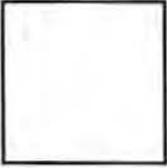
Lakeland, FL 33811

(863) 797-9963



[www.moderncanna.com](http://www.moderncanna.com)

**George Fernandez**  
Chief Executive Officer



3615 Century Blvd., Unit 2  
Lakeland, FL 33811  
(863) 797-9963



[www.moderncanna.com](http://www.moderncanna.com)

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Wednesday, January 14, 2015 6:31 PM  
**To:** 'Zachary Davis'  
**Subject:** RE: Question

Mr. Davis,

I'm so sorry. It looks like I never responded to this email. There should be no conflict of interest issues because interested parties are encourage to participate in rulemaking in Florida. Negotiated rulemaking is just one of the tools we have for rulemaking.

If you are interested, please forward your interest to me with an explanation of how your participation would help us reach a final draft of rules.

Thank you, Patty

Patricia Nelson  
Director  
Office of Compassionate Use  
Florida Department of Health



**From:** Zachary Davis [<mailto:daviszlaw1@gmail.com>]  
**Sent:** Wednesday, January 07, 2015 1:55 PM  
**To:** Nelson, Patricia A  
**Subject:** Question

Hello Ms./Mrs. Nelson,

Hope this email finds you well. Do you know whether it will be considered a conflict of interest if someone who is applying (nurseryman) or someone on his team (consultant) is part of the committee and subsequently receives the license?

Thank You,

Zachary Davis

**Bist, Kevin**

---

**From:** robert tornello <roberttornello@me.com>  
**Sent:** Wednesday, January 14, 2015 9:06 PM  
**To:** Nelson, Patricia A  
**Subject:** Robert Tornello's rules committee application request  
**Attachments:** Patricia Nelson DOH.pdf; ATT00001.txt; Primus Green haccp259412\_587.pdf; ATT00002.txt; PrimusCold haccp259413\_3211.pdf; ATT00003.txt; Primusharvest haccp259654\_8179.pdf; ATT00004.txt; Confirmed 30 Yr and 400000 Inventory 10-10-2014.xlsx; ATT00005.txt; Scan.pdf; ATT00006.txt; Scan 2.pdf; Scan 1.pdf; Scan 3.pdf; ATT00007.txt

Patty, Thank you for the time provided to get my application and certifications attached to you as promised. I am feeling a bit better, and I look forward to hear from you after you review my submission. If there is anything I have omitted please advise. An original letter will be printed on letterhead and sent via mail to you duly signed in the next few days. Thank you again,  
Robert

Patricia Nelson,  
Department of Health, Office of Compassionate Use  
4052 Bald Cypress Way, Bin A-02,  
Tallahassee, Florida  
32399

Re: Notice of Development of Rulemaking  
Subject: Committee Application Request

Dear Patricia:

Under the proposed rule development process, I am an expert in categories 1, 64-4.001; A nursery that meets the criteria in section 381.986(5)(b) 1. Florida Statutes.

With very strong expert qualifications under 64-4.005, I am an individual with demonstrated experience in sound agricultural practices and necessary regulation.

This letter, along with the necessary back-up documentation and summary of 35 years of industry experience demonstrating both my commitment to excellence and my strict adherence to state and federal rules as pertain to agricultural policies and laws, hereby serves as my formal request to join the committee.

64-4001 Regulatory Structure Rule 1.

### **Background**

Tornello Nursery was established in 1978, at 115 12<sup>th</sup> Avenue Southeast, Ruskin, Florida 33570, for the purpose of providing wholesale plants and nursery stock, to US and Canadian resellers, for the emerging interior foliage and landscape industry.

Tornello Nursery was incorporated in 1982. Headquartered at the same address, Tornello Landscape Corporation was actually incorporated earlier—in 1981—and TLC was the design/build “parent sector” of the company. These two companies were unique within the nursery industry in that we were among the very earliest American companies to establish an international export business for live plants, particularly giant specimen

palms that had very specific and restrictive trade and agriculture requirements.

Both state and international trade rules and regulations were designed and written to protect domestic growers of agricultural food crops in the countries of import. Therefore, in order to ship plants out-of-country, it was required of a potential exporter that each load/shipment be guaranteed by the export country/state and shipper to be provably free of pests and diseases.

In addition to requiring strict record-keeping and biological testing of the exporter's plants, the regulations required all exported nursery stock to meet the import country's strict code requirements—these were based on risk assessment for potential new pest introduction, and they often required quarantine. Thus, as one of the few nurseries willing and able to meet (and usually exceed) said requirements, Tornello Nursery's plants were routinely washed free of native soils, repotted, and grown above-ground in soilless media that was certifiably free of nematodes and bacterial contamination. All crops had to be state-inspected, in compliance with the importing countries' import permit, specific to that shipment, and received through agents of the border broker. Moreover, they were subject to seal verification: the numbers of plants and plant seals would need to be appropriate. Soil samples were taken in both the country of export (the U.S.) and import for re-testing, and the receiving Agriculture departments' visual re-inspection upon arrival would need to be signed-off on, too. While in quarantine, if any problems were detected, the entire load was subject to incineration.

(As you probably remember, 30 years ago we were without computers, faxes or even cell phones—snail-mail and telex were the only modes of communication available, other than onerous, operator-assisted long-distance out-of-country calls).

Nonetheless, Tornello Nursery were carrying out weekly shipments, and over the years, we established a nursery known for its ability to supply top-quality, Florida-grown plants and trees, up to 48' tall, to projects located all over the globe.

### **Projects of Note**

1980 Sheraton Center (Le Centre Sheraton), Montréal, Québec Canada

I (Robert Tornello) designed the interior landscape for the seven-story atrium of this landmark hotel; it would be the first of its kind, and it featured over 60 varieties of unusual palms and plantings. It attracted visitors from hundreds of miles away—indeed, the interiorscape was a revelation to the many Quebec residents who had never traveled outside the often snow-covered province. This destination hotel offered them a place to experience a tropical landscape for the first time. This was also Tornello Nursery's first landscape project in a climate-controlled environment. Poolside atriums, built similarly, included habitats for giant parrots and featured flowering orchids.

Once completed, 10 months later, the owners requested that I design the exterior rooftop park for the hotel. All local Québécois companies had turned down the work due to the difficulties associated with it: the site was 1.5 acres, over 120' above street level, and obstructed by 3 para-pits. Plus, there was the frigid Montréal weather to contend with. Even so, during the winter of 1980 and in bitter cold, snowstorm conditions, I installed 500 tons of custom soil at the rooftop site, using conventional cranes staged at the permit-closed streets below. This took 20 contiguous hours, with 58 loads of soil first delivered to the street level and then loaded into custom-built transport bins; we had a Caterpillar D-9 running non-stop to keep both cranes moving in sequence.

In my limited French, using a radio headset to communicate to the crews below who could not see us thanks to the snowflakes, we guided the soils and equipment to the rooftop. By Monday morning at 6 am, we already had the cranes moved off-site and the streets washed clean in preparation for rush-hour traffic.

Two more similar events took place during which we flew up giant boulders, drain piping, flagstone paving, and hardscape materials. The final lifts brought up 13 tractor-trailer loads of giant trees, all of which were hardy to Nova Scotia (the site's exposure to the St. Lawrence Seaway and the mountain required this). We worked through the frost line, planting and winterizing these 18-25' trees in order to create a landscape that is still there today, always with seasonal color and evergreen specimens that provide beauty and screening. That spring, we installed grass and flowering shrubs in time for the hotel's Grand Opening in May 1981.

I was 25 years old when I completed this project. Duly impressed, Sheraton awarded me with contracts to supply/design/build landscapes for hotels in Washington DC, Toronto, Ottawa, Richmond, and California (in California I used local materials).

In the following years—between 1988 and 1995—my nursery's work continued, providing rare bamboos to Universal Studios Florida as well as landscape designs implemented in many sections of the park. Over these years, the nursery was buzzing with contract-grow orders supplying in-state projects for which I also provided expert horticultural consultation.

My work with architects and site planners continued for Universal, Disney, Euro-Disney, Sea World, and Bush Gardens, as well as other notable international projects. (Thanks to my reputation, all of these projects brought me in to consult for the difficulty of on-structure, rooftop, and interior-landscape supply work). Eventually, we began working in Las Vegas, doing notable projects including the Howard Hughes headquarters, the Bellagio, MGM, and more.

As the theme park and casino work progressed and the nursery expanded to include the 3 Boys Farm location, we began working with the Chinese government, as they were impressed with the service we provided to Florida Splendid China, (a Chinese-sponsored theme park in central Florida). They were now leasing pandas to zoos and institutions in North America, and I was introduced to the botanists from Beijing Botanical Gardens as well as the nutritionists for the Pandas.

Only after many months of work, including establishing revised nursery protocols that required organic growing practices and strict record-keeping (including tissue analysis for verification of procedures and inputs) would we be selected to grow bamboos for all the panda habitats, as well as establishing the hardiness and zone-appropriateness of local farms for pandas' food at the lease sites. We provided these services to eight large projects; the largest was with the National Zoo in Washington DC at The Smithsonian Asia Trail, yet another long-established client.

As our work continued into more difficult projects, we were offered notable projects in California. California Agriculture divisions are so regulated by giant Citrus and Stone Fruit associations, it had historically been impossible to ship Florida-grown specimen trees to California.

At the time, we were permitted to provide nursery stock to the entirety of Europe and Asia, but as current regulations stood, we could not ship our nursery products over the California state line.

I determined that Tornello Nursery could and would change that.

I first became a registered nurseryman in California. Once I was established, I could go directly to the Division of Plant Industry in Sacramento and see the top directors without the required out-of-state protocols that included flying out state representatives. I made my argument, provided literally hundreds of pages of reports, and paid for the State of California's inspectors to do a boots-on-ground inspection.

One year later, I established the QC569 program, no longer would California legally exclude Florida crops. With eight pages of strings attached, I began to supply and consult projects for both Disney and Universal in California, and I worked on numerous other projects in that state ranging from the San Diego Zoo to Silicon Valley's 3 Com headquarters, to major jobs with Stanford University Medical, Oakland Children's hospital, and San Francisco International Airport. Nationally, Tornello Nursery received 18 landscape awards for our work.

Once we were comfortably established in California, Tornello began to provide plants and trees to China. We worked directly with renowned architect IM Pei's office, as well as Skidmore Owens and Merrill. We supplied plants and consultation to three projects in Hong Kong and one in Jakarta. We were selected again by Ag China to provide all the bamboos to the new Welcome Center in Kowloon (after the Turnover). That one order filled 22, 24' pallet positions on a Cathay Pacific airfreight plane.

I offer this summary of experience to your Goodselfs at the DOH in order to give you a clear understanding of where Tornello stands within the significant range of experience and expertise possessed by Florida nurseries—nurseries that may nonetheless all fall within the 30-year nursery rule in section 381.986(5)(b) 1. In short, unlike Tornello, the majority of nurseries that qualify under this rule have rarely, if ever, shipped their products out-of-state, much less out-of-country, and thus have little or no experience complying with an entirely new level of stringent requirements. The ability to grow a plant and sell it locally is notable and labor-intensive;

the ability to grow locally and then sell and deliver the product abroad, meeting and surpassing all manner of foreign requirements... well, that requires a level of expertise that, quite frankly, very few Florida plant-growing companies possess.

Tornello Nursery *has that level of expertise*, and it has been both our stock-in-trade and our proud signature for decades.

It is that very ability to develop the necessary production, safety, and transportation protocols—all while establishing new rules intrastate, working weekly with agriculture inspection and testing departments while learning all climate, and cultural growing conditions for perishables in ten geographic zones internationally, and adhering to changing rules pertaining to nursery-stock shipping by truck, overseas container, and air-freight—that sets us apart.

As a Florida nurseryman for over thirty-five years, I am confident that the above-described background qualifies me, as outlined by the State of Florida, as an expert in Nursery Operations.

Therefore, I respectfully request to be included as a member of the board of the Negotiated Rulemaking Committee.

---

*Expert qualifications under 64-4.005: An individual with demonstrated experience in sound agricultural practices and necessary regulations.*

In addition to the above-listed statement of qualifications, I wish to add:

As everyone will remember, the great recession of '07 (and beyond) brought about the cancellation or indefinite postponement of all backlogged work, and most commercial real estate projects were owner-abandoned midstream as their own funding was withdrawn. So, in order to keep our employees working, 3 Boys Farm (Tornello Landscape, Location 2) worked furiously to develop new branches of business. Luckily, food production protocols were so similar to international nursery regulation, this was a natural step for us.

We had already learned all the methods of production *without* using pesticides, and we were already incorporating Integrated Pest Management (IPM) practices.

As an environmentalist who was recognized for my work with the alternative and passive energy and high-volume rainwater collection that would have zero negative impact on our farm, I began to tackle new areas of horticulture that were overlooked, where protocols had not been written or developed. It was my desire to produce food that was grown both organically *and* hydroponically. I figured out how it could be done.

It seemed so simple in theory, yet for 20 years it had not been done without problems and/or crop failures.

Over the following years, with the help of a scientist friend, I co-developed the continuous feed program that was once said to be impossible. After repeated testing, we finally settled on a formula that would work on all crops, during all seasons, for both soil and soil-less crops. These results were provided OMRI and the feed was included in the list of NOP (national organic practices) protocols.

The following season, 3 Boys Farm became the very first USDA Organic-certified *true hydroponic* operation.

In addition to developing the necessary protocols for production, I created new environmental controls and procedures once thought impossible by most Florida agriculture professors. Soon after, word got out to them, and they visited us multiple times. Based upon their observations, they recommended us to the State of Florida for their annual Department of Agriculture Environmental Leadership Award. After nomination and state review, we were told that our work had won in three of the five categories, in 2010. (Please see attached).

Once we were USDA Organic-Certified, it was our desire to sell our crops directly to end-users. To do this, a grower must be third-party certified. We learned that the most stringent and recognized leader among those conducting these forensic audits was Primus. After performing self-audits and writing internal procedures for this new audit, we began establishing methods for safe food production and product and water testing, which included our harvesting, storage, transportation, and full trace-back procedures. (These entail three hours of work daily.)

Now, as we are in our fourth year of complying with Primus food safety audits, we have become recognized leaders in the implementation of near laboratory-like food production.

Our scores, certification, and associated reports (attached) provide a glimpse into the serious nature of food safety, as well as food industry liability.

---

This is why I became an outspoken advocate of product safety for SB1030.

I am only too aware of the years of procedures and policy training it takes to teach employees that these protocols must be part of your daily work habits. It's not just about simple training; product safety awareness must become part of your daily existence.

I testified as to how important these safety protocols and procedures are in terms of providing product to patients. As I work closely with notable medical doctors and PhD's—all of whom are recognized leaders in Canabinoid body receptors, as well as how compounds not even addressed in the bill must be included in order to make the medicine optimally available to the affected part of the body—I am motivated even further.

This panel of experts is where I belong. I can, in my capacity, understand not only the particulars of the field I will represent, but also how to seamlessly incorporate my own gathered data and experience into the other areas of the law. I respectfully assert that it is then, and only then, that we can craft rules that are all-encompassing, logically implemented, and structurally sound and enforceable. This panel requires an expert who thoroughly understands his vocation. Not only that, he must be someone who can incorporate the bodies of his own work and knowledge and the work of the other team experts, and thereby craft effective policy.

I am ready and well-prepared to do just this.

I believe it is our most important role, at this point, to develop a solid foundation for this new industry, one wherein regulation and medical-grade product safety protocols established today become the template for all future rules pertaining to cannabis-based medicine in Florida.

I attest, and personally guarantee by the submission of my application, that I will do whatever is so required of me, by the Department Of Health, to best serve the State of Florida and her patients.

Sincerely,

Robert Tornello



[Ver en Español](#)

\* Powered By Google

Version 1.0 Sep 08, 2014

## PrimusLabs Audit (259412) Greenhouse Audit v07.08

**Greenhouse(s)**

**3 Boys Farm**

Contact: [Robert Tornello](#)

Address: 704 21st Ave SE

Ruskin Florida 33570

United States

Phone Number: 813-645-5445 Fax Number:

813-645-4353

Email(s): [roberttornello@mac.com](mailto:roberttornello@mac.com)

**Customer(s)**

**Tornello Landscape Corp. 3 Boys Farm**

Contact: [Robert Tornello](#)

Address: PO Box 789

Ruskin Florida 33575

United States

Phone Number: 813-645-5445 Fax Number:

813-645-4353

Email(s): [Roberttornello@mac.com](mailto:Roberttornello@mac.com)

**Audit Type:**

Greenhouse

**Foreman or Contact Person (and email):**

Robert Tornello

**Location/City:**

Ruskin

**State:**

Florida

**Country:**

United States

**Date Audit Started:**

09/01/2014 09:00

**Date Audit Finished:**

09/01/2014 14:00

**Commodity(ies):**

ive Plants Organic Herbs, Hydroponic Organic Lettuce, Organic Tomatoes, Hydroponic Organic Peppers

**Auditor:**

[Tina Price](#) (Sub-Contract Auditors)

**Audit Percentage Score:**

100%

**Announced Audit?**

Yes

**Audit Scope:**

Organic, hydroponically grown commodities produced within a greenhouse complex (several buildings adjacent to each other). Small year round operation with less than 10 employees in peak



season. Separate Primuslabs Cold Storage and Harvest Audits were conducted in combined fashion with this audit.

**Audit Entered By:** Tina Price  
**Other Auditing Personnel And Role:** N/A

**Additional Report Links**

[Report and Corrective Action Summary](#)

[See The Result Comparison](#)

[See The Audited Entity History](#)

**Corrective Actions Response**

**Note:** This link must be used in order to notify that you are taking action in the corrective measures for questions that were not in full compliance.

**Sections:**

[Self Inspection](#)

[Traceability](#)

[Ground History](#)

[Adjacent Land Use](#)

[Pest and Foreign Material Controls](#)

[Growing Media \(Substrate\) Use](#)

[Fertilizer/Crop Nutrition](#)

[Irrigation/Water Use](#)

[Plant Protection](#)

[Employee Hygiene \(This applies to greenhouse workers not the harvesting workers\)](#)

[Food Security](#)

**Self Inspection**

Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
01.01	Have Good Agricultural Practices (GAP) manuals been developed covering each growing operation within the scope of this audit, and are they available for review?	Yes	5	5		<b>Yes, the organization has a documented Food Safety Program. The operation is under organic and hydroponic greenhouse practices.</b>	
01.02	Have documented Good Agricultural Practices (GAP) self-audits been completed for each growing operation that is within the scope of this audit?	Yes	7	7		<b>Yes. This is a 12 month operation. Self audits are done on a quarterly regime.</b>	

**Traceability**

Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
02.01	Is the growing facility adequately identified or coded to enable	Yes	15	15		<b>Yes, using ScoringAg, a traceback and traceforward record keeping and documentation system. Each greenhouse and greenhouse growing</b>	



trace back and trace forward in the event of a recall?

table is identified by way of GPS to ensure tracking can be done back to the harvesting at each table location. As seeds are received, these are also input into the software system for traceability reasons.

**Ground History**

Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
03.01	Was the growing facility(s) used for growing food crops for human consumption last season?	Yes	0	0		Yes.	
03.02	Has the growing facility(s) been used for any non-agricultural functions? If No, go to 3.03.	No	7	7		No.	
03.02a	If growing facility land had been used previously for non-agricultural functions have soil tests been conducted showing soil was negative or within an appropriate regulatory agency's approved limits for contaminants?	N/A	0	0			
03.03	Has the growing facility(s) been used for animal husbandry or grazing land for animals? If No, go to 3.04.	No	7	7			
03.03a	If the growing facility land was previously used for animal husbandry or grazing land for livestock, has a risk evaluation been performed?	N/A	0	0			
03.04	Has flooding from uncontrolled causes occurred on the growing facility(s) since the previous growing season? If No or if substrates are used, go to 3.05.	No	0	0		No.	
03.04a	If the growing facility(s) and product was affected from the flood waters, is there documented evidence that corrective measures were taken to affected land and product?	N/A	0	0			
03.04b	Have soil tests been conducted on the flooded area(s) showing soil was negative or within an appropriate regulatory agency's approved limits for contaminants?	N/A	0	0			
03.05	Is the growing operation under organic principles? If No, go to 3.06.	Yes	0	0		Yes. The organization grows under organic practices and has received certification.	
03.05a	Is current certification by an accredited organic certification organization on file and available for review?	Yes	0	0		Yes, the organization has received certification by QCS February 27, 2013. Subsequent inspections take place per standard.	
03.06	If the growing facility(s) is a new purchase or lease, has a documented risk assessment been undertaken?	N/A	0	0		N/A, not new purchase or lease.	



### Adjacent Land Use

Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
04.01	Is the land adjacent to the growing facility a possible source of contamination from intensive livestock production (e.g. feed lots, dairy operations, poultry houses, meat rendering operation)? If No, go to 4.02.	No	10	10		No. The growing rooms (greenhouse complex) are completely enclosed.	
04.01a	Have appropriate measures been taken to mitigate this possible contamination source onto the growing facility(s) (e.g. buffer areas, physical barriers, foundation, fences, ditches, etc.)?	N/A	0	0			
04.02	Is the growing facility(s) situated in a higher risk location where contamination could occur from nearby operations or functions (e.g. leach fields, runoff or potential flooding from sewers, toilet systems, industrial facilities, labor camps)? If No, go to 4.03	No	10	10		No. The growing rooms (greenhouse complex) are completely enclosed.	
04.02a	Have appropriate measures been taken to mitigate risks related to nearby operations?	N/A	0	0			
04.03	Is there a documented and implemented policy that infant or toddler aged children are not allowed in the growing facility? NOTE: This includes any packaging or equipment storage areas.	Yes	10	10		Yes. There was a documented and implemented policy.	

### Pest and Foreign Material Controls

Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
05.01	Is there a written policy supported by visual evidence that domestic and wild animals, livestock, or birds are not allowed in the growing facility; including grounds and any packaging or equipment storage areas.	Yes	10	10		Yes, all policies were located at key areas including the greenhouse entry doors, the cold storage door, and office entrance.	
05.02	Are all entry points to growing facility(s), storage and packaging areas protected to prevent entry of rodents or birds?	Yes	10	10		Yes, growing facility is modern in structure all having all with roof, walls, and door seals and entrances.	
05.03	If used, are pest control devices (inc. rodent traps and electrical fly killers) located away from exposed food products? If No, go to 5.04. Poisonous rodent bait traps are not used within the growing facility or inside any storage or packaging areas?	Yes	10	10		Yes, rodent control program in place. Baited (non poisonous) stations located on the exterior of the greenhouse structures.	
05.03a	If used, are pest control devices maintained in a clean and intact condition and marked as monitored (or bar code scanned) on a regular basis?	Yes	10	10		Yes, the rodent pest control program is managed by the organization. No use of poisonous baits in place.	
05.03b	If used, are pest control devices adequate in number and location?	Yes	10	10		Yes.	
05.03c	If used, are all pest control devices	Yes	10	10		Yes. Numbers located on the trap	

	identified by a number or other code (e.g. barcode) ?					and wall which matched the map on file.
05.03d	If used, are all pest control devices properly installed and secured?	Yes	10	10		Yes.
05.04	Is there a written pest control program, including a copy of the contract with the extermination company (if used), Pest Control Operator license (if baits are used) and insurance documents?	Yes	15	15		Yes, there was an overview of the pest control program which includes insect and rodents. The rodent pest control program is managed by the organization. The organization is under organic practices.
05.05	Is there a schematic drawing of the plant showing numbered locations of all traps and bait stations, both inside and outside the plant?	Yes	10	10		Yes.
05.06	Are service reports created for pest control checks detailing inspection records, application records, and corrective actions (if issues were noted) (in-house and/or contract)?	Yes	10	10		Yes, in house reports.
05.07	Has the facility eliminated or controlled any potential glass, metal or hard plastic contamination issues?	Yes	10	10		Yes. Glass does exist on the structure but using a Glass Register. Lights and other glass items were protected.
05.08	Is there a written glass policy (including glass breakage procedure and where necessary a glass register)?	Yes	10	10		Yes. A glass policy and breakage procedure SOP was in place. Noted a glass breakage decontamination clean up kit. The kit included various items in the event there was a glass breakage.
05.09	Are the growing facility(s), including grounds and any packaging and storage areas clean and well maintained?	Yes	10	10		Yes, the grounds, packaging, and storage areas were clean and well maintained.
05.10	If applicable, are compost and/or substrate receiving and storage areas adequately separated from crop production and packaging and other storage areas?	Yes	10	10		Yes. Seeds and Grower Foam (Oasis product), were found to be stored inside a designated, confined area away from packaging and product storage areas.

### Growing Media (Substrate) Use

Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/ Picture
06.01	Is soil used in the growing operation?	No	0	0	Information gathering question.	No.	
06.02	Is a hydroponic system used? If No, go to 6.04	Yes	0	0		Yes.	
06.03	If a hydroponic system is used, is it a "closed" hydroponic system (excess solution is captured and reused) ?	Yes	0	0		Yes. Closed hydroponic system in use.	
06.03a	If used, are records available detailing how the solution is	Yes	15	15		Yes. Fertigation Reports include various details of the use of Di-Oxy	



treated for recycling?

06.04	Are substrates (e.g. sand, gravel, vermiculite, rockwool, perlite, peat moss, coir, etc.) used? If no, go to 7.01	Yes	0	0
06.04a	If substrates are heat/steam sterilized, have the location, date of sterilization, time/temperature readings, operator's name and pre-plant interval been recorded?	N/A	0	0

Solv? and cleaning of the system. Di-Oxy Solv? is OMRI listed and an EPA approved, broad spectrum algaecide, bactericide, fungicide and general sanitation product. The growing base where the seeds are placed into are single use, not re-used.

The growing base where the seeds are placed into are single use, not re-used.

### Fertilizer/Crop Nutrition

Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
07.01	Is untreated human sewage sludge used in the growing operation? If this question is answered Yes, automatic failure of this audit will result.	No	20	20		No.	
07.02	Is compost produced from animal derived materials used by the grower? If No, go to 7.03	No	0	0		No.	
07.02a	Are compost applications incorporated into the soil prior to planting and not applied during the growing season?	N/A	0	0			
07.02b	Are there compost use records available for each growing facility(s), including application records which shows that the interval between application and harvest was not less than 45 days?	N/A	0	0			
07.02c	Are there Certificate(s) of Analysis (CoA) from the compost supplier(s) that covers pathogen testing (plus any other legally best practice required testing) and does the grower have relevant letters of guarantee regarding SOP's and logs?	N/A	0	0			
07.02d	Are there Certificate(s) of Analysis (COA), letters of guarantee or some other documents from the compost supplier(s) that covers heavy metal testing?	N/A	0	0			
07.03	Are biosolids used? If No, go to 7.04. NOTE: Special attention to commodity specific guidelines rules (e.g., Californian Leafy Greens) which ban the use of biosolids, see 7.03e	No	0	0		No.	
07.03a		N/A	0	0			



	Are biosolids incorporated into the soil prior to planting and not applied during the growing season?				
07.03b	Are the grower's biosolids use records available for each growing facility(s), especially application records?	N/A	0	0	
07.03c	Is there a Certificate(s) of Analysis (COA) from the biosolid supplier(s) certifying compliance with prevailing national/ local standards and guidelines (microbiological analysis)? If this question is answered No, automatic failure of this audit will result.	N/A	0	0	
07.03d	Are there Certificate(s) of Analysis (COA), letters of guarantee or some other documents from the biosolid supplier(s) certifying compliance with prevailing national/ local standards and guidelines (heavy metal test analysis)?	N/A	0	0	
07.03e	Are biosolids being applied to crops where the country of production regulations/guidelines ban the use of such materials e.g. Leafy Green Commodity Specific Guidelines in California? If this question is answered Yes, automatic failure of this audit will result.	N/A	0	0	
07.04	Is untreated animal manure used? If No, go to 7.05. NOTE: Special attention to commodity specific guidelines rules (e.g., Californian Leafy Green Commodity Specific Guidelines) which ban the use of untreated animal manures. See 7.04d	No	15	15	No.
07.04a	Is untreated animal manure incorporated into the soil prior to planting and not applied during the growing season?	N/A	0	0	
07.04b	Are there untreated animal manure records available for each growing facility(s) including application, blend, pot/bed fill records which shows that the interval between application, blend, pot/bed fill and harvest was not less than 120 days (unless more stringent laws or guidelines exist)?	N/A	0	0	
07.04c	Are there Certificate(s) of Analysis (COA), specification or some other document available for review provided by the untreated animal manure supplier stating the components of the material?	N/A	0	0	
07.04d	Are untreated animal manures being	N/A	0	0	

used where the country regulations/guidelines ban the use of such materials (e.g., Californian Leafy Green Commodity Specific Guidelines)? If this question is answered Yes, automatic failure of this audit will result.

07.05	Are other nonsynthetic crop treatments used (e.g. compost teas, fish emulsions, fish meal, blood meal,"bio fertilizers")? If No, go to 7.06.	Yes	0	0	Examples include but are not limited to compost teas, fish emulsions, fish meal, blood meal, and "bio fertilizers" that are produced from animal materials.	Yes, EMPak SP, an OMRI listed material is the product used in the nutrient system. This is not defined as compost, compost teas, fish emulsions, fish meal, blood meal or any materials containing animal products.
07.05a	Are nonsynthetic treatments that contain animal products or animal manures applied to the edible portions crops?	No	15	15		No. Nutrients do not have contact with any part of the plant other than the root.
07.05b	Are nonsynthetic crop treatment records available for each growing facility(s) including application records demonstrating the interval between application and harvest was not less than 45 days?	N/A	0	0		See previous, the material does not have contact with the edible portion of the plant only the root.
07.05c	Are there Certificate(s) of Analysis available from the nonsynthetic crop treatment suppliers that covers pathogen testing (plus any other legally/best practice required testing)?	Yes	20	20		Yes.
07.05d	Are there Certificate(s) of Analysis (COA), letters of guarantee or some other documents from the nonsynthetic crop treatment suppliers that covers heavy metal testing (plus any other legally/best practice required testing)?	N/A	0	0		N/A. Microbiological testing program in place. Product is not derived from animal waste, blood, bone meal, seaweed, or fish emulsion.
07.06	Are any soil amendments (except inorganic nutrients/fertilizers) used that do not contain animal products and/or animal manures? If No, go to 7.07.	No	0	0		No.
07.06a	Are the grower's soil or substrate amendment (except inorganic nutrients/fertilizers that do not contain animal products and/or animal manures) records available for review including application records?	N/A	0	0		
07.06b	Are there Certificate(s) of Analysis (COA) and/or letters of guarantee stating that the materials used are free from animal products and/or animal manures?	N/A	0	0		
07.07	Are inorganic fertilizers used? If No, go to 7.08.	No	0	0	Examples of manufactured inorganic	No.



fertilizers include ammonium nitrate, ammonium sulfate, chemically synthesized urea, etc.

07.07a	Are the grower's inorganic fertilizer records available for review including application records?	N/A	0	0
07.07b	Are there Certificate(s) of Analysis (COA), letters of guarantee or some other documents from the inorganic fertilizer supplier(s) that specifies all the ingredients including inert materials?	N/A	0	0
07.08	If fertilizers and/or fertilizer containers are stored on the property, are they stored in a manner to prevent contamination to the growing facility(s) or any water sources?	Yes	3	3

**Yes. Fertilizer containers are under rigorous greenhouse systems applicable to this operation. The fertilizer containers and fresh water storage containers are under scheduled maintenance and cleaning.**

### Irrigation/Water Use

Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
08.01	Is the water used for the growing operation sourced from municipal or district water pipeline systems? If No, go to 8.02.	No	0	0	(No recommendation)	No.	
08.01a	Are microbiological tests, including generic E.coli conducted on water used for crop protection/fertilizer applications, and irrigation? If No, go to 8.01c.	N/A	0	0			
08.01b	Are the microbiological tests current and conducted at the required and/or expected frequencies?	N/A	0	0			
08.01c	Do written procedures (SOPs) exist covering proper sampling protocols and are the SOPs being implemented? NOTE: Irrespective of water source, samples for microbial testing should be taken at a point as close to the point of use as practical, so as to test both the water source and the water distribution system.	N/A	0	0			



08.01d	Do written procedures (SOPs) exist covering corrective measures for unsuitable or abnormal water testing results?	N/A	0	0	
08.01e	If unsuitable or abnormal results have been detected, have documented corrective measures been performed?	N/A	0	0	
08.01f	Are the crops irrigated by a micro irrigation or drip system?	N/A	0	0	
08.01g	Is overhead irrigation (e.g. spray, hose) used to irrigate the crop? NOTE: "Irrigating the crop" refers to irrigation during the mature growing cycle. This does not include pre-planting or just after planting to create a stand.	N/A	0	0	
08.01h	Are the crops irrigated by flood irrigation or a furrow system?	N/A	0	0	
08.01i	Are the crops sub irrigated (also known as seepage irrigation)?	N/A	0	0	
08.02	Is the water used in the growing operation sourced from wells? If No, go to 8.03.	Yes	0	0	Yes, well water is used in the greenhouse complex. Additionally the well provides water for the office, restroom facilities, and cooler.
08.02a	Are all well heads in adequate distance from untreated manure?	N/A	0	0	N/A, no manure stored. The well is confined within a locked enclosure.
08.02b	Is the well designed to prevent contamination?	Yes	10	10	Yes. The Well is modern and has a check valve system. The well is confined within a locked enclosure.
08.02c	Is it evident that the well(s) is free from contamination issues and are measures taken to minimize contamination of wells?	Yes	10	10	Yes.
08.02d	Are records kept for periodic inspections and treatment of wells (if performed) available for review?	Yes	7	7	Yes. The well, water systems, and fresh water tanks are on a scheduled maintenance and cleaning program.
08.02e	Are microbiological tests, including generic E.coli conducted on water used for irrigation, crop protection/fertilizer applications? If No, go to 8.02g	Yes	20	20	Yes, quarterly testing program in place for target organism Total Coliform. Total Coliform is the indicator organism for this growing-cold storage complex. Testing is done per specification to meet



08.02f	Are the microbiological tests current and conducted at the required and/or expected frequencies?	Yes	15	15	EPA Drinking Water Standards. Yes. Quarterly testing program in place. Total Coliform is the target indicator organism to ensure water meets microbial suitability (EPA Drinking water standards). Last analysis from Advanced Environmental Laboratories dated 25 August 2014 showed water met specifications.
08.02g	Do written procedures (SOPs) exist covering proper sampling protocols and are the SOPs being implemented? NOTE: Irrespective of water source, samples for microbial testing should be taken at a point as close to the point of use as practical, so as to test both the water source and the water distribution system.	Yes	10	10	Yes, there was an SOP in place. Advanced Environmental Laboratories used which is an accredited laboratory.
08.02h	Do written procedures (SOPs) exist covering corrective measures for unsuitable or abnormal water testing results?	Yes	10	10	Yes, there was an SOP in place.
08.02i	If unsuitable or abnormal results have been detected, have documented corrective measures been performed?	N/A	0	0	With the water test reports that were reviewed, there were no out of specification test results. Advanced Environmental Laboratories was the testing laboratory used.
08.02j	Are the crops irrigated by a micro irrigation or drip system?	Yes	0	0	A hydroponic system is used. Water does not come into contact with the product during the growing cycle.
08.02k	Is overhead irrigation (e.g. spray, hose) used to irrigate the crop? NOTE: "Irrigating the crop" refers to irrigation during the mature growing cycle. This does not include pre-planting or just after planting to create a stand.	No	0	0	
08.02l	Are the crops irrigated by flood irrigation or a furrow system?	No	0	0	
08.02m	Are the crops sub irrigated (also known as seepage irrigation)?	No	0	0	Information gathering question. Reducing contact with edible portion of the crop is believed to reduce microbial risk.

08.03	Is the water used in the growing operation sourced from ponds, reservoirs, watersheds or other surface water source? If No, go to 8.04	No	0	0	No.
08.03a	Is surface water in adequate distance from untreated manure?	N/A	0	0	
08.03b	Do animals (domestic, livestock, or wild) have access to the water source?	N/A	0	0	
08.03c	Is it evident that the water source is free of contamination issues and are measures taken to minimize contamination of the water source?	N/A	0	0	
08.03d	Are records kept for the periodic visual inspections and disinfection treatments (if used) available for review?	N/A	0	0	
08.03e	Are microbiological tests, including generic E.coli conducted on water used for irrigation, crop protection/fertilizer applications, and frost or freeze prevention program? If No, go to 8.03g.	N/A	0	0	
08.03f	Are the microbiological tests current and conducted at the required and/or expected frequencies?	N/A	0	0	
08.03g	Do written procedures (SOPs) exist covering proper sampling protocols and are the SOPs being implemented? NOTE: Irrespective of water source, samples for microbial testing should be taken at a point as close to the point of use as practical, so as to test both the water source and the water distribution system.	N/A	0	0	
08.03h	Do written procedures (SOPs) exist covering corrective measures for unsuitable or abnormal water testing results?	N/A	0	0	
08.03i	If unsuitable or abnormal results have been detected, have documented corrective measures been performed?	N/A	0	0	
08.03j	Are the crops irrigated by a micro irrigation or drip system?	N/A	0	0	
08.03k	Is overhead irrigation (e.g. spray, hose) used to irrigate the crop?	N/A	0	0	



NOTE: "Irrigating the crop" refers to irrigation during the mature growing cycle. This does not include pre-planting or just after planting to create a stand.

08.03l	Are the crops irrigated by flood irrigation or a furrow system?	N/A	0	0	
08.03m	Are the crops sub irrigated (also known as seepage irrigation)?	N/A	0	0	
08.04	Is the water used in the growing operation sourced from canals, rivers, ditches, or other open flowing water systems? If No, go to 8.05.	No	0	0	Water sourced from canals, rivers, No. ditches or other open flowing water systems may carry more of a risk for contamination than closed water sources. For surface waters, consider the impact of storm events on irrigation practices. Bacterial loads in surface water are generally much higher than normal, and caution should be exercised when using these waters for irrigation.
08.04a	Is surface water in adequate distance from untreated manure?	N/A	0	0	
08.04b	Is the water source under the direction of a water authority or district?	N/A	0	0	
08.04c	Do animals (domestic, livestock, or wild) have access to the water source?	N/A	0	0	
08.04d	Is it evident that the water source is free of contamination issues and are measures taken to minimize contamination of the water source?	N/A	0	0	
08.04e	Are records kept for periodic visual inspection and disinfection (if occurring) of the water source and available for review?	N/A	0	0	
08.04f	Are microbial tests, including Generic E.coli conducted on water used for irrigation, crop protection/fertilizer applications, and frost or freeze prevention program? If No, go to 8.04h.	N/A	0	0	
08.04g	Are the microbiological tests current and conducted at the required and/or expected frequencies?	N/A	0	0	
08.04h	Do written procedures (SOPs) exist covering proper sampling protocols and are the SOPs being implemented? NOTE: Irrespective of water source,	N/A	0	0	

samples for microbial testing should be taken at a point as close to the point of use as practical, so as to test both the water source and the water distribution system.

08.04i	Do written procedures (SOPs) exist covering corrective measures for unsuitable or abnormal water testing results?	N/A	0	0	
08.04j	If unsuitable or abnormal results have been detected, have documented corrective measures been performed?	N/A	0	0	
08.04k	Are the crops irrigated by a micro irrigation or drip system?	N/A	0	0	
08.04l	Is overhead irrigation (e.g. spray, hose) used to irrigate the crop? NOTE: "Irrigating the crop" refers to irrigation during the mature growing cycle. This does not include pre-planting or just after planting to create a stand.	N/A	0	0	
08.04m	Are the crops irrigated by flood irrigation or furrow system?	N/A	0	0	
08.04n	Are the crops sub irrigated (also known as seepage irrigation)?	N/A	0	0	
08.05	Is reclaimed water used in the growing operation? NOTE: This refers to wastewater that has gone through a treatment process. If No, go to 8.06.	No	0	0	Wastewater that has been gone through a treatment process. Reclaimed water shall be subject to applicable local and national regulations and standards. Prior to using this water for agricultural purposes growers should check with regulatory bodies to determine the appropriate parameters and tolerances to be used.
08.05a	Is the reclamation process under the direction of a water reclamation management or authority?	N/A	0	0	
08.05b	Are microbial control measures for reclaimed water utilized?	N/A	0	0	
08.05c	Are microbial tests, including generic E.coli conducted on water used for irrigation, crop protection/fertilizer applications, and frost or freeze prevention program? If No, go to 8.05e.	N/A	0	0	
08.05d	Are the microbiological tests current and conducted at the required and/or expected	N/A	0	0	

	frequencies?				
08.05e	Do written procedures (SOPs) exist covering proper sampling protocols and are the SOPs being implemented? NOTE: Irrespective of water source, samples for microbial testing should be taken at a point as close to the point of use as practical, so as to test both the water source and the water distribution system.	N/A	0	0	
08.05f	Do written procedures (SOPs) exist covering corrective measures for unsuitable or abnormal water testing results?	N/A	0	0	
08.05g	If unsuitable or abnormal results have been detected, have documented corrective measures been performed?	N/A	0	0	
08.05h	Are the crops irrigated by a micro irrigation or drip system?	N/A	0	0	
08.05i	Is overhead irrigation (e.g. spray, hose) used to irrigate the crop? NOTE: "Irrigating the crop" refers to irrigation during the mature growing cycle. This does not include pre-planting or just after planting to create a stand.	N/A	0	0	
08.05j	Are the crops irrigated by flood irrigation or a furrow system?	N/A	0	0	
08.05k	Are the crops sub irrigated (also known as seepage irrigation)?	N/A	0	0	
08.06	Are tail water (run off water) systems used in the growing operation? If No, go to 8.07.	No	0	0	Tail water return systems catch spilled or runoff water and pump the water back to the top of the field.
08.06a	Are tail water (run off water) systems in adequate distance from untreated manure?	N/A	0	0	
08.06b	Do animals (domestic, livestock, or wild) have access to the tail water systems?	N/A	0	0	
08.06c	Is it evident that the water source is free of contamination issues and are measures taken to minimize contamination of the tail water system?	N/A	0	0	
08.06d	Are records kept for periodic visual inspection and disinfection (if occurring) of the water source and available for review?	N/A	0	0	



08.06e	Are microbial tests conducted, including generic E.coli on water used for irrigation, crop protection/fertilizer applications, and frost or freeze prevention program? If No, go to 8.06g.	N/A	0	0	
08.06f	Are the microbiological tests current and conducted at the required and/or expected frequencies?	N/A	0	0	
08.06g	Do written procedures (SOPs) exist covering proper sampling protocols and are the SOPs being implemented? NOTE: Irrespective of water source, samples for microbial testing should be taken at a point as close to the point of use as practical, so as to test both the water source and the water distribution system.	N/A	0	0	
08.06h	Do written procedures (SOPs) exist covering corrective measures for unsuitable or abnormal water testing results?	N/A	0	0	
08.06i	If unsuitable or abnormal results have been detected, have documented corrective measures been performed?	N/A	0	0	
08.06j	Are the crops irrigated by a micro irrigation or drip system?	N/A	0	0	
08.06k	Is overhead irrigation (e.g. spray, hose) used to irrigate the crop? NOTE: "Irrigating the crop" refers to irrigation during the mature growing cycle. This does not include pre-planting or just after planting to create a stand.	N/A	0	0	
08.06l	Are the crops irrigated by flood irrigation or furrow system?	N/A	0	0	
08.06m	Are the crops sub irrigated (also known as seepage irrigation)?	N/A	0	0	
08.07	Are check valves, anti-siphon devices, or other back flow prevention systems in use when and where necessary?	Yes	10	10	Yes.
08.08	Is irrigation equipment that is not in use, free from pest contamination and stored clean, off the ground?	N/A	0	0	N/A. Hydroponic system, there are no water sprinklers, drip tape, or water line per se.

## Plant Protection



Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
09.01	Is there a documented policy and/or procedures for the mixing/loading of plant protection products (insecticides, fungicides, herbicides, plant growth regulators, etc.) ?	Yes	5	5		<b>Yes, there was a documented policy and procedure for the mixing/loading of plant protection products. All materials are OMRI approved.</b>	
09.01a	Is mixing, loading, or the dilution of plant protection products performed safely and within a distance where the growing facility(s) and water sources are not affected?	Yes	7	7		<b>Yes, SOPs have been developed for mixing, loading, or the dilution of plant protection products performed safely and within a distance where the growing facility(s) and water sources are not affected.</b>	
09.02	Is there a documented policy and/or procedures for the rinsing and cleaning of plant protection product equipment?	Yes	5	5		<b>Yes, there was a documented policy and procedure for the rinsing and cleaning of plant protection product equipment (using back pack spray type system).</b>	
09.02a	Is rinsing and cleaning of plant protection product equipment performed safely and within a distance where land and water sources are not affected?	Yes	7	7		<b>Yes.</b>	
09.03	Is there documentation that shows the individual(s) making decisions for plant protection are qualified?	Yes	10	10		<b>Yes. Employees involved with crop protection applications are trained and hold Florida State Private Applicator's certificates.</b>	
09.04	Is there documentation that shows employees who handle plant protection products are trained or are under the supervision of a trained individual?	Yes	15	15		<b>Yes.</b>	
09.05	Does the growing operation follow a pesticide application recording program of all plant protection products (including soil and substrate pre-plant treatments)? If No, go to 9.06. If this question is answered No, automatic failure of this audit will result.	Yes	20	20		<b>Yes, a recording system included the commodity, location, the product's trade name, EPA registration number, amount of acres treated, total amount treated, the applicator.</b>	
09.05a	Are plant protection product application records up to date and available for review?	Yes	15	15		<b>Yes.</b>	
09.06	Are plant protection products registered in the country of use for the target plant where official registration is in place? If this question is answered Yes, skip to question 9.07. If no official registration system is utilized answer this question N/A and go to 9.06a. Where a system exists, but a plant protection chemical being used is not registered for the target plant the response to this question is No. If this	Yes	20	20		<b>Yes, all materials have EPA registration numbers and are current under OMRI list.</b>	



	question is answered No, automatic failure of this audit will result.				
09.06a	Does the country of production allow the use of plant protection products that are registered for the target plant in another country, as long as the use of this chemical does not contravene any prevailing national and local laws in the destination country (e.g. maximum residue limit, banned lists, etc.)? If this question is answered No, automatic failure of this audit will result.	N/A	0	0	N/A, see above.
09.07	Are crop protection product applications restricted by the guidelines established by the product label, manufacturer recommendation, or by prevailing national/ local standards and guidelines? If this question is answered No, automatic failure of this audit will result.	Yes	20	20	Yes, labels available for the materials used. All materials are OMRI approved.
09.08	Where harvesting is restricted by pre-harvest intervals (as required on the crop protection chemical product labels, manufacturer recommendations and/or by prevailing national/ local standards) is the grower adhering to these pre-harvest interval time periods? If this question is answered No, automatic failure of this audit will result.	Yes	20	20	Yes. Auditor conducted a harvest audit the same day and verified basil being harvested from building 3 table 1. The last crop protection application to that site was reviewed. PHIs had been respected. Typically materials in use have a zero day PHI.
09.09	Are employee reentry intervals established as required by the pesticide label, manufacturer recommendation, or by prevailing national/ local standards and guidelines?	Yes	10	10	Yes.
09.10	When crop protection applications occur, does posting take place on area of treatment according to prevailing national/ local standards and guidelines?	Yes	10	10	Yes.
09.11	Are pesticides applied while wind speed, including gusts, are low enough to avoid drift?	Yes	10	10	Yes. Fan speed, etc within the greenhouse is set to appropriate settings to avoid any drift.
09.12	If crop protection containers are stored on the property (even temporarily), are they stored in a manner to prevent contamination and disposed of responsibly?	Yes	10	10	Yes, all crop protection containers are stored in a locked container.
09.13	Have documented policies and/or procedures been developed for the monitoring of crop protection application equipment (e.g. calibration procedures, inspections, replacement)?	Yes	10	10	Yes.
09.13a	Is it evident that the equipment used for crop protection applications is in good working order?	Yes	10	10	Yes.

**Employee Hygiene (This applies to greenhouse workers not the harvesting workers)**



Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
10.01	Does the growing operation have a documented and implemented policy for dealing with employees who appear to be physically ill, or become ill while working (actions for employees to take in the event of injury or illness)?	Yes	10	10		Yes. This policy is a particular item is one of the topics within the program.	
10.02	Does the growing operation have a documented and implemented policy regarding employees with open sores and wounds?	Yes	10	10		Yes. This policy is a particular item is one of the topics within the program.	
10.03	Does the growing operation have written procedures describing the disposition of product that has come into contact with blood or other bodily fluids? If this question is answered No, automatic failure of this audit will result.	Yes	20	20		Yes. There was a specific blood and bodily fluid procedure in place. This policy/SOP is a particular item is one of the topics within the program.	
10.04	Does the growing operation have documented and implemented policies prohibiting eating, drinking (including gum chewing) using tobacco in the growing facility(s)?	Yes	10	10		Yes. This policy is a particular item is one of the topics within the program.	
10.05	Is there a food safety hygiene training program covering new and existing employees and are there records of these training events?	Yes	15	15		Yes, less than 10 workers year round at this facility. Training is done at least every 2-3 months at this year round operating facility. Each training will discuss a variety of safety/food safety/emergency procedures. Records available for 2014 and prior years.	
10.06	Are there operational toilet facilities provided? If NO, go to 10.07. If this question is answered No, the audit will result in an automatic failure.	Yes	20	20		Yes, plumbed units available.	
10.06a	Are the toilet facilities placed within ¼ mile or 5 minutes walking distance of all employees?	Yes	10	10		Yes. The modern plumbed restrooms (male and female) are located at the office within 20 meters of the complex. The units are stationary and plumbed.	
10.06b	Are toilet facilities in a suitable location to prevent contamination to the growing facility(s)?	Yes	15	15		Yes.	
10.06c	Is a minimum of one toilet facility provided for each group of 20 employees?	Yes	5	5		Yes.	
10.06d	Do toilet facilities have visuals or signs, written in the appropriate languages, reminding employees to wash their hands before returning to work?	Yes	20	20		Yes. Postings made available at the restroom/hand washing stations.	



10.06e	Are the toilets maintained in a clean and sanitary condition and are there records showing toilet cleaning, servicing and stocking is occurring regularly?	Yes	10	10	Yes.
10.06f	Are the catch basins of the toilets designed and maintained to prevent contamination (e.g. free from leaks and cracks)?	N/A	0	0	N/A. Plumbed units, not self contained type.
10.06g	Is there is a documented and implemented procedure for emptying the catch basin in a hygienic manner and also in a way that prevents product, packaging, equipment, and water system contamination?	N/A	0	0	N/A. Plumbed units, not self contained type.
10.06h	Is there a documented response plan for major leaks or spills for the sanitation units?	N/A	0	0	N/A. Plumbed units, not self contained type.
10.07	Is there evidence of human fecal contamination in the growing facility(s)? If this question is answered Yes, automatic failure of this audit will result.	No	20	20	No.
10.08	Are there operational hand washing facilities provided? If No, go to 10.09.	Yes	15	15	Yes. Plumbed hand washing units located next to the toilet units.
10.08a	Are the hand washing facilities placed within ¼ mile or 5 minutes walking distance of all employees?	Yes	10	10	Yes.
10.08b	Are hand wash stations properly stocked with soap, paper towels and trash can?	Yes	5	5	Yes. The office is located next to the restrooms and break room.
10.08c	Are the hand wash stations designed and being maintained to prevent contamination onto the growing facility(s) ( i.e. spent water does not go straight to the ground)?	N/A	0	0	N/A. Plumbed units in place.
10.08d	Does the growing operation have a documented and implemented policy and procedure in place requiring employees to wash their hands (e.g. prior to beginning work, after breaks, after toilet use)?	Yes	10	10	Yes.
10.09	Is fresh potable drinking water provided for workers? If No, go to 10.10	Yes	10	10	Yes.
10.09a	If used, are water containers maintained in a clean condition?	N/A	0	0	N/A, using single cups. Bottled water is provided.
10.10	Are first-aid kits available and is the inventory maintained properly?	Yes	5	5	Yes, the modern well stocked kits included blue waterproof bandages.
10.11	Are there trash cans available and	Yes	5	5	Yes, various trash containers located



	placed in suitable locations?						
10.12	Are there any foreign material issues observed that are or could be potential risks to the product in the growing facility(s) (e.g., jewelry)?	No	5	5			around the facility complex. No. No identified foreign material issues observed which could be a threat to the growing, harvesting, and storage of the product.

### Food Security

Question No.	Audit Question	Given Answer	Given Score	Possible Score	Recommendation	Auditor Comments	Audio/Picture
11.01	Are entrances restricted by gates, chains, guard stations, etc.?	Yes	5	5		Yes. The complex is under a full security program.	
11.02	Are postings such as "No Trespassing" and/or "Restricted Entry" used appropriately?	Yes	5	5		Yes.	
11.03	Are wells or other water sources secured and designed to prohibit tampering?	Yes	5	5		Yes. The well is located within a locked confined unit so tampering is not possible.	
11.04	Are grounds and facilities monitored by either in-house or contracted personnel?	Yes	5	5		Yes. Apart from the owner and employees regularly on site, the use of security cameras is included in the program.	
11.05	Are employees instructed to note and report suspicious activity?	Yes	5	5		Yes.	
11.06	Are high risk areas (e.g. spray equipment, equipment shops, sheds) monitored?	Yes	5	5		Yes.	
11.07	Is equipment examined for tampering prior to use?	Yes	5	5		Yes.	
11.08	Are company supervisors required to undergo documented security training with attendance records?	Yes	5	5		Yes.	
11.09	Is education material related to security made available?	Yes	5	5		Yes. Documented Security /Food Defense Program in place.	
11.10	Are inventory records of agricultural chemicals maintained? If No, go to 11.11.	Yes	5	5		Yes.	
11.10a	Are the inventory records periodically reconciled with physical inventory?	Yes	5	5		Yes.	
11.11	Are all personal materials kept away from the growing area within the greenhouse?	Yes	5	5		Yes.	

### Audit Scoring Summary

<input checked="" type="checkbox"/> Self Inspection	Score	12
	Possible Points	12
	Percent	100%



<input checked="" type="checkbox"/> Traceability	Score	
	Score	15
	Possible Points	15
<input checked="" type="checkbox"/> Ground History	Percent Score	100%
	Score	14
	Possible Points	14
<input checked="" type="checkbox"/> Adjacent Land Use	Percent Score	100%
	Score	30
	Possible Points	30
<input checked="" type="checkbox"/> Pest and Foreign Material Controls	Percent Score	100%
	Score	145
	Possible Points	145
<input checked="" type="checkbox"/> Growing Media (Substrate) Use	Percent Score	100%
	Score	15
	Possible Points	15
<input checked="" type="checkbox"/> Fertilizer/Crop Nutrition	Percent Score	100%
	Score	73
	Possible Points	73
<input checked="" type="checkbox"/> Irrigation/Water Use	Percent Score	100%
	Score	92
	Possible Points	92
<input checked="" type="checkbox"/> Plant Protection	Percent Score	100%
	Score	204
	Possible Points	204
<input checked="" type="checkbox"/> Employee Hygiene (This applies to greenhouse workers not the harvesting workers)	Percent Score	100%
	Score	230
	Possible Points	230
<input checked="" type="checkbox"/> Total	Percent Score	100%
	Score	<b>830</b>
		<b>830</b>



Possible  
Points  
Percent  
Score 100%

**Bist, Kevin**

---

**From:** Jeffrey Block <docblock@bellsouth.net>  
**Sent:** Wednesday, January 14, 2015 10:25 PM  
**To:** Nelson, Patricia A  
**Cc:** Alan Pillersdorf  
**Subject:** CONFIDENTIAL: Jeffrey S. Block, MD  
**Attachments:** DOH RuleMakingAnnouncement.pdf; ATT00001.htm; Jeffrey S. Block, M.D. - 2015 FL Dept. of Health - Physician Profile.pdf; ATT00002.htm; JSB CV 2014.docx; ATT00003.htm; JSB BIOS 2104.docx; ATT00004.htm; 2014 Americal Herbal Pharmacopoeia.pdf; ATT00005.htm; UM Oath of Medicine.docx; ATT00006.htm; Armstrong; Block; Pillersdorf Sept 2014.jpeg; ATT00007.htm; UBBNNSMH.png; ATT00008.htm

Dear Ms. Nelson,

**Pursuant to our phone conversation yesterday afternoon, I hereby offer my services to the Department of Health for consideration as a member of the negotiated rule making committee convening on February 4 and 5, 2015 at the Department of Health in Tallahassee to address the regulatory structure for dispensing organizations of low-THC cannabis:**

My primary qualifications would best apply to fulfill your request for: ***“6. A physician authorized to order low-THC Cannabis products for qualified patients.”***

I have served the Florida Medical Association as their designated consultant on botanical medicines since August, 2014, and I prepared the SB1030 mandated physician continuing medical education course published by the Department of Health on November 5, 2014 by providing the course’s framework and contributing as lead author.

The Florida Medical Association’s leadership (FMA President, Alan Pillersdorf, MD - see below) is aware of my qualifications and interest to serve the Department of Health as an independent expert consultant. I have not yet been requested to serve the committee as the FMA’s representative, although I understand that discussions are advancing to address this.

Therefore, your request to have a letter submitted to you by the end of this week, does not allow me to ascertain if my input will be representative of organized medicine at this particular time.

Nevertheless, as an objective consultant on this particularly controversial subject, I remain committed to scrupulous neutrality with respect to both the science and politics, and will contribute to these negotiations accordingly.

My research on *cannabis spp.* as a botanical medicine is extensive and my preparation is current through 2014 publications. Since first addressing SB1030’s education in August, 2014, I have been awarded extensive CME course credits on the subject, and have exceeded the biennial Florida practitioner’s license requirements such that my practice privileges have recently been revalidated through January 31st, 2017. If called on to address unanticipated research questions, I have well established international resources available to vet and complement the limited amount of high quality domestic research available. This is an on-going dilemma with many individual State’s attempts to enact selective medical application(s), and continues to be a consequence of current Federal Prohibition regarding cannabis as a Schedule 1 substance.

I can further offer a unique secondary qualification in that additionally I am: ***“5. An individual with demonstrated experience in sound agricultural practices and necessary regulation”.***

As a life-long plantsman and highly awarded horticulturist, I am also qualified to provide professional consultation through, Nurturing Nature™, LLC; a Florida corporation. I own Block Botanical Gardens [www.BlockBotanicalGardens.com](http://www.BlockBotanicalGardens.com) in Miami, Florida, an Institutional Member of the American Public Gardens Association (APGA), and I am a Florida Department of Agriculture Master Gardener Course Educator serving Miami-Dade County citizens through the University Florida's Institute of Food and Agricultural Services (UF/IFAS).

In a review of available resource texts concerning growing and processing medical cannabis to pharmaceutical grade quality standards, I suggest a newly published peer reviewed agricultural practice guide entitled the *American Herbal Pharmacopoeia for Cannabis Inflorescence* (2014 edition) that offers current standards of identity, analysis, and quality control. Although there are already a few errors reported, this is a timely effort that could be considered as a fair guide to cannabis horticulture and responsible processing.

My willingness to negotiate in good faith is absolute, and consistent with my role in medical education through the UM's Medical Alumni Association, where along with the school's Dean I am privileged to annually administer the oath of medicine to nearly 200 new Florida physicians.

I am prepared to respond to the Department's needs in either or both of the noted committee member capacities, and have attached documents below in support of my selection.

Thank you for your consideration.

Sincerely,

Jeffrey S. Block, M.D.

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Wednesday, January 14, 2015 10:28 PM  
**To:** robert tornello  
**Subject:** Re: Robert Tornello's rules committee application request

Thank you for your submission. What you have here is sufficient. There is no need to send hard copies. I am asking for everything electronically anyway.

I hope you continue to get better!

Patty

> On Jan 14, 2015, at 9:07 PM, robert tornello <[roberttornello@me.com](mailto:roberttornello@me.com)> wrote:

- >
- > Patty, Thank you for the time provided to get my application and certifications attached to you as promised.
- > I am feeling a bit better, and I look forward to hear from you after you review my submission.
- > If there is anything I have omitted please advise.
- > An original letter will be printed on letterhead and sent via mail to you duly signed in the next few days.
- > Thank you again,
- > Robert
- >
- > <Patricia Nelson DOH.pdf>
- >
- >
- >
- > <Primus Green haccp259412\_587.pdf>
- >
- >
- > <PrimusCold haccp259413\_3211.pdf>
- >
- >
- > <Primus:harvest haccp259654\_8179.pdf>
- >
- >
- > <Confirmed 30 Yr and 400000 Inventory 10-10-2014.xlsx>
- >
- >
- > <Scan.pdf>
- >
- >
- > <Scan 2.pdf>
- > <Scan 1.pdf>
- > <Scan 3.pdf>
- >
- >
- >
- >
- >

**Bist, Kevin**

---

**From:** Kostas Stoilas <stoilas@yahoo.com>  
**Sent:** Wednesday, January 14, 2015 10:43 PM  
**To:** Nelson, Patricia A  
**Subject:** Re: Low-THC Cannabis Rulemaking

Ok, I think I follow. The public meeting is February 4-5, and I can attend that. If I want to be on on the committee that negotiates at that meeting, or have someone I recommend for the committee, then they have to send you an explanation prior to Feb 1.

It's safe to say that 2 board members from the American Cannabis Nurses Association would have a good explanation to be there, so I need to ask Mary Lynne and Eileen to email you an explanation.

Are both those assumptions correct?

Thanks,

Kostas Stoilas

On Jan 14, 2015, at 3:59 PM, Nelson, Patricia A <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

We will pick the committee prior to the negotiated rulemaking meeting. The meeting will consist of a negotiation among those on the committee along with a mediator/facilitator. The committee will be selected from those who have sent me a request to be on the committee. Such a request should contain an explanation of what that person has to add to the negotiation – how that person can help us arrive at a rule.

The negotiation occurs at a public meeting, so anyone can attend, but the only people that participate in the negotiation are the individuals that make up the negotiating committee.

Hope this helps,

Patty

---

**From:** Kostas Stoilas [<mailto:stoilas@yahoo.com>]  
**Sent:** Tuesday, January 13, 2015 9:26 PM  
**To:** Nelson, Patricia A  
**Subject:** Re: Low-THC Cannabis Rulemaking

You're very welcome. Thank you for being open to feedback and inputs. If there's anything I can help with further, please let me know if you need clarification on the points in what I emailed. I'd like to ask again if I'm correct in assuming that Feb 4-5 is open to all and that you will pick a committee workgroup out of the attendees from that workshop?

Is it ok to invite members of the American Cannabis Nurses Association?

Thanks,  
Kostas Stoilas

On Jan 13, 2015, at 9:16 AM, Nelson, Patricia A <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

Thank you very much for your comments. You are one of the only people to actually send me what I asked for. I appreciate it.

Patty

---

**From:** Kostas Stoilas [<mailto:stoilas@yahoo.com>]

**Sent:** Monday, January 12, 2015 8:36 PM

**To:** Nelson, Patricia A; Dunn, Nathan P

**Cc:** McMullen, Linda N; Bobby Brantley; Adam S. Woodruff

**Subject:** Re: Low-THC Cannabis Rulemaking

Patty - thanks for the email notice below. Attached are some suggested criteria you asked for from the Orlando workshop, and although it's not comprehensive of all criteria points, it is a start. It's based on research and conversations I've had with experts around the country that have been involved in other state applications.

Throughout January, I hope to gain more information and share it on Feb 4-5.

Am I correct in understanding that the Feb 4-5 meeting is open to anyone that has participated this far, and that you will pick a workgroup committee after that based on attendees with appropriate expertise?

Just wanted to let you know that we reached out to the American Cannabis Nurses Association and there is interest in having two of their Board Members participate in the Rulemaking Meetings in February (both their President, Mary Lynn Mathre and their President-Elect Eileen Konieczny). Mary Lynn can drive there, but Eileen lives in NY state, so we're trying to find out how to get her to town for the meeting.

**Bist, Kevin**

---

**From:** Jeffrey Block <docblock@bellsouth.net>  
**Sent:** Thursday, January 15, 2015 7:52 AM  
**To:** Nelson, Patricia A  
**Cc:** Alan Pillersdorf  
**Subject:** CONFIDENTIAL: Jeffrey S. Block, MD  
**Attachments:** DOH RuleMakingAnnouncement.pdf; ATT00001.htm; Jeffrey S. Block, M.D. - 2015 FL Dept. of Health - Physician Profile.pdf; ATT00002.htm; JSB CV 2014.docx; ATT00003.htm; JSB BIOS 2104.docx; ATT00004.htm; 2014 Americal Herbal Pharmacopoeia.pdf; ATT00005.htm; UM Oath of Medicine.docx; ATT00006.htm; Armstrong; Block; Pillersdorf Sept 2014.jpeg; ATT00007.htm; UBBNNSMH.png; ATT00008.htm

Dear Ms. Nelson,

**Pursuant to our phone conversation yesterday afternoon, I hereby offer my services to the Department of Health for consideration as a member of the negotiated rule making committee convening on February 4 and 5, 2015 at the Department of Health in Tallahassee to address the regulatory structure for dispensing organizations of low-THC cannabis:**

My primary qualifications would best apply to fulfill your request for: ***“6. A physician authorized to order low-THC Cannabis products for qualified patients.”***

I have served the Florida Medical Association as their designated consultant on botanical medicines since August, 2014, and I prepared the SB1030 mandated physician continuing medical education course published by the Department of Health on November 5, 2014 by providing the course’s framework and contributing as lead author.

The Florida Medical Association’s leadership (FMA President, Alan Pillersdorf, MD - see below) is aware of my qualifications and interest to serve the Department of Health as an independent expert consultant. I have not yet been requested to serve the committee as the FMA’s representative, although I understand that discussions are advancing to address this.

Therefore, your request to have a letter submitted to you by the end of this week, does not allow me to ascertain if my input will be representative of organized medicine at this particular time.

Nevertheless, as an objective consultant on this particularly controversial subject, I remain committed to scrupulous neutrality with respect to both the science and politics, and will contribute to these negotiations accordingly.

My research on *cannabis spp.* as a botanical medicine is extensive and my preparation is current through 2014 publications. Since first addressing SB1030’s education in August, 2014, I have been awarded extensive CME course credits on the subject, and have exceeded the biennial Florida practitioner’s license requirements such that my practice privileges have recently been revalidated through January 31st, 2017. If called on to address unanticipated research questions, I have well established international resources available to vet and complement the limited amount of high quality domestic research available. This is an on-going dilemma with many individual State’s attempts to enact selective medical application(s), and continues to be a consequence of current Federal Prohibition regarding cannabis as a Schedule 1 substance.

I can further offer a unique secondary qualification in that additionally I am: ***“5. An individual with demonstrated experience in sound agricultural practices and necessary regulation”.***

As a life-long plantsman and highly awarded horticulturist, I am also qualified to provide professional consultation through, Nurturing Nature™, LLC; a Florida corporation. I own Block Botanical Gardens [www.BlockBotanicalGardens.com](http://www.BlockBotanicalGardens.com) in Miami, Florida, an Institutional Member of the American Public Gardens Association (APGA), and I am a Florida Department of Agriculture Master Gardener Course Educator serving Miami-Dade County citizens through the University Florida's Institute of Food and Agricultural Services (UF/IFAS).

In a review of available resource texts concerning growing and processing medical cannabis to pharmaceutical grade quality standards, I suggest a newly published peer reviewed agricultural practice guide entitled the *American Herbal Pharmacopoeia for Cannabis Inflorescence* (2014 edition) that offers current standards of identity, analysis, and quality control. Although there are already a few errors reported, this is a timely effort that could be considered as a fair guide to cannabis horticulture and responsible processing.

My willingness to negotiate in good faith is absolute, and consistent with my role in medical education through the UM's Medical Alumni Association, where along with the school's Dean I am privileged to annually administer the oath of medicine to nearly 200 new Florida physicians.

I am prepared to respond to the Department's needs in either or both of the noted committee member capacities, and have attached documents below in support of my selection.

Thank you for your consideration.

Sincerely,

Jeffrey S. Block, M.D.

## NOTICE OF DEVELOPMENT OF RULEMAKING

### DEPARTMENT OF HEALTH

#### Office of Compassionate Use

RULE NOS.:	RULE TITLES:
64-4.001	Regulatory Structure Rule 1
64-4.002	Regulatory Structure Rule 2
64-4.003	Regulatory Structure Rule 3
64-4.004	Regulatory Structure Rule 4
64-4.005	Regulatory Structure Rule 5
64-4.006	Regulatory Structure Rule 6
64-4.007	Regulatory Structure Rule 7
64-4.008	Regulatory Structure Rule 8
64-4.009	Compassionate Use Registry

**PURPOSE AND EFFECT:** The Department of Health announces the convening of a negotiated rulemaking proceeding to address the regulatory structure for dispensing organizations of low-THC cannabis. The purpose of the negotiated rulemaking is to draft mutually acceptable proposed rules.

**SUBJECT TO BE ADDRESSED:** The subject and scope of the rules to be developed through negotiated rulemaking will be the regulatory structure for dispensing organizations of low-THC cannabis.

**RULEMAKING AUTHORITY:** 381.986 FS.

**LAW IMPLEMENTED:** 381.986 FS.

**NEGOTIATED RULEMAKING COMMITTEE:** The negotiated rulemaking committee members will be selected from the following representative groups:

1. A nursery that meets the criteria in Section 381.986(5)(b)1., Florida Statutes;
2. A qualified patient or patient representative;
3. A testing laboratory;
4. A member of the Florida Bar experienced in administrative law;
5. An individual with demonstrated experience in sound agricultural practices and necessary regulation;
6. A physician authorized to order low-THC Cannabis products for qualified patients;
7. An individual with demonstrated experience establishing or navigating regulatory structures for cannabis in other jurisdictions; and
8. Representatives of the Department of Health.

If you believe that your interests are not adequately represented by the committee members listed above, you may apply to participate within 30 days of the date of publication of this notice. Your application must contain the following information: your name, business address, and telephone number; the name of any organization you are representing; a description of the organization or the members of the organization; a description of how the proposed rulemaking proceedings will affect you or the parties that you represent; a statement identifying the reasons why you believe the representative groups listed above will not adequately represent your interests; and a statement that you are willing to negotiate in good faith and can attend the scheduled meeting. Please submit your application to Patricia Nelson, Department of Health, 4052 Bald Cypress Way, Bin A-02, Tallahassee, Florida 32399, email address: [Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov).

#### NEGOTIATED RULEMAKING COMMITTEE MEETING:

The committee will meet at the following date, time, and place to discuss rule development: February 4, 2015, 8:00 a.m. - 10:00 p.m. and February 5, 2015, 8:00 a.m. until concluded. Department of Health, Room 301, 4052 Bald Cypress Way, Tallahassee, FL 32399.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 72 hours before the meeting by contacting Sophia Flowers, Department of Health, (850)245-4005, [Sophia.Flowers@flhealth.gov](mailto:Sophia.Flowers@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1 (800)955-8771 (TDD) or 1 (800)955-9770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Patricia Nelson, Department of Health, 4052 Bald Cypress Way, Bin A-02, Tallahassee, Florida 32399. Email address: [Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

## Practitioner Profile

Information in this profile has been verified by the practitioner.

### JEFFREY SHERWOOD BLOCK

LICENSE NUMBER: **ME42619**

Profession: **MEDICAL DOCTOR**

Year Began Practicing: **1/1/1982**

Expiration Date: **1/31/2017**

Status: **CLEAR/ACTIVE**

Controlled Substance Prescriber: **YES**

#### Primary Practice Address

JEFFREY SHERWOOD BLOCK  
7299 SW 79 COURT  
MIAMI, FL 33143-3914  
UNITED STATES

#### Medicaid

This practitioner does participate in the Medicaid program.

#### Staff Privileges

This practitioner currently holds staff privileges at the following hospital/medical/health institutions:

<b>Institution Name</b>	SOUTH MIAMI HOSPITAL
<b>City</b>	MIAMI
<b>State</b>	FLORIDA

#### E-Mail Address

Please contact at: [docblock@bellsouth.net](mailto:docblock@bellsouth.net)

#### Other State Licensure

This practitioner has not indicated any additional state licensures.

#### Education and Training

<b>Institution Name</b>	UNIVERSITY OF MIAMI
<b>Dates of Attendance</b>	1/1/1978-1/1/1982
<b>Graduation Date</b>	1/1/1982
<b>Degree Title</b>	MD

#### Other Health Related Degrees

This practitioner has completed the following other health related degrees:

<b>School/University</b>	EMORY UNIVERSITY
<b>City</b>	ATLANTA
<b>State/Country</b>	GEORGIA
<b>Dates Attended From</b>	9/1/1974
<b>Dates Attended To</b>	3/16/1978

**Degree Title** B.A. - CHEMISTRY

### Professional and Postgraduate Training

This practitioner has completed the following graduate medical education:

**Program Name** UNIVERSITY OF MIAMI JACKSON MEMORIAL HOSPITAL  
**Program Type** INTERNSHIP  
**Specialty Area** AN - ANESTHESIOLOGY  
**Other Specialty Area**  
**City** MIAMI  
**State or Country** FLORIDA  
**Dates Attended From** 06/24/1982  
**Dates Attended To** 06/29/1983

**Program Name** UNIVERSITY OF MIAMI JACKSON MEMORIAL HOSPITAL  
**Program Type** RESIDENCY  
**Specialty Area** AN - ANESTHESIOLOGY  
**Other Specialty Area**  
**City** MIAMI  
**State or Country** FLORIDA  
**Dates Attended From** 06/24/1982  
**Dates Attended To** 06/30/1985

**Program Name** UNIVERSITY OF MIAMI JACKSON MEMORIAL HOSPITAL  
**Program Type** FELLOWSHIP  
**Specialty Area** AN - PAIN MANAGEMENT  
**Other Specialty Area** AMBULATORY ANESTHESIA  
**City** MIAMI  
**State or Country** FLORIDA  
**Dates Attended From** 07/01/1983  
**Dates Attended To** 06/30/1986

### Academic Appointments

This practitioner has had the responsibility for graduate medical education within the last 10 years.

This practitioner currently holds faculty appointments at the following medical/health related institutions of higher learning:

**Title** Voluntary Assistant Professor of Anesthesiology  
**Institution** UNIVERSITY OF MIAMI SCHOOL OF MEDICINE  
**City** Miami  
**State** FLORIDA

### Specialty Certification

This practitioner holds the following certifications from specialty boards recognized by the Florida board which

regulates the profession for which he/she is licensed:

<b>Specialty Board</b>	AMERICAN BOARD OF ANESTHESIOLOGY
<b>Certification</b>	AN - ANESTHESIOLOGY

### **Financial Responsibility**

I have hospital staff privileges or I perform surgery at an ambulatory surgical center and I have professional liability coverage in an amount not less than \$250,000 per claim, with a minimum annual aggregate of not less than \$750,000 from an authorized insurer as defined under s. 624.09, F. S., from a surplus lines insurer as defined under s. 626.914(2), F. S., from a risk retention group as defined under s. 627.942, F.S., from the Joint Underwriting Association established under s. 627.351(4), F. S., or through a plan of self-insurance as provided in s.627 .357, F.S.

### **Criminal Offenses**

**The criminal history information, if any exists, may be incomplete; federal criminal history information is not available to the public. Information is verified by DOH at the time of initial licensure through the FDLE and FBI. Changes after initial licensure may be self-reported by the practitioner or updated based on a report received from FDLE. DOH conducts statewide criminal background checks every two years, immediately following a renewal cycle for the practitioner.**

This practitioner has indicated that he/she has no criminal offenses required to be published on this profile.

Information provided has been verified through a criminal records check as of 3/12/2014 5:02:37 AM.

### **Medicaid Sanctions and Terminations**

This practitioner has not been sanctioned or terminated for cause from the Medicaid program.

### **Final Disciplinary Actions (Within last 10 years)**

**For instructions on how to order copies of final disciplinary actions, please go to <http://www.floridahealth.gov/licensing-and-regulation/public-records/disciplinary/request-for-disciplinary-and-licensure-documents.html>**

This information is self reported by the practitioner:

#### **Final disciplinary action taken by a specialty board within the previous 10 years:**

This practitioner has indicated that he/she has NOT had any final disciplinary action taken against him/her within the previous 10 years by a specialty board.

#### **Final disciplinary action taken by a licensing agency within the previous 10 years:**

This practitioner has indicated that he/she has NOT had any final disciplinary action taken against him/her within the previous 10 years by a licensing agency.

#### **Disciplinary action taken by a health maintenance organization, pre-paid health clinic, nursing home, hospital or ambulatory surgical center within the previous 10 years:**

This practitioner has indicated that he/she has NOT had any final disciplinary action taken against him/her within the previous 10 years by a health maintenance organization, pre-paid health clinic, nursing home, hospital or ambulatory surgical center.

**Resignation from or non-renewal of medical staff membership or the restriction or revocation of staff privileges within the previous 10 years by a health maintenance organization, pre-paid health clinic, nursing home, hospital or ambulatory surgical center in lieu of or in settlement of a pending disciplinary**

**case related to competence or character.**

This practitioner has indicated that he/she has NEVER been asked to or allowed to resign from or had any medical staff privileges restricted or revoked within the previous 10 years by a health maintenance organization, pre-paid health clinic, nursing home, hospital or ambulatory surgical center.

**Liability Claims Exceeding \$100,000.00 (Within last 10 years).**

**Settlement of a claim may occur for a variety of reasons that do not necessarily reflect negatively on the professional competence or conduct of the physician. A payment settlement of a medical malpractice action or claim should not be construed as creating a presumption that medical malpractice has occurred.**

**Additional claims information may have been reported to the Department of Financial Services. To check their web site, please click here.**

There have not been any reported liability actions, which are required to be reported under section 456.049, F. S., within the previous 10 years.

**Committees/Memberships**

This practitioner has an affiliation with the following committees:

- Committee/Membership** DIPLOMATE OF NATIONAL BOARD OF MEDICAL EXAMINERS OF THE USA
- Committee/Membership** OFFICER SURGEON UNITED STATES COAST GUARD MERCHANT MARINE
- Committee/Membership** FOUNDING PHYSICIAN MEMBER OF THE CURE ALLIANCE RESEARCH
- Committee/Membership** PRESIDENT OF UNIVERSITY OF MIAMI MEDICAL ALUMNI ASSOCIATION
- Committee/Membership** FLORIDA MASTER GARDENER DEPT OF AGRICULTURE COURSE EDUCATOR

**Professional or Community Service Awards**

This practitioner has provided the following professional or community service activities, honors, or awards:

- Community Service/Award/Honor Organization** PHYSICIANS RECOGNITION AWARD FOR EDUCATION  
AMERICAN MEDICAL ASSOCIATION
- Community Service/Award/Honor Organization** AMERICAS TOP ANESTHESIOLOGISTS  
THE CONSUMERS RESEARCH COUNCIL OF AMERICA
- Community Service/Award/Honor Organization** LEADING PHYSICIANS OF THE WORLD - TOP ANESTHESIOLOGIST  
THE INTERNATIONAL ASSOCIATION OF ANESTHESIOLOGISTS

**Publications**

This practitioner has authored the following publications in peer-reviewed medical literature within the previous ten years:

- Title** BOTANICAL MEDICINE OF CANNABINOIDS FLORIDA PHYSICIAN COURSE
- Publication** FLORIDA DEPARTMENT OF HEALTH CME ACCREDITATION REQUISITE
- Date** 11/5/2014

**Professional Web Page**

This practitioner has not provided any professional web page information.

**Languages Other Than English**

This practitioner has indicated that the following languages other than English are used to communicate with patients, or that a translation service is available for patients, at his/her primary place of practice.

**Language** SPANISH

**Other Affiliations**

This practitioner has provided the following national, state, local, county, and professional affiliations:

**Affiliation** FLORIDA MEDICAL ASSOCIATION

# JEFFREY S. BLOCK, M.D.

7299 SW 79 Court • Miami, Florida 33143-3914

305-793-9222 (C) • docblock@bellsouth.net



---

## QUALIFICATIONS

*Diplomate, American Board of Anesthesiology*

*Fellowship-Trained, Pain Management*

*Voluntary Assistant Professor of Anesthesiology*

*President, University of Miami Miller School of Medicine Medical Alumni Association*

*Bachelors Degree, Emory University - Chemistry (major); Psychology (minor)*

*Master Gardener Course Instructor, Florida Department of Agriculture: University of Florida/ IFAS*

*President, Nurturing Nature™, LLC of Block Botanical Gardens – Miami, Florida*

Established physician combines 25 years of clinical medical experience and relationships across medical and surgical specialties with internationally recognized horticultural expertise emphasizing botanical medicines. Committed to team dynamics while working autonomously to support the organizational vision, mission, and values in a results-driven environment. Articulate communicator who can present effectively in such diverse settings as teaching hospitals, academic research facilities, and community forums. Additional strengths in relationship building, team building, and consensus building. *America's Top Anesthesiologists, Consumer's Research Council of America; Leading Physicians of the World, International Association of Anesthesiologists; and American Medical Association (AMA) Physician's Recognition Award for Continuing Medical Education.*

## LICENSURE & CERTIFICATIONS

*Medical License, State of Florida, ME42619, 1983 – (current - 2017)*

*Registered, Drug Enforcement Administration (DEA), No. BB3674543, 1983 – (current - 2017)*

*Certified Indefinitely, American Board of Anesthesiology (ABA) – (1987 – current)*

*Certified, Advanced Cardiac Life Support (ACLS) – (current – 2016)*

*Certified, Pediatric Advanced Life Support (PALS) – (current – 2016)*

## UNIVERSITY APPOINTMENTS

UNIVERSITY OF MIAMI LEONARD M. MILLER SCHOOL OF MEDICINE, Miami, Florida 2009 - present

*Voluntary Assistant Professor, Department of Anesthesiology*

## HOSPITAL STAFF PRIVILEGES

SOUTH MIAMI HOSPITAL, Baptist Health Systems, Miami, Florida

2008 - Present

*CritiCare Associates, Department of Medicine*

## CLINICAL EXPERIENCE

SOUTH MIAMI HOSPITAL, Baptist Health Systems, Miami, Florida

1988 - 2007

*Anesthesiologist in Full-Service Practice*

Responsibilities:

- Pain Management consultations (Fellowship-trained subspecialty)
- Peer-review: specialty evaluations
- Patient examination and data analysis for risk assessment
- Medical research to assist in controlling and curing disease
- Investigating and testing new medications, products, and techniques
- Postoperative recovery room and intensive-care unit management

**CLINICAL EXPERIENCE** (Continued)

ALACHUA GENERAL HOSPITAL, Gainesville, Florida 1987  
BOCA RATON COMMUNITY HOSPITAL, Boca Raton, Florida  
*Locum Tenens Staff Anesthesiologist*

AMERICAN HAWAII CRUISE LINES, Chicago, Illinois 1986  
*Ship's Surgeon – U.S. Coast Guard Merchant Marine Staff Officer #67504*

**POST-GRADUATE EXPERIENCE**

JACKSON MEMORIAL AND AFFILIATE HOSPITALS 1982 - 1986  
University of Miami Leonard M. Miller School of Medicine, Miami, Florida  
*Fellowship in Pain Management / Outpatient Anesthesia, Mount Sinai Medical Center (1985 - 1986)*  
*Residency in Anesthesiology (1983 - 1985)*  
*Internship (1982 - 1983)*

**EDUCATION**

UNIVERSITY OF MIAMI LEONARD M. MILLER SCHOOL OF MEDICINE, Miami, Florida  
*Doctor of Medicine, 1982*

EMORY UNIVERSITY, Atlanta, Georgia  
*Bachelors Degree in Chemistry, 1978*  
*Graduate School Study – International Healthcare Systems: Socialized Med Models, London, UK 1978*

FLORIDA DEPARTMENT OF AGRICULTURE, University of Florida/IFAS Miami-Dade County Ext.  
*Florida Master Gardener, 2009*  
*Florida Master Gardener Instructor, 2014*

**AWARDS**

*Recipient, Leading Physicians of the World, International Association of Anesthesiologists, 2014*  
*Recipient, America's Top Anesthesiologists, Consumer's Research Council of America, 2007*  
*Recipient, American Medical Association (AMA) Physician's Recognition Award for Medical Education, 2005*  
*Best-in-Shows, Internationally awarded highest horticultural merit including palms, bromeliads, orchids & aroids*

**PROFESSIONAL MEMBERSHIPS**

*Member #101747, Florida Medical Association (FMA)*  
*Founding Member, The Cure Alliance*  
*Institutional Member #2525, American Public Gardens Association (APGA) - Block Botanical Gardens*

**PRESENTATIONS & RESEARCH**

Author, The Botanical Medicine of Cannabinoids: Physician CME Course - Florida Department of Health  
Speaker, Horticultural Plant Propagation and Water Quality - Florida Master Gardener Class Educator  
Medical Ethics Group Leadership - Committee Advising Member, Baptist Health Systems – Miami, FL  
Pain Management Consultant Issues and Addictionology Consultant – Fellowship, University of Miami  
Opiate Agonist - Antagonist Receptor Issues  
Phase 3 Research Studies:  
    Vecuronium (Norcuron) Organon Pharmaceuticals  
    Midazolam (Versed) Roche Pharmaceuticals  
    Alfentanil and Sufentanil - Janssen Pharmaceuticals

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Thursday, January 15, 2015 7:57 AM  
**To:** stoilas@yahoo.com  
**Subject:** RE: Low-THC Cannabis Rulemaking

Everything is correct except the date. We will most likely choose the committee sooner than Feb. 1. I expect that choice will be made very soon.

Also, make sure that whoever sends a request to be on the committee identifies which group from the notice they would represent and what they would add to the negotiation.

Patty

---

**From:** Kostas Stoilas [<mailto:stoilas@yahoo.com>]  
**Sent:** Wednesday, January 14, 2015 10:43 PM  
**To:** Nelson, Patricia A  
**Subject:** Re: Low-THC Cannabis Rulemaking

Ok, I think I follow. The public meeting is February 4-5, and I can attend that. If I want to be on on the committee that negotiates at that meeting, or have someone I recommend for the committee, then they have to send you an explanation prior to Feb 1.

It's safe to say that 2 board members from the American Cannabis Nurses Association would have a good explanation to be there, so I need to ask Mary Lynne and Eileen to email you an explanation.

Are both those assumptions correct?

Thanks,

Kostas Stoilas

On Jan 14, 2015, at 3:59 PM, Nelson, Patricia A <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

We will pick the committee prior to the negotiated rulemaking meeting. The meeting will consist of a negotiation among those on the committee along with a mediator/facilitator. The committee will be selected from those who have sent me a request to be on the committee. Such a request should contain an explanation of what that person has to add to the negotiation – how that person can help us arrive at a rule.

The negotiation occurs at a public meeting, so anyone can attend, but the only people that participate in the negotiation are the individuals that make up the negotiating committee.

Hope this helps,  
Patty

---

**From:** Kostas Stoilas [mailto:stoilas@yahoo.com]  
**Sent:** Tuesday, January 13, 2015 9:26 PM  
**To:** Nelson, Patricia A  
**Subject:** Re: Low-THC Cannabis Rulemaking

You're very welcome. Thank you for being open to feedback and inputs. If there's anything I can help with further, please let me know if you need clarification on the points in what I emailed. I'd like to ask again if I'm correct in assuming that Feb 4-5 is open to all and that you will pick a committee workgroup out of the attendees from that workshop?

Is it ok to invite members of the American Cannabis Nurses Association?

Thanks,

Kostas Stoilas

On Jan 13, 2015, at 9:16 AM, Nelson, Patricia A <Patricia.Nelson@flhealth.gov> wrote:

Thank you very much for your comments. You are one of the only people to actually send me what I asked for. I appreciate it.

Patty

---

**From:** Kostas Stoilas [mailto:stoilas@yahoo.com]  
**Sent:** Monday, January 12, 2015 8:36 PM  
**To:** Nelson, Patricia A; Dunn, Nathan P  
**Cc:** McMullen, Linda N; Bobby Brantley; Adam S. Woodruff  
**Subject:** Re: Low-THC Cannabis Rulemaking

Patty - thanks for the email notice below. Attached are some suggested criteria you asked for from the Orlando workshop, and although it's not comprehensive of all criteria points, it is a start. It's based on research and conversations I've had with experts around the country that have been involved in other state applications. Throughout January, I hope to gain more information and share it on Feb 4-5.

Am I correct in understanding that the Feb 4-5 meeting is open to anyone that has participated this far, and that you will pick a workgroup committee after that based on attendees with appropriate expertise?

Just wanted to let you know that we reached out to the American Cannabis Nurses Association and there is interest in having two of their Board Members participate in the Rulemaking Meetings in February (both their President, Mary Lynn Mathre and their President-Elect Eileen Konieczny). Mary Lynn can drive there, but Eileen lives in NY state, so we're trying to find out how to get her to town for the meeting.

## Bist, Kevin

---

**From:** Kostas Stoilas <stoilas@yahoo.com>  
**Sent:** Thursday, January 15, 2015 8:07 AM  
**To:** Nelson, Patricia A  
**Subject:** Re: Low-THC Cannabis Rulemaking

Ok thank you. I'll let them know immediately. Will people still be able to provide inputs via email even if they're not on the committee?

Sent via mobile device...please excuse abbreviated responses & grammar.

Kostas Stoilas  
239.822.7816 cell

[www.CauseToFund.com](http://www.CauseToFund.com)

[www.WarehouseRealEstateBlog.com](http://www.WarehouseRealEstateBlog.com)

[www.Linkedin.com/in/stoilas](http://www.Linkedin.com/in/stoilas)

On Jan 15, 2015, at 7:56 AM, "Nelson, Patricia A" <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

Everything is correct except the date. We will most likely choose the committee sooner than Feb. 1. I expect that choice will be made very soon.

Also, make sure that whoever sends a request to be on the committee identifies which group from the notice they would represent and what they would add to the negotiation.

Patty

---

**From:** Kostas Stoilas [<mailto:stoilas@yahoo.com>]

**Sent:** Wednesday, January 14, 2015 10:43 PM

**To:** Nelson, Patricia A

**Subject:** Re: Low-THC Cannabis Rulemaking

Ok, I think I follow. The public meeting is February 4-5, and I can attend that. If I want to be on the committee that negotiates at that meeting, or have someone I recommend for the committee, then they have to send you an explanation prior to Feb 1.

It's safe to say that 2 board members from the American Cannabis Nurses Association would have a good explanation to be there, so I need to ask Mary Lynne and Eileen to email you an explanation.

Are both those assumptions correct?

Thanks,  
Kostas Stoilas

On Jan 14, 2015, at 3:59 PM, Nelson, Patricia A <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

We will pick the committee prior to the negotiated rulemaking meeting. The meeting will consist of a negotiation among those on the committee along with a mediator/facilitator. The committee will be selected from those who have sent me a request to be on the committee. Such a request should contain an explanation of what that person has to add to the negotiation – how that person can help us arrive at a rule.

The negotiation occurs at a public meeting, so anyone can attend, but the only people that participate in the negotiation are the individuals that make up the negotiating committee.

Hope this helps,

Patty

---

**From:** Kostas Stoilas [<mailto:stoilas@yahoo.com>]

**Sent:** Tuesday, January 13, 2015 9:26 PM

**To:** Nelson, Patricia A

**Subject:** Re: Low-THC Cannabis Rulemaking

You're very welcome. Thank you for being open to feedback and inputs. If there's anything I can help with further, please let me know if you need clarification on the points in what I emailed. I'd like to ask again if I'm correct in assuming that Feb 4-5 is open to all and that you will pick a committee workgroup out of the attendees from that workshop?

Is it ok to invite members of the American Cannabis Nurses Association?

Thanks,

Kostas Stoilas

On Jan 13, 2015, at 9:16 AM, Nelson, Patricia A <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)> wrote:

Thank you very much for your comments. You are one of the only people to actually send me what I asked for. I appreciate it.

Patty

---

**From:** Kostas Stoilas [<mailto:stoilas@yahoo.com>]

**Sent:** Monday, January 12, 2015 8:36 PM

**To:** Nelson, Patricia A; Dunn, Nathan P

**Cc:** McMullen, Linda N; Bobby Brantley; Adam S. Woodruff

**Subject:** Re: Low-THC Cannabis Rulemaking

Patty - thanks for the email notice below. Attached are some suggested criteria you asked for from the Orlando workshop, and although it's not comprehensive of all criteria points, it is a start. It's based on research and conversations I've had with experts around the country that have been involved in other state applications. Throughout January, I hope to gain more information and share it on Feb 4-5.

Am I correct in understanding that the Feb 4-5 meeting is open to anyone that has participated this far, and that you will pick a workgroup committee after that based on attendees with appropriate expertise?

Just wanted to let you know that we reached out to the American Cannabis Nurses Association and there is interest in having two of their Board Members participate in the Rulemaking Meetings in February (both their President, Mary Lynn Mathre and their President-Elect Eileen Konieczny). Mary Lynn can drive there, but Eileen lives in NY state, so we're trying to find out how to get her to town for the meeting.

## Bist, Kevin

---

**From:** Tschetter, Jennifer  
**Sent:** Thursday, January 15, 2015 9:03 AM  
**To:** jeff.wells@franwell.com  
**Cc:** Nelson, Patricia A  
**Subject:** RE: Follow-up .....

Thanks, Jeff. We are in the process of filling the negotiation panel now, so your email is timely. As you can imagine, we have received lots of interest. We will certainly consider Mr. Koski. Thanks again.

Best regards,  
Jennifer

Jennifer A. Tschetter  
General Counsel  
Florida Department of Health  
850-245-4353 -- direct dial

---

**From:** Jeff Wells [mailto:jeff.wells@franwell.com]  
**Sent:** Wednesday, January 14, 2015 7:55 PM  
**To:** Tschetter, Jennifer  
**Subject:** Re: Follow-up .....

Hi Jennifer,

I hope you were able to enjoy the holidays after a very stressful set of fall months. I was able to attend the workshop in Orlando and met Ms. Nelson. I also have read the "Notice of Negotiated Rule-making". And, that is the reason I am writing this email. I noticed that under the "representative groups" (7. An individual with demonstrated experience establishing or navigating regulatory structures for cannabis in other jurisdictions) that an allowance existed for a regulator from Colorado to participate. So, I asked the Director of the Marijuana Enforcement Division – Lewis Koski if he or anyone from Colorado would be interested in participating and to my surprise he said he would be interested. If that participating member(s) is not already filled, I would like for the department to consider Mr. Koski.

Lewis has been at the very center of all the legislative and rule making processes in Colorado and is in great demand. I believe as a favor to me he would consider participating in our states' rule making process. I am not sure if the DOH could help with his expenses, he did ask about that. I would be more than happy to cover his expenses, but I don't want to violate any procurement laws in Florida or Colorado. I don't believe Mr. Koski would allow me to pay for his expenses because it would violate procurement laws in Colorado. Currently the adopted rules in Colorado cover over 500 pages and he has directly co-authored them all. I apologize for emailing you instead of Ms. Nelson. Since I am not sure how things are currently structured inside the department, I thought maybe you could help direct me on how to proceed with this opportunity to include Mr. Koski.

*W. Lewis Koski*  
*Director- Marijuana Enforcement Division*  
*303-205-2355 Office*  
[lewis.koski@state.co.us](mailto:lewis.koski@state.co.us)  
*Assistant to the Director- Shannon Pfeiffer*  
*Office Phone-303-866-3458*  
[shannon.pfeiffer@state.co.us](mailto:shannon.pfeiffer@state.co.us)

Thanks again for all the time you have given me,

Jeff Wells

CEO/President  
[jeff.wells@franwell.com](mailto:jeff.wells@franwell.com)

863-583-0228 main  
863-937-1081 direct



*Where supply chain visibility and technology meet .....*

2525 Drane Field Rd. Suite 8 Lakeland, FL 33811  
[www.franwell.com](http://www.franwell.com)

NOTICE: This e-mail message and any attachment to this e-mail message contains confidential information that may be legally privileged. If you are not the intended recipient, you must not review, retransmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please notify us immediately by return e-mail or by telephone at 863-583-0228 and delete this message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by Franwell, Inc.

 Please consider the environment before printing this email.

---

**From:** , Jennifer <[Jennifer.Tschetter@flhealth.gov](mailto:Jennifer.Tschetter@flhealth.gov)>  
**Date:** Friday, October 17, 2014 at 8:50 AM  
**To:** Jeff Wells <[jeff.wells@franwell.com](mailto:jeff.wells@franwell.com)>  
**Subject:** RE: Follow-up .....

Thanks, Jeff. We'll keep pressing on and hope for the best.

jat

Jennifer A. Tschetter  
General Counsel  
Florida Department of Health  
850-245-4353 -- direct dial

---

**From:** Jeff Wells [<mailto:jeff.wells@franwell.com>]  
**Sent:** Wednesday, October 15, 2014 11:33 PM  
**To:** Tschetter, Jennifer  
**Cc:** McMullen, Linda N  
**Subject:** Re: Follow-up .....

Hi Jennifer,

I have been following the hearing and I just wanted to tell you that I really appreciate all your efforts. I know first hand what a monumental task and thankless job you and Linda have in trying to execute legislation for this industry. From someone who has a little insight into how difficult all this really is, just want to say thanks for all you and Linda are doing.

Kind Regards,  
Jeff Wells

---

**From:** , Jennifer <Jennifer.Tschetter@flhealth.gov>  
**Date:** Tuesday, August 5, 2014 at 8:21 AM  
**To:** Jeff Wells <jeff.wells@franwell.com>  
**Cc:** "McMullen, Linda N" <Linda.McMullen@flhealth.gov>  
**Subject:** RE: Follow-up .....

Thanks, Jeff. I appreciate you forwarding the information. At this point, we're trying to learn all we can, so we truly appreciate the help.

Best regards,  
Jennifer

Jennifer A. Tschetter  
General Counsel  
Florida Department of Health  
850-245-4353 -- direct dial

---

**From:** Jeff Wells [mailto:jeff.wells@franwell.com]  
**Sent:** Monday, August 04, 2014 1:57 PM  
**To:** Tschetter, Jennifer  
**Cc:** McMullen, Linda N  
**Subject:** Follow-up .....

Hello Ms. Tschetter,

This email is a follow-up to our brief conversation after the rules hearing on Friday. Again, I am the CEO of Franwell, Inc. the company contracted by the State of Colorado to provide their marijuana enforcement solution. Just as a reminder we are the company working with Tim Cerio.

I wanted to give you the details of the speaking engagement for Lewis Koski the "Director of the Marijuana Enforcement Division" in Colorado. Lewis will be presenting at the "The Premier Florida Conference for Substance Use Disorders and Mental Health" conference at the Hyatt in Orlando on Friday. The link below has the details:

<http://www.fadaa-fccmhannualconference.org/about.php>

I spoke with Lewis this morning and he would be more than happy to meet with anyone from the DOH before or after his presentation to answer any questions about the Colorado experience. He would like to know ahead of time if someone from the DOH is planning to attend. Please find his contact information below:

W. Lewis Koski  
Director of Marijuana Enforcement Division  
(303) 205-2355 Office  
[lewis.koski@state.co.us](mailto:lewis.koski@state.co.us)

I have also attached a report from the Brookings Institute. The Brookings report talks to the successful implementation of the Regulatory tools in Colorado. One of the main tools they point to is our system. They give the Colorado MED and the State a very good and exceptional grade including our system (the Appendix has expanded details about the system).

Regards,

Jeff Wells

CEO/President  
[jeff.wells@franwell.com](mailto:jeff.wells@franwell.com)  
863-583-0228 main  
863-937-1081 direct



*Where supply chain visibility and technology meet .....*

2525 Drane Field Rd. Suite 8 Lakeland, FL 33811  
[www.franwell.com](http://www.franwell.com)

NOTICE: This e-mail message and any attachment to this e-mail message contains confidential information that may be legally privileged. If you are not the intended recipient, you must not review, retransmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please notify us immediately by return e-mail or by telephone at 863-583-0228 and delete this message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by Franwell, Inc.

 Please consider the environment before printing this email.

---

[Spam](#)  
[Not spam](#)  
[Forget previous vote](#)

## **Bist, Kevin**

---

**From:** Vince Sica <vsica@dmh.org>  
**Sent:** Thursday, January 15, 2015 10:01 AM  
**To:** Nelson, Patricia A  
**Subject:** Rules Committee, Compassionate Use (Charlotte's Web)  
**Attachments:** Vince Sica.vcf

Dear Ms. Nelson;

My name is Vince Sica and I would like to volunteer to be a member of this committee. I am a member of the Florida Bar and in addition have been employed as the CEO of DeSoto Memorial Hospital in Arcadia, Florida for the last 9 years. I feel I am very qualified to serve as a committee member and have the knowledge and experience to be a valuable addition to the committee.

In addition, I have a 5 year old granddaughter who is presently received chemotherapy for an inoperable brain tumor. I am personally aware of the struggles children with cancer go through. My granddaughter receives methadone twice a day along with several other prescription medications.

I will be happy to provide you with any other additional information you may need.

Thank you for your time and consideration.

Vince Sica

Vincent A. Sica

Chief Executive Officer

DeSoto Memorial Hospital

900 N. Robert Ave.

Arcadia, FL 34266

(863) 494-3535

***"The information contained in this message may be privileged and/or confidential and protected from disclosure. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this document is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to this message and deleting the material from any computer."***

## **Bist, Kevin**

---

**Full Name:** Vince Sica  
**Last Name:** Sica  
**First Name:** Vince  
**Job Title:** CEO

**E-mail:** vsica@dmh.org  
**E-mail Display As:** Vince Sica (vsica@dmh.org)

## Bist, Kevin

---

**From:** Jeff Wells <jeff.wells@franwell.com>  
**Sent:** Thursday, January 15, 2015 11:09 AM  
**To:** Tschetter, Jennifer  
**Cc:** Nelson, Patricia A  
**Subject:** Re: Follow-up .....  
**Attachments:** image002.png; image003.jpg

Anything I can do to help with the consideration of Mr. Koski just let me know.

Thanks,

Jeff Wells

CEO/President  
[jeff.wells@franwell.com](mailto:jeff.wells@franwell.com)

863-583-0228 main  
863-937-1081 direct

# Franwell

*Where supply chain visibility and technology meet .....*

2525 Drane Field Rd. Suite 8 Lakeland, FL 33811  
[www.franwell.com](http://www.franwell.com)

NOTICE: This e-mail message and any attachment to this e-mail message contains confidential information that may be legally privileged. If you are not the intended recipient, you must not review, retransmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please notify us immediately by return e-mail or by telephone at 863-583-0228 and delete this message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by Franwell, Inc.

 Please consider the environment before printing this email.

---

**From:** , Jennifer <[Jennifer.Tschetter@flhealth.gov](mailto:Jennifer.Tschetter@flhealth.gov)>  
**Date:** Thursday, January 15, 2015 at 9:03 AM  
**To:** Jeff Wells <[jeff.wells@franwell.com](mailto:jeff.wells@franwell.com)>  
**Cc:** "Nelson, Patricia A" <[Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov)>  
**Subject:** RE: Follow-up .....

Thanks, Jeff. We are in the process of filling the negotiation panel now, so your email is timely. As you can imagine, we have received lots of interest. We will certainly consider Mr. Koski. Thanks again.

Best regards,  
Jennifer

Jennifer A. Tschetter  
General Counsel  
Florida Department of Health  
850-245-4353 -- direct dial

---

**From:** Jeff Wells [<mailto:jeff.wells@franwell.com>]  
**Sent:** Wednesday, January 14, 2015 7:55 PM  
**To:** Tschetter, Jennifer  
**Subject:** Re: Follow-up .....

Hi Jennifer,

I hope you were able to enjoy the holidays after a very stressful set of fall months. I was able to attend the workshop in Orlando and met Ms. Nelson. I also have read the "Notice of Negotiated Rule-making". And, that is the reason I am writing this email. I noticed that under the "representative groups" (7. An individual with demonstrated experience establishing or navigating regulatory structures for cannabis in other jurisdictions) that an allowance existed for a regulator from Colorado to participate. So, I asked the Director of the Marijuana Enforcement Division -- Lewis Koski if he or anyone from Colorado would be interested in participating and to my surprise he said he would be interested. If that participating member(s) is not already filled, I would like for the department to consider Mr. Koski.

Lewis has been at the very center of all the legislative and rule making processes in Colorado and is in great demand. I believe as a favor to me he would consider participating in our states' rule making process. I am not sure if the DOH could help with his expenses, he did ask about that. I would be more than happy to cover his expenses, but I don't want to violate any procurement laws in Florida or Colorado. I don't believe Mr. Koski would allow me to pay for his expenses because it would violate procurement laws in Colorado. Currently the adopted rules in Colorado cover over 500 pages and he has directly co-authored them all. I apologize for emailing you instead of Ms. Nelson. Since I am not sure how things are currently structured inside the department, I thought maybe you could help direct me on how to proceed with this opportunity to include Mr. Koski.

*W. Lewis Koski*

*Director- Marijuana Enforcement Division*

*303-205-2355 Office*

*[lewis.koski@state.co.us](mailto:lewis.koski@state.co.us)*

*Assistant to the Director- Shannon Pfeiffer*

*Office Phone-303-866-3458*

*[shannon.pfeiffer@state.co.us](mailto:shannon.pfeiffer@state.co.us)*

Thanks again for all the time you have given me,

Jeff Wells

CEO/President  
[jeff.wells@franwell.com](mailto:jeff.wells@franwell.com)

863-583-0228 main  
863-937-1081 direct



*Where supply chain visibility and technology meet .....*

2525 Drane Field Rd. Suite 8 Lakeland, FL 33811  
[www.franwell.com](http://www.franwell.com)

NOTICE: This e-mail message and any attachment to this e-mail message contains confidential information that may be legally privileged. If you are not the intended recipient, you must not review, retransmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please notify us immediately by return e-mail or by telephone at 863-583-0228 and delete this message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by Franwell, Inc.

Please consider the environment before printing this email.

---

**From:** , Jennifer <[Jennifer.Tschetter@flhealth.gov](mailto:Jennifer.Tschetter@flhealth.gov)>  
**Date:** Friday, October 17, 2014 at 8:50 AM

**To:** Jeff Wells <[jeff.wells@franwell.com](mailto:jeff.wells@franwell.com)>

**Subject:** RE: Follow-up .....

Thanks, Jeff. We'll keep pressing on and hope for the best.

jat

Jennifer A. Tschetter

General Counsel

Florida Department of Health

850-245-4353 -- direct dial

---

**From:** Jeff Wells [<mailto:jeff.wells@franwell.com>]

**Sent:** Wednesday, October 15, 2014 11:33 PM

**To:** Tschetter, Jennifer

**Cc:** McMullen, Linda N

**Subject:** Re: Follow-up .....

Hi Jennifer,

I have been following the hearing and I just wanted to tell you that I really appreciate all your efforts. I know first hand what a monumental task and thankless job you and Linda have in trying to execute legislation for this industry. From someone who has a little insight into how difficult all this really is, just want to say thanks for all you and Linda are doing.

Kind Regards,

Jeff Wells

---

**From:** , Jennifer <[Jennifer.Tschetter@flhealth.gov](mailto:Jennifer.Tschetter@flhealth.gov)>

**Date:** Tuesday, August 5, 2014 at 8:21 AM

**To:** Jeff Wells <[jeff.wells@franwell.com](mailto:jeff.wells@franwell.com)>

**Cc:** "McMullen, Linda N" <[Linda.McMullen@flhealth.gov](mailto:Linda.McMullen@flhealth.gov)>

**Subject:** RE: Follow-up .....

Thanks, Jeff. I appreciate you forwarding the information. At this point, we're trying to learn all we can, so we truly appreciate the help.

Best regards,

Jennifer

Jennifer A. Tschetter

General Counsel

Florida Department of Health

850-245-4353 -- direct dial

---

**From:** Jeff Wells [<mailto:jeff.wells@franwell.com>]

**Sent:** Monday, August 04, 2014 1:57 PM

**To:** Tschetter, Jennifer

**Cc:** McMullen, Linda N

**Subject:** Follow-up .....

Hello Ms. Tschetter,

This email is a follow-up to our brief conversation after the rules hearing on Friday. Again, I am the CEO of Franwell, Inc. the company contracted by the State of Colorado to provide their marijuana enforcement solution. Just as a reminder we are the company working with Tim Cerio.

I wanted to give you the details of the speaking engagement for Lewis Koski the "Director of the Marijuana Enforcement Division" in Colorado. Lewis will be presenting at the "The Premier Florida Conference for Substance Use Disorders and Mental Health" conference at the Hyatt in Orlando on Friday. The link below has the details:

<http://www.fadaa-fccmhannualconference.org/about.php>

I spoke with Lewis this morning and he would be more than happy to meet with anyone from the DOH before or after his presentation to answer any questions about the Colorado experience. He would like to know ahead of time if someone from the DOH is planning to attend. Please find his contact information below:

W. Lewis Koski

Director of Marijuana Enforcement Division

(303) 205-2355 Office

[lewis.koski@state.co.us](mailto:lewis.koski@state.co.us)

I have also attached a report from the Brookings Institute. The Brookings report talks to the successful implementation of the Regulatory tools in Colorado. One of the main tools they point to is our system. They give the Colorado MED and the State a very good and exceptional grade including our system (the Appendix has expanded details about the system).

Regards,  
Jeff Wells

CEO/President  
[jeff.wells@franwell.com](mailto:jeff.wells@franwell.com)  
863-583-0228 main  
863-937-1081 direct



*Where supply chain visibility and technology meet .....*

2525 Drane Field Rd. Suite 8 Lakeland, FL 33811

[www.franwell.com](http://www.franwell.com)

NOTICE: This e-mail message and any attachment to this e-mail message contains confidential information that may be legally privileged. If you are not the intended recipient, you must not review, retransmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please notify us immediately by return e-mail or by telephone at 863-583-0228 and delete this message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by Franwell, Inc.

 Please consider the environment before printing this email.

---

[Spam](#)

[Not spam](#)

[Forget previous vote](#)

**Bist, Kevin**

---

**From:** Jodi James <jjamesflorida@gmail.com>  
**Sent:** Thursday, January 15, 2015 2:11 PM  
**To:** Nelson, Patricia A  
**Subject:** application

Hi Ms. Nelson,

Can you confirm that you received my application to represent patients for the upcoming hearing and that the application fulfilled your needs. I want to be sure it fulfills your needs.

Thank you,  
Jodi James  
Executive Director  
Florida Cannabis Action Network

Jodi James,  
Executive Director  
Florida CAN  
1375 Cypress Ave  
Melbourne, FL 32935  
Ph 321-253-3673 c 321-890-7302

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Thursday, January 15, 2015 2:51 PM  
**To:** jjamesflorida@gmail.com  
**Subject:** RE: application

Got it!

---

**From:** Jodi James [mailto:jjamesflorida@gmail.com]  
**Sent:** Thursday, January 15, 2015 2:11 PM  
**To:** Nelson, Patricia A  
**Subject:** application

Hi Ms. Nelson,  
Can you confirm that you received my application to represent patients for the upcoming hearing and that the application fulfilled your needs. I want to be sure it fulfills your needs.

Thank you,  
Jodi James  
Executive Director  
Florida Cannabis Action Network

Jodi James,  
Executive Director  
Florida CAN  
1375 Cypress Ave  
Melbourne, FL 32935  
Ph 321-253-3673 c 321-890-7302

**Bist, Kevin**

---

**From:** Clifford Selsky <cselsky@familyfirstpeds.com>  
**Sent:** Thursday, January 15, 2015 3:05 PM  
**To:** Nelson, Patricia A  
**Subject:** 7 member committee

Dear Ms. Nelson,

My name is Dr. Clifford Selsky. I am the President Elect of the Orange County Medical Society. Last night at the instillation dinner I was speaking with the FMA President, Dr. Pielsdorf who suggested that I apply for the committee. I am a board certified pediatrician, pediatric hematologist/oncologist and pediatric hospice and palliative medicine physician who practices in Winter Springs, Fl. I started the children's cancer program at Florida Hospital in 1994 in Orlando. I trained at Yale Medical School and Yale New Haven Hospital . Before returning to Medical School I received a Ph.D. from the University of Miami in microbial genetics and spent twelve years as a research scientist. I am a friend of Professor Ze'ev Rothstein who is the CEO of Sheba Medical Center in Israel where much of the research into the clinical utility of cannabis has been and continues to be done. As a Pediatric oncologist and a palliative care physician, I have followed the cannabis literature closely and would like to be able to contribute to the process Of evaluating the use of this medicinal herb in a clinically responsible manner. I would be more than happy to serve on the committee if it felt my services could be utilized.

Sincerely,

Clifford A. Selsky Ph.D., MD.  
Family First Pediatrics, P.A.

## Bist, Kevin

---

**From:** Jodi James <jjamesflorida@gmail.com>  
**Sent:** Thursday, January 15, 2015 3:24 PM  
**To:** Nelson, Patricia A  
**Subject:** RE: application

;-)

Jodi James  
P 321-253-3673  
C 321-890-7302

---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Thursday, January 15, 2015 2:51 PM  
**To:** [jjamesflorida@gmail.com](mailto:jjamesflorida@gmail.com)  
**Subject:** RE: application

Got it!

---

**From:** Jodi James [<mailto:jjamesflorida@gmail.com>]  
**Sent:** Thursday, January 15, 2015 2:11 PM  
**To:** Nelson, Patricia A  
**Subject:** application

Hi Ms. Nelson,  
Can you confirm that you received my application to represent patients for the upcoming hearing and that the application fulfilled your needs. I want to be sure it fulfills your needs.

Thank you,  
Jodi James  
Executive Director  
Florida Cannabis Action Network

Jodi James,  
Executive Director  
Florida CAN  
1375 Cypress Ave  
Melbourne, FL 32935  
Ph 321-253-3673 c 321-890-7302

**Bist, Kevin**

---

**From:** Robert Buck <email@attorneybuck.com>  
**Sent:** Friday, January 16, 2015 9:14 AM  
**To:** Nelson, Patricia A  
**Subject:** Re: Tree-King Comments on SB1030 Rule Rewrite

Director Nelson,

I've been notified that Dr. Clark will be unavailable on the scheduled days of the rule making committee. I thought it prudent to disclose this prior to your panel selection.

Should you have any questions or concerns please let me know.

Thank you

On Monday, January 5, 2015, Robert Buck <email@attorneybuck.com> wrote:  
Ms. Nelson,

It appears that the statement from Dr. William Clark did not attach to my prior email. I apologize for the mistake. Please find attached a duplicate copy.

Please consider Dr. Clark's experience in your search for an expert panel. We consider his knowledge in chemistry and out-of-state rule making to be unparalleled.

Regards

--

Robert L. Buck, Esq., P.A.  
PO Box 15146., Brooksville, FL 34604  
352-584-2062 Phone  
352-686-7455 Fax  
[email@attorneybuck.com](mailto:email@attorneybuck.com)

This transmission and its contents, whether received electronically, printed, or in any format whatsoever, may contain information that is privileged, confidential, and/or disclosure prohibited under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format.

--

Robert L. Buck, Esq., P.A.  
PO Box 15146., Brooksville, FL 34604  
352-584-2062 Phone

352-686-7455 Fax  
[email@attorneybuck.com](mailto:email@attorneybuck.com)

This transmission and its contents, whether received electronically, printed, or in any format whatsoever, may contain information that is privileged, confidential, and/or disclosure prohibited under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format.

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Friday, January 16, 2015 9:16 AM  
**To:** email@attorneybuck.com  
**Subject:** RE: Tree-King Comments on SB1030 Rule Rewrite

Thank you very much!

**From:** Robert Buck [mailto:[email@attorneybuck.com](mailto:email@attorneybuck.com)]  
**Sent:** Friday, January 16, 2015 9:14 AM  
**To:** Nelson, Patricia A  
**Subject:** Re: Tree-King Comments on SB1030 Rule Rewrite

Director Nelson,

I've been notified that Dr. Clark will be unavailable on the scheduled days of the rule making committee. I thought it prudent to disclose this prior to your panel selection.

Should you have any questions or concerns please let me know.

Thank you

On Monday, January 5, 2015, Robert Buck <[email@attorneybuck.com](mailto:email@attorneybuck.com)> wrote:  
Ms. Nelson,

It appears that the statement from Dr. William Clark did not attach to my prior email. I apologize for the mistake. Please find attached a duplicate copy.

Please consider Dr. Clark's experience in your search for an expert panel. We consider his knowledge in chemistry and out-of-state rule making to be unparalleled.

Regards

--

Robert L. Buck, Esq., P.A.  
PO Box 15146., Brooksville, FL 34604  
352-584-2062 Phone  
352-686-7455 Fax  
[email@attorneybuck.com](mailto:email@attorneybuck.com)

This transmission and its contents, whether received electronically, printed, or in any format whatsoever, may contain information that is privileged, confidential, and/or disclosure prohibited under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format.

--

Robert L. Buck, Esq., P.A.  
PO Box 15146., Brooksville, FL 34604  
352-584-2062 Phone  
352-686-7455 Fax  
[email@attorneybuck.com](mailto:email@attorneybuck.com)

This transmission and its contents, whether received electronically, printed, or in any format whatsoever, may contain information that is privileged, confidential, and/or disclosure prohibited under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format.

## **Bist, Kevin**

---

**From:** martin.dix@akerman.com  
**Sent:** Friday, January 16, 2015 9:59 AM  
**To:** Nelson, Patricia A  
**Subject:** RE: Low-THC Cannabis Rulemaking

Hi Patricia:  
I just wanted to make sure that you received this.  
Marty

**Martin R. Dix**  
Partner  
Board Certified in Health Law  
Akerman LLP | Suite 1200 | 106 East College Avenue | Tallahassee, FL 32301  
Main: 850.224.9634 | Fax: 850.222.0103  
[martin.dix@akerman.com](mailto:martin.dix@akerman.com)

---

**From:** Dix, Marty (Ptnr-Tlh)  
**Sent:** Thursday, January 08, 2015 10:22 AM  
**To:** 'Nelson, Patricia A'  
**Subject:** RE: Low-THC Cannabis Rulemaking

Thanks, Patricia.

I am interested in being considered for the attorney position on the Committee. I

- have practiced regulatory/administrative law since 1985;
- am board certified in health law;
- have a background in pharmacy law and am knowledgeable about DEA's regulatory processes as well as HIPAA and patient confidentiality issues;
- have participated in rule hearings before the Department of Health, Board of Pharmacy, AHCA, DBPR, DEP, DNR and other agencies and was the author of the DNR Myakka River Wild and Scenic River Rule (under contract with then DNR);
- have assisted clients with licensing applications before the Board of Pharmacy, Department of Health, AHCA, DBPR, Dept. of Agriculture, DEP, DNR, DEA, FDA, Army Corps, and other agencies;
- have challenged and defended agency decisions on numerous occasions including proposed and existing rule challenges;
- assisted in representing the Tallahassee-Leon County Planning Commission for 14 years so am knowledgeable on Sunshine Law, Public Records Act, Ethics in Government, etc.; and
- attended several of the prior rule hearings;

I can provide references if needed. My full bio is linked here: <http://www.akerman.com/bios/bio.asp?id=704&name=Dix>

Thank you for your consideration.

Marty Dix

**Martin R. Dix**  
Partner  
Board Certified in Health Law  
Akerman LLP | Suite 1200 | 106 East College Avenue | Tallahassee, FL 32301  
Main: 850.224.9634 | Fax: 850.222.0103  
[martin.dix@akerman.com](mailto:martin.dix@akerman.com)

---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Thursday, January 08, 2015 9:16 AM  
**To:** Dix, Marty (Ptnr-Tlh)  
**Subject:** RE: Low-THC Cannabis Rulemaking

The only process is to send me an email expressing your interest, including an explanation as to what you bring to the table, so to speak.

---

**From:** [martin.dix@akerman.com](mailto:martin.dix@akerman.com) [<mailto:martin.dix@akerman.com>]  
**Sent:** Thursday, January 08, 2015 9:10 AM  
**To:** Nelson, Patricia A  
**Subject:** RE: Low-THC Cannabis Rulemaking

Hi Patricia:

Have you selected the attorney member yet or have someone in mind for the Committee? If not, I am interested in applying and would appreciate knowing the process.

Thank you.

Marty

**Martin R. Dix**

Partner

Board Certified in Health Law

Akerman LLP | Suite 1200 | 106 East College Avenue | Tallahassee, FL 32301

Main: 850.224.9634 | Fax: 850.222.0103

[martin.dix@akerman.com](mailto:martin.dix@akerman.com)

[vCard](#) | [Bio](#) | [LinkedIn](#) | [Blog](#)



**CONFIDENTIALITY NOTE:** The information contained in this transmission may be privileged and confidential, and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please immediately reply to the sender that you have received this communication in error and then delete it. Thank you.

---

**From:** Nelson, Patricia A [<mailto:Patricia.Nelson@flhealth.gov>]  
**Sent:** Monday, January 05, 2015 5:11 PM  
**To:** DL 64-4 Interested Parties; Dunn, Nathan P  
**Subject:** Low-THC Cannabis Rulemaking

Dear Interested Parties,

Please see the attached Notice of Negotiated Rulemaking (on page 1 of the attached document) scheduled for February 4 and 5, 2015, in Tallahassee.

Sincerely,  
Patty

Patricia Nelson  
Director  
Office of Compassionate Use

**Bist, Kevin**

---

**From:** MARY LYNN MATHRE <mlmathre@hughes.net>  
**Sent:** Friday, January 16, 2015 10:02 AM  
**To:** Nelson, Patricia A  
**Subject:** Application: Rulemaking committee for dispensing orgs of low-THC cannabis  
**Attachments:** FL DOH ltr.pdf; ATT00001.htm

Dear Patricia:

I am submitting my application to be a member of the rulemaking committee for dispensing organizations of low-THC cannabis. Please see the attached file.

Sincerely,  
Mary Lynn Mathre

January 15, 2015

Patricia Nelson  
Department of Health  
4052 Bald Cypress Way, Bin A-02  
Tallahassee, FL 32399

Dear Ms. Nelson:

I would like to be considered to join the Rulemaking Committee for the Florida Department of Health's Office of Compassionate Use for 3 parties that are not specifically represented: Expert clinician in medicinal cannabis, Advanced practice nurses/patient advocates, and Veterans.

**Expert Cannabis Clinician:** Patients Out of Time is a 501c3 educational charity founded in 1995 and its mission is to educate health care professionals and the public about the therapeutic use of cannabis. Since 2000 we have hosted a biennial accredited conference series on cannabis therapeutics and as we start our 20<sup>th</sup> year, our conferences will increase to an annual event. The Ninth National Clinical Conference on Cannabis Therapeutics will be held at the Palm Beach Convention Center in West Palm Beach on May 21-23, 2015. Our conferences feature the world's leading cannabis researchers and clinicians as well as patients, their care providers, and policy experts. As President of the organization and a member of the conference planning committee for all of the organization's conferences, I am able to represent the medicinal cannabis experts.

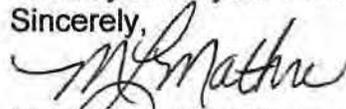
**Advanced Practice Nurse:** My professional nursing background began 40 years ago in adult medical-surgical nursing, but has been in addictions nursing since 1989. My masters' thesis in 1985 was on Marijuana Disclosure to Health Care Professionals (Case Western Reserve University, Cleveland). The American Cannabis Nurses Association (ACNA) was founded in 2010 by nurses who had been attending the Patients Out of Time's conferences. Of all the health care professionals, nurses spend the most time with patients and we are responsible for medication administration in clinical settings and patient education in all settings and serve as patient advocates. Given my masters in nursing, certification in addictions nursing, and as a Founding member of the ACNA, I am able to represent the nursing profession.

**Veteran:** I am a former LT in the U.S. Navy Nurse Corps (1973-1979) and am married to a retired Lcdr in the U.S. Navy Supply Corps who is a Vietnam Veteran. I have counseled Veterans with Post Traumatic Stress Symptoms and substance abuse problems. I am a board member of Veterans for Medical Cannabis Access. There are more than 22 suicides/day by Veterans and FL has the 3<sup>rd</sup> largest population of Veterans. I understand the current VA Directives as they relate to medicinal cannabis and I would represent Veterans' rights and needs.

My affiliations with Patients Out of Time and the American Cannabis Nurses Association are listed below in my signature. Although a resident of Virginia, my husband and I own property in Franklin county and plan to move to Florida in the near future. We are currently in Florida through March. I hope you will consider adding me to the rulemaking committee as I come with an interest in Florida and as an expert on the endocannabinoid system, cannabis and hemp. As a nurse I am very concerned about the health and safety of communities, families and individual patients. The law has to do with providing medicine to patients. Nurses are fundamentally patient advocates and a nurse should clearly be on this committee. I believe I can be a valuable resource for the committee in developing practical regulations for the dispensing organizations of low-THC cannabis.

Thank you for your consideration.

Sincerely,



MaryLynn (ML) Mathre

MARY LYNN MATHRE, RN, MSN, CARN  
President and Co-founder  
Patients Out of Time  
1472 Fish Pond Rd.  
Howardsville, VA 24562  
434-263-4484  
434-987-2514 (cell)  
[www.medicalcannabis.com](http://www.medicalcannabis.com)  
[ml@medicalcannabis.com](mailto:ml@medicalcannabis.com)  
President, American Cannabis Nurses Association  
434-987-2514  
[www.cannabisnurse.org](http://www.cannabisnurse.org)  
[mlmathre@cannabisnurse.org](mailto:mlmathre@cannabisnurse.org)

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Friday, January 16, 2015 10:59 AM  
**To:** jotiption@tampabay.rr.com  
**Subject:** RE: dept. of health letter.docx

Mr. Tipton,

Can I please have a phone number where you can be reached?

Thank you,  
Patty

Patricia Nelson  
Director  
Office of Compassionate Use  
Florida Department of Health



---

**From:** John [mailto:jotiption@tampabay.rr.com]  
**Sent:** Wednesday, January 14, 2015 3:28 PM  
**To:** Nelson, Patricia A  
**Subject:** dept. of health letter.docx

**Bist, Kevin**

---

**From:** Hugh Gramling <gramling1@gmail.com>  
**Sent:** Friday, January 16, 2015 11:55 AM  
**To:** Nelson, Patricia A  
**Cc:** Barnhill, Kim  
**Subject:** DOH Negotiated Rulemaking Committee  
**Attachments:** DOH Rule Committee.pdf

Ms. Nelson

I am resending my application for the Negotiated Rulemaking Committee. I had requested a delivery and read receipt which I had not gotten. I am resending in case the original got lost in cyberspace. I appreciate your consideration.

Hugh Gramling

**Hugh M. Gramling**  
**507 West Reynolds Street**  
**Plant City, FL 33566**  
(813) 763-4246

January 12, 2015

Ms. Patricia Nelson  
Department of Health  
4052 Bald Cypress Way  
Bin A-02  
Tallahassee, FL 32399

Dear Ms. Nelson:

Please consider this letter as my application for the Medical Cannabis Negotiated Rulemaking Committee. I am specifically applying as "An Individual with demonstrated experience in sound agricultural practices and necessary regulation." (No. 5).

I believe my experience squarely fits this position. I have nearly 30 years of experience as a wholesale nursery grower and have successfully run two wholesale nursery businesses. I am willing to negotiate in good faith on behalf of the nursery industry and have regulatory experience in doing so.

I served three years as a member of the Southwest Florida Water Management District (SWFWMD) basin board and 4½ years as a member of the SWFWMD Governing Board. For two years, I served as its Vice Chair. Water management districts have regulatory authority over the agricultural industries.

I am well versed in nursery issues as evidenced by my 15 years as Executive Director of the Tampa Bay Wholesale Growers -- a regional wholesale nursery production association. I also currently serve on four advisory committees for the Institute of Food and Agricultural Sciences of the University of Florida.

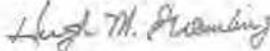
There are many other experiences which qualify me for the position the Department of Health is seeking to fill. I am attaching a current resume with details of my additional qualifications.

I am available February 4 and 5 to participate in committee activities.

As part of my disclosure, I contracted for consulting services with the Institute for Medical Outcomes to introduce that group to nurserymen who qualified under Senate Bill 1030. That agreement was terminated December 20 when it was mutually determined I had fulfilled my obligations under the contract. I currently am retired from any consulting or business activities with which the rulemaking process will have an impact.

I believe I have provided the information requested in the FAR notice, yet I will promptly furnish any additional information you require.

Sincerely,

  
Hugh M Gramling

Enclosure

# Curriculum Vitae of Hugh M. Gramling

507 West Reynolds Street  
Plant City, FL 33566

## Employment

1997-2012 employed as Executive Director of the Tampa Bay Wholesale Growers, a trade association representing wholesale production nurserymen. Responsibilities include producing a 360-booth trade show, production of a plant availability publication, preparation and administration of association budget, governmental liaison and membership administration.

1994-97 Founder and manager of Horticultural Products, a wholesale plant nursery.

1973-97 Owner and manager of Gramling Nursery Inc., wholesale plant nursery.

1970-73 Division of Information Services, University of Florida. Served as Information Specialists I, II and editor performing public relations activities.

1970 Administrative Assistant Naples Area Chamber of Commerce.

1968-69 Staff Writer/photographer for the Plant City Courier, 4<sup>th</sup> largest weekly newspaper in Florida.

## Awards & Honors

Outstanding Committee Chairman (81) by FL Nurserymen & Growers Assn. Volunteer of the Year (84, 86), Hillsborough County Cooperative Extension Service. Outstanding Agriculturist (84) by FL Assn. of County Agricultural Agents. Rotary International Young Businessmen Exchange Program to Brazil (86). Listed in Outstanding Young Men in America (86). Eisenhower Foundation People to People Professional Exchange program to China (88). Distinguished Service Award (01), FL Exotic Pest Plant Council. Award of Merit (05), Gamma Sigma Delta Honor Society of Agriculture. Plant Protection Award of Eminence (06), FL Dept. of Agriculture and Consumer Services, Division of Plant Industry. Public Service Award (10), FL Strawberry Growers Assn.; named as Fellow, Southern Region International Plant Propagators Society.

## Past Activities

Vice Chair, Southwest FL Water Management District Governing Board. Chair Ex-officio, Hillsborough River Basin Board, SWFWMD. Chair, Hillsborough County Soil and Water Conservation District. Chair, Hillsborough County Agricultural Economic Development Council. Chair, FL Nursery, Growers & Lands. Assn. Research Committee. Chair, Hillsborough County Water Technical Advisory Committee. Policy Board, Tampa Bay Estuary Program, Past President, Southern Region of International Plant Propagators Society. Director, FL Agricultural Hall of Fame Foundation, member, IFAS Invasive Plant Working Group. Gulf Coast Research & Ed. Ctr. Advisory Committee, Mid-Florida REC Advisory Committee, FL Medical Entomological Laboratory Advisory Committee. Board, Museum of Science and Industry, Tampa.

## Education

BS in Journalism (Public Relations Sequence), University of Florida 1969.

**Bist, Kevin**

---

**From:** Craig Kirkland <craig.kirkland@g5-i.com>  
**Sent:** Friday, January 16, 2015 12:01 PM  
**To:** Nelson, Patricia A  
**Subject:** Negotiated Rulemaking Committee Meeting Members

Friday, January 16, 2015

Patricia,

My name is Craig Kirkland with G5 Industries, Inc. I am requesting membership in the committee and I am committed to participate on the dates Feb 4&5th, 2015 from 8:00AM until concluded.

My organization, G5I, consists of Myself, Jason Pernel, and Michael O'Donnell. G5I is located at 1591 Summit Lake Drive, Suite 100 Tallahassee, FL 32317. My mobile phone number is (850)-228-2893.

G5I has a medical marijuana growing facility in San Leandro, Ca and have applied for a dispensary there as well. G5I intends to apply for a dispensary in Florida for the northwest region. Due to our involvement in other states, it appears that the Cannabis processing into deliverable form, products other than the flower, storage, safety of product, and dispensary security are areas that need representation. I also have experience doing the San Leandro application and these areas are paramount to their scoring. I feel as though I could be beneficial in items that should be included or not in the application requirements. I am willing to be a team member and work for the good of making this program a success. I will negotiate in good faith with the other team members to ensure our success. Thank you for taking the time to consider my request to be a committee member.

Craig Kirkland  
G5 Industries, Inc.  
[Craig.kirkland@g5-i.com](mailto:Craig.kirkland@g5-i.com)  
850-228-2893

## Bist, Kevin

---

**From:** Seth Hyman <shyman@kelleykronenberg.com>  
**Sent:** Friday, January 16, 2015 12:06 PM  
**To:** Nelson, Patricia A  
**Subject:** Committee Member Request  
**Attachments:** Seth Hyman - Bio 1 Health.pdf; Seth Hyman - Bio 2 Business.pdf; Hyman Family 2.jpg

Good afternoon Ms. Nelson;

I would like to participate on the committee that is scheduled to meet on February 4 & 5, 2015. My expertise would fall under "a qualified patient or patient representative".

Since I do have an interest in being on the committee, I would like to provide you with the information requested in the January 5, 2015 Notice of Development of Proposed Rules and Negotiated Rulemaking.

- I am not affiliated with any organization for this cause. I am strictly representing my daughter [REDACTED] and the patients of Florida. I do not have an affiliation or interest in any nursery that will be applying for one of the five licenses.
- The proposed rulemaking proceedings has and will have a direct affect on my daughter's [REDACTED] [REDACTED] It has affected us by the critical delay in the rollout of SB 1030 and the fact that there is no real specific timeline of when the new low THC/high CBD medicine will be available for patients. Every day that goes by and patients like [REDACTED] do not have access to a medicine that may help control their seizures or other medical conditions; their lives are critically at risk.
- For the past four years I have been diligently researching the issue by developing relationships of patients around the world who have been using low THC/high CBD for the treatment of intractable epilepsy. There are few out there who face the severity of the daily struggles that my family and I face [REDACTED] healthy and alive. I not only have a deep understanding for the medicine and the way it works, but I have hands on real life experiences that are coupled with all the other challenges. Therefore, I firmly believe I am more than qualified to represent the patients and their needs for this new medicine.
- I am more than willing to negotiate in good faith and will able to attend the scheduled meeting/s.

I have attached a few of my Bios that will provide you with more information into my qualifications.

Please feel free to reach out any time.

Warm regards,

Seth Hyman  
**Business Development/Special Project Director**  
8201 Peters Road | Suite 4000  
Fort Lauderdale | FL 33324  
954. 370.9970 | Office  
954. 394. 9100 | Cell  
954. 382.1988 | Fax  
[Biography](#) | [Website](#) | [Email](#) | [LinkedIn](#)



FT. LAUDERDALE | MIAMI | WEST PALM BEACH | TAMPA | ORLANDO  
FT. MYERS | JACKSONVILLE | TALLAHASSEE | PANHANDLE | CHICAGO | HOUSTON

Important - Kelley Kronenberg utilizes spam and junk email filtration applications in its email information systems. These systems may prevent or delay delivery of certain email communications. If you do not receive a timely response to an email communication, please contact the intended recipient via phone in one of our office locations available [here](#).

The information transmitted, including any attachments, is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited, and all liability arising therefrom is disclaimed. If you received this in error, please contact the sender and delete the material from any computer. Thank you.

## Seth A. Hyman



Seth Hyman is the father [REDACTED] and is very active within the South Florida community when it comes to improving the quality of life and healthcare for children. He chairs Broward County's Broward Days Special Needs Advisory Team as well as serves on the Children Services Council of Broward County Special Needs Advisory Coalition. Seth also works closely with Broward County Sheriff and has developed an emergency response program called "BECCA" [REDACTED]

The BECCA Program was created to save the lives of children with medical needs by providing EMTs with accurate information and medical details when responding to a medical crisis. The Chairman of the 2014 Florida Board of Medicine and now President & CEO of Broward Health, Dr. Nabil El Sanadi, played a key role along with Seth throughout the induction of the BECCA Program and has been very supportive of his efforts.

Seth has been researching alternative treatment options for many years due to [REDACTED]

[REDACTED] Laboratory research and countless anecdotal reports indicate that [REDACTED] could possibly be relieved by administering a high cannabidiol (CBD), low  $\Delta$ -9-tetrahydrocannabinol (THC) oil extract from specific strains of medical marijuana.

Over the past five years, Seth has gained an in depth of understanding of the many extraction processes to produce the medicinal oil and developed relationships with cultivators who currently grow these specific strains. He has also met with parents all over the country who are already administering this medicine to their children and understands the complicated nature of dosing oil to children. The overall chemistry of the final product directly relates to the success of this type of therapy. Each child is different and may require medicinal extracts with varied CBD to THC cannabinoid profiles.

[REDACTED] Seth was a key figure throughout the lawmaking process for both HB 843 and SB 1030 in the 2014 Florida legislative session. He worked closely with the legislators by providing input on the drafting of language for both bills and delivered powerful testimony to the governmental committees. Seth is determined to involve himself in the law's implementation process so he can finally bring this long-needed medicine [REDACTED] through the proper legal and regulatory channels.

Seth's extensive experience in practical use, natural motivation, personal passion, Business Building and powerful communication skills will enable him to be a great asset to any project related to healthcare and the medical cannabis business.

Contact Seth at [seth@beccasfoundation.org](mailto:seth@beccasfoundation.org) or at 954.394.9100





## OVERVIEW

Seth Hyman is the Business Development/Special Projects Director for the firm and an integral member of the Regulated Substances practice group. Seth's understanding and support of the campaign to legalize medical marijuana is rooted in his personal experiences.

Oil extracted from a non-euphoric strain of cannabis has been shown to treat children with of intractable epilepsy.

Over the past 4 years, Seth has become one of the most visible faces in Florida's burgeoning medical cannabis industry. He has been instrumental in lobbying for the Florida legislation to help others thwart seizures and comfort those with epilepsy. Seth was a key figure throughout the lawmaking process for both House Bill 843 and Senate Bill 1030 in the 2014 Florida legislative session. He worked closely with legislators by providing input on the drafting of language for both bills and delivered powerful testimonies to the governmental committees. Seth has advocated for the state's Compassionate Medical Cannabis Act in legislative and other public forums, and retains deep relationships with key decisions makers in federal and state government.

Seth chairs Broward County's Broward Days Special Needs Advisory Team and serves on the Children Services Council of Broward County Special Needs Advisory Coalition. He also worked closely with the Broward County Sheriff's Office in developing an emergency response program called "BECCA". The BECCA program was created to save the lives of children with medical needs by providing EMTs with accurate information and details when responding to a medical crisis.

Helping others understand the complexities of public policy decision-making, has become a hallmark of Seth's expertise. Seth has significant experience navigating complex legislation and regulatory demands unique to legal cannabis operations. As Business Development/Special Projects Director, Seth draws on his firsthand experience with the medical marijuana laws in Florida, assisting in developing strategy, researching medical marijuana issues, and building and maintaining relationships with key players in the growing medical marijuana industry. Seth and his family have been featured on numerous television programs, in national print media, and has appeared on the covers of the Miami Herald and the Sun Sentinel.

His efforts for the development of effective marijuana policy, regulation, and industry overall are enhanced by his multifaceted business knowledge. Prior to joining the firm, Seth served as the Director of Business Development for a South Florida Consulting firm. He also served as President and CEO of a sales and marketing company focused on healthcare benefits. Seth's extensive experience in the medical marijuana industry, including practical use, personal passion, petitioning and lobbying regulatory agencies, business building and powerful communication skills enable him to better assist clients in any project related to the medical marijuana business.

Seth is not admitted to the practice of law.

## CONTACT INFORMATION

shyman@kelleykronenberg.com  
Office: (954) 370-9970  
Cell: (954) 626-8110

## PRACTICE AREAS

- Regulated Substances Practice Group

## ADMISSIONS

*Not admitted to the practice of law.\**

## EDUCATION

- City University of New York, Lehman College, B.A. Program, 1986

## COMMUNITY

- Developer and Advisor, Broward County Sheriff's Broward Emergency Critical Care Assistance (BECCA) Program
- Chair, Broward County's Broward Days Special Needs Team
- Member, Children's Services Council of Broward County Special Needs Advisory Coalition
- Member, Broward County Schools – Exception Student Education Steering Committee
- Member, Broward Health/Broward Medical Center Community Resource Council & Children's Advisory Council

## MEDIA

- Year in Review: Medical marijuana bill blows it, *South Florida Business Journal*, December 29, 2014
- People on the Move, *South Florida Business Journal*, September 30, 2014
- Entrepreneurs Give Input as Florida Regulators Mull Medical Marijuana, *WFSU*, August 1, 2014
- Regulators Hear More Complaints about Medical Pot Rules, *Miami Herald*, August 1, 2014
- "Charlotte's Web" Medical Marijuana Bill Isn't Enough for Many Parents of Epileptics, *Broward Palm Beach New Times*, July 21, 2014
- Medical Marijuana: Florida's New Business Boom, *Miami Herald*, July 20, 2014
- Crowd packs room for hearing on marijuana rules, *Miami Herald*, July 7, 2014
- Major Democratic donor bashes DNC Chair Debbie Wasserman Schultz, *Miami Herald*, June 7, 2014
- Searching for Relief in the Weed, *The Council of State Governments Magazine*, May/June 2014
- Will Gov. Scott thwart humane bid for limited medical marijuana?, *Sun-Sentinel*, April 26, 2014
- Another Way to Help our Kids, Pass Medical Marijuana Law, *Sun Sentinel*, March 20, 2014
- Family push opens Legislature to Marijuana extract for Seizures, *Orlando Sentinel*, March 10, 2014
- Open Reply to Seth Hyman, Parent of Epileptic Daughter, *Sunshine State News*, March 8, 2014
- Open Letter to Kevin Sabet, Official Opposed to CBD Medical Marijuana, *Sunshine State News*, March 7, 2014
- Groundbreaking Bill to Decriminalize CBD Medical Marijuana Passes First Hurdle, *Sunshine State News*, March 6, 2014
- Anti-Legalization Advocate Trying to Snuff Out Medical Marijuana Bill, *Sunshine State News*, March 5, 2014
- Conservative committee opens door to medical marijuana for Florida, *Miami Herald*, March 5, 2014
- Don't Stop Now: Push Bill Through to Legalize Cannabidiol, *Sunshine State News*, February 3, 2014
- Florida medical marijuana: Legalize one way or another, *Sun-Sentinel*, January 28, 2014
- Medical Marijuana Approved on Florida Ballot, *WSVN*, January 28, 2014
- Florida's Faith-Based Community Opening Its Mind, Heart to Life-Saving Marijuana Strain, *Sunshine State News*, January 23, 2014
- Florida House to propose bill to legalize strain of marijuana for seizures, *Miami Herald*, January 10, 2014
- Drive Underway to Legalize Low-Potency Medical Marijuana, *Bay News 9*, January 9, 2014
- Parents lobby lawmakers to legalize buzz-free strain of marijuana shown to control seizures, *Sun-Sentinel*, January 9, 2014
- Parents of children with epilepsy lobby lawmakers over medical marijuana, *Miami Herald*, January 4, 2014
- 'Glimmer of hope' for medical marijuana in Florida, *Sun-Sentinel*, December 31, 2013
- Broward Sheriff's Office BECCA Program
- Broward County Sheriff's Office Launches New "BECCA" Program That Delivers Critical Info For EMS, August 15, 2011

## VIDEO

Scott signs 'Charlotte's Web' Medical Pot Bill

News on CBS 4 Miami/Orlando Sentinel – Monday June 16, 2014

Florida Senate Approves Medical Marijuana Bill

News on NBC 6 Miami/Ft. Lauderdale – Friday May 2, 2014

News on NBC 6 Miami/Ft. Lauderdale – Friday May 2, 2014

Florida Senate Approves 'Charlotte's Web' Medical Marijuana Bill

News on CBS 4 Miami/Ft. Lauderdale – Friday May 2, 2014

Patients Explain Benefits of Medical Marijuana

Medical Marijuana Moves Closer To Passage

News on NBC 6 Miami/Ft. Lauderdale – Thursday May 1, 2014

House Sends Medical Marijuana Bill Back to Senate  
Fusion Live on Fusion Network – Wednesday April 2, 2014

News on Fusion Network – Wednesday March 12, 2014

Push for Medical Marijuana in Florida Gets First Thumbs Up

News on NBC 6 Miami/Ft. Lauderdale – Wednesday March 5, 2014

News on NBC 6 Miami/Ft. Lauderdale – Friday January 31, 2014

Florida Supreme Court Clears Way for Medical Marijuana on Ballot

News on CBS 4 Miami/Ft. Lauderdale – Friday January 27, 2014

Local Family Wants Daughter with Epilepsy to Use Marijuana to Curb Seizures

News on NBC 6 Miami/Ft. Lauderdale – Monday January 6, 2014

News on CBS 4 Miami/Ft. Lauderdale – Monday January 6, 2014

JAFCO Respite and Family Resource Center for Children with Development  
Disabilities

Broward County Sheriff's Office (BSO)  
BECCA Program Press Conference – June 1, 2011

**Bist, Kevin**

---

**From:** Matt Harrison <mharrison.franklin@gmail.com>  
**Sent:** Friday, January 16, 2015 12:14 PM  
**To:** Nelson, Patricia A  
**Subject:** Florida rule making committee  
**Attachments:** MJH\_Resume\_2015.docx

Hi Patty,

We spoke briefly on the telephone. I am writing you this e-mail with hopes of being considered for seat number 7 on the negotiated rule making committee.

My resume is attached and highlights both my success with Medical Cannabis production and in the cancer diagnostics industry. Helping others has been a large part of my vocation, and I find this opportunity unique, and interesting, and a great chance to continue to help.

Our group LivFree is currently working with the Rosacker Family who owns Floral Acres in the Palm Beach area.

Best regards,

Matthew Harrison  
303.956.1010

Matthew Harrison  
1975 Grant St #201  
Denver CO 80203  
303.956.1010

LiveFree 08/14-Now

**\*VP of Production**

- Chairman of the board in IL
- Oversight for build out and management contribution for all LivFree production sites
- LiveFree Consulting agent

LivWell 11/11-08/14

**\*Director of Production**

- Cultivated \$40M of Medical Cannabis in 2014
- Annual core growth over 15%
- Responsible for all upper management decisions
- Grew operations from 40k sq ft to 119k sq ft
- Grew and trained in staff from 30 people to 200+ people
- Always met and exceeded goals and grew facility to final build of 3280 hid lights
- Liaison between LivWell and all Government regulating agencies

Urban Cannabis 11/09-11/11

**\*Director of Production and Operations**

- Established production facility and procured certificate of occupancy
- Production and wholesale of Medical Cannabis
- Liaison between Urban Cannabis and all Government regulating agencies

Leica Microsystems 4/06-11/09

**\*Medical Sales Rep**

- Nuclear stain protocol drafting and sales in anatomic pathology labs
- Sales calls included histology, cytology, microscopy, neuropathology, ect.
- Danaher Business Systems certified 100% (Danaher Fortune 500 rank: 149)
- Achieved 8-12% growth annually in two separate multimillion dollar territories across 11 states
- Maintained excellent knowledge and notes of competitors product and sales
- Monitored monthly period analysis reports and cross referenced territory management for lost business to recover
- Provided exemplary customer service
- Sales and consulting service provided to 500+ Hospitals, Universities and private Laboratories

\* References available upon request-Including Mayo Clinic, American Preclinical Services, the USDA

## Bist, Kevin

---

**From:** Sam Harris III <sam@ugrowflorida.com>  
**Sent:** Friday, January 16, 2015 1:19 PM  
**To:** Nelson, Patricia A  
**Subject:** RULEMAKING COMMITTEE as a Infrastructure and testing laboratory EXPERT: UGrow  
**Attachments:** UGrow on Florida.pdf

Dear Ms. Patricia Nelson,

It would be an honor to serve on the panel, as CEO/President of UGrow, Inc. with many of the aspects of medical marijuana being considered across the US the need for a robust research & development laboratory solution is necessary at the state level. Now that Florida is moving forward with its Medical Marijuana plan here are some bullet points that outline an approach that UGrow might take in providing professional service to Florida Department of Health Panel as member with Industry leaders. UGrow, Inc. has a state of the art network of Cannabis Infrastructure and lab partners that operate at the current medical laboratory standards. Our network of scientist, possess an extensive background in plant genetics as well as agriculture science and organic chemistry. Having a medical standards lab ensures the reliability of testing and ultimately the safety of all patients' medicine at the highest level.

Our approach in testing is on a consultative level with our clients grow operations and processor facilities. We do not just see the lab as simply a vehicle for testing. UGrow is a partner with the labs, growers, dispensaries, and manufacturing processors to help them when things do not go right to work through and arrive at a solution. Our door is always open to them to help problem solve. We have staff experienced cultivators, soil scientist, extractors and our science team to continually improve outcomes for the client. Test results would be yielded back to the grow facilities and the state through the Bio Track reporting system or an equivalent online portal. UGrow could develop a lab quality mobile extraction service to go to each facility and perform extraction service to yield oils for edible products, infusions and the like (**This could also be accomplished at a centralized lab quality facility depending on the State's transportation policies**).

As for packaging we are not totally aware of what the state's expectation is as it pertains to flower product vs. edibles. The flower product could be packaged in several ways and standards depending on state requirements. This could be accomplished at either a central facility specifically connected with the main lab. Most edibles manufacturing processors are responsible for their respective packaging at point of origin then those products are tested. The advantage with UGrow's lab partners is advanced microbial testing is that it has fast turnaround times (**around 24 hours**). This will result in those products arriving on the dispensary shelves quickly ensuring a fresh and safe product, extending shelf life and reducing degradation. I'm looking forward to working with you and the panel, and please call me if you have any question.

Best Regards,

Sam Harris III

CEO/President

UGrow, Inc.

### **The UGrow Tracking System:**

- BTM Software system for Medical dispensaries is the industry leader.
- Preferred testing laboratory vendor.
- The laboratory module has integrated testing and seamless RFID tracking seed to sell solution.

### **Comprehensive approach:**

- Here are some of the analysis and services we offer whether the product is Flower, Extract or Edible type :
  - Qualitative/Quantitative Microbial Analysis
  - Pesticide testing
  - Heavy metals testing
  - Potency testing
  - Visual inspection with moisture analysis,
  - Residual solvent testing in extracted products.
  - Terpene Profile analysis
  - Development of Genetic Strain Analysis
  - Extraction Services

### **Methodology:**

Florida Specific's: Given the size of the state and considering 5 separate grow facilities one in each region. Logistics and transport will be important. The sheer cost of building laboratories, it is important that the State of Florida considers a more centralized solution.

### **Advantages:**

- Ensures a standardized testing facility with the exact same methodologies
- Reduce the overall cost outlays while allow for equipment redundancies to ensure no down time.
- Deploy lab trained personnel to the grow facility to accomplish sample collection to ensure non-bias collections
- Allows for continual facility inspection and conditions.
- Run routine soil or medium analysis for non-approved chemicals
- Quality assurance of the end product. The quality of the extraction is only as good as the base material it came from
- Reduces the cost of expensive extraction equipment to the grower/processor.
- Safety and Laboratory Quality/Expertise
- Testing of final product is automatic
- Ensures inventory controls.

**Disadvantage:** is having the entire states crop in a single facility as it pertains to crop safety and isolation/contamination. The alternative would be to develop a mobile packaging facility that can roll into a grow operation and accomplish this on-site.

- o Product never leaves the grower's premise's
- o Lower cost to the grower to maintain the equipment and personnel
- o Each facility could still maintain branding specific to that grow

--

Sam Harris III,

CEO/President

UGrow, Inc.

10006 Cross Creek Blvd #,

Tampa, FL, 33647

O. 813-510-0982

**[WWW.ugrowflorida.com](http://WWW.ugrowflorida.com)**

---

**Disclaimer:** This email is intended only for the use of the party to which it is addressed and may contain information that is privileged, confidential, or protected by law. If you are not the intended recipient you are hereby notified that any dissemination, copying, or distribution of this email or its contents is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer



Dear Ms. Patricia Nelson,

It would be an honor to serve on the panel, as CEO/President of UGrow, Inc. with many of the aspects of medical marijuana being considered across the US the need for a robust research & development laboratory solution is necessary at the state level. Now that Florida is moving forward with its Medical Marijuana plan here are some bullet points that outline an approach that UGrow might take in providing professional service to Florida Department of Health Panel as member with Industry leaders. UGrow, Inc. has a state of the art network of Cannabis Infrastructure and lab partners that operate at the current medical laboratory standards. Our network of scientist, possess an extensive background in plant genetics as well as agriculture science and organic chemistry. Having a medical standards lab ensures the reliability of testing and ultimately the safety of all patients' medicine at the highest level.

Our approach in testing is on a consultative level with our clients grow operations and processor facilities. We do not just see the lab as simply a vehicle for testing. UGrow is a partner with the labs, growers, dispensaries, and manufacturing processors to help them when things do not go right to work through and arrive at a solution. Our door is always open to them to help problem solve. We have staff experienced cultivators, soil scientist, extractors and our science team to continually improve outcomes for the client. Test results would be yielded back to the grow facilities and the state through the Bio Track reporting system or an equivalent online portal. UGrow could develop a lab quality mobile extraction service to go to each facility and perform extraction service to yield oils for edible products, infusions and the like (**This could also be accomplished at a centralized lab quality facility depending on the State's transportation policies**).

As for packaging we are not totally aware of what the state's expectation is as it pertains to flower product vs. edibles. The flower product could be packaged in several ways and standards depending on state requirements. This could be accomplished at either a central facility specifically connected with the main lab. Most edibles manufacturing processors are responsible for their respective packaging at point of origin then those products are tested. The advantage with UGrow's lab partners is advanced microbial testing is that it has fast turnaround times (**around 24 hours**). This will result in those products arriving on the dispensary shelves quickly ensuring a fresh and safe product, extending shelf life and reducing degradation. I'm looking forward to working with you and the panel, and please call me if you have any question.

Best Regards,

Sam Harris III  
CEO/President  
UGrow, Inc.

### **The UGrow Tracking System:**

- BTM Software system for Medical dispensaries is the industry leader.
- Preferred testing laboratory vendor.
- The laboratory module has integrated testing and seamless RFID tracking seed to sell solution.

### **Comprehensive approach:**

- Here are some of the analysis and services we offer whether the product is Flower, Extract or Edible type :
  - Qualitative/Quantitative Microbial Analysis
  - Pesticide testing
  - Heavy metals testing
  - Potency testing
  - Visual inspection with moisture analysis,
  - Residual solvent testing in extracted products.
  - Terpene Profile analysis
  - Development of Genetic Strain Analysis
  - Extraction Services

### **Methodology:**

Florida Specific's: Given the size of the state and considering 5 separate grow facilities one in each region. Logistics and transport will be important. The sheer cost of building laboratories, it is important that the State of Florida considers a more centralized solution.

### **Advantages:**

- Ensures a standardized testing facility with the exact same methodologies
- Reduce the overall cost outlays while allow for equipment redundancies to ensure no down time.
- Deploy lab trained personnel to the grow facility to accomplish sample collection to ensure non-bias collections
- Allows for continual facility inspection and conditions.
- Run routine soil or medium analysis for non-approved chemicals
- Quality assurance of the end product. The quality of the extraction is only as good as the base material it came from
- Reduces the cost of expensive extraction equipment to the grower/processor.
- Safety and Laboratory Quality/Expertise
- Testing of final product is automatic
- Ensures inventory controls.

**Disadvantage:** is having the entire states crop in a single facility as it pertains to crop safety and isolation/contamination. The alternative would be to develop a mobile packaging facility that can roll into a grow operation and accomplish this on-site.

- Product never leaves the grower's premise's
- Lower cost to the grower to maintain the equipment and personnel
- Each facility could still maintain branding specific to that grow

## Bist, Kevin

---

**From:** Heather Zabinofsky <zdazzlingmom@aol.com>  
**Sent:** Friday, January 16, 2015 1:49 PM  
**To:** Nelson, Patricia A  
**Subject:** COMMITTEE

Hi Patty,

It was a pleasure meeting you at the DOH meeting on December 30th, 2014. I look forward to being of whatever assistance to you that I possibly can on this important, precedent setting journey.

I am responding to you to request that I be included on the rule-making committee in one of the categories you have identified in your Notice. There are so many areas that I can assist with the formulation and implementation of the proposed rules and regulations that make sense to everyone involved. I am a Paralegal, a Master Cannabis Grower, and I am buying a "qualified nursery." I am also an interested party in the outcome of these proceedings.

I have had the opportunity to meet pretty much everyone interested in this industry and have found that most people involved in this process have never ever stepped foot onto any kind of a marijuana grow, let alone a medical marijuana growing facility. They seem to not be sure about the proper flow of the required operations and areas of compliance; somewhat looking for guidance with a crop that they are themselves unsure how to grow. While they do bring the business experience of having run a nursery, they are not knowledgeable about how to grow the plant in a medical environment with stringent protocols. Most of these same entities originally opposed testing, growing organically, and production in a-septic environments, which was part of my original testimony that they backed. We must assume a sense of responsibility to properly grow medical marijuana for patients to avoid any possibility of aggravating any onset symptoms or creating new problems. I am admittedly the only Master Grower to come forward with the technical experience in these areas that would be invaluable input into this process and to assist the Department and the Committee.

I have worked as a paralegal in all facets of the legal profession, including legislative rule making and implementation. My legal career began at a very young age working in a law firm while in the work experience program from school. I then went to work for the Public Defender's Office in Brevard and Seminole Counties under the watchful eye of Frank Kelley, Public Defender. I then spent most of my life in the legal profession, so my knowledge base is on all levels of State, County, Administrative, and Appellate, and some Federal. Also, some of my knowledge of the Florida Administrative Codes comes from being married to a Pharmacist for over 33 years and having to be intimately familiar with all governing laws related to pharmacy, physicians, procedural, boards, continuing education, and all that's related.

I have also authored, "THCA - The Hemp Cultivation Act," which is scheduled to be heard by our part-time legislature when they reconvene in March, 2015. This Act is the cultivation of Hemp that has zero THC, with allowances for a recycling plant to be established in Florida. I'm also working with United States Senators to get this Act heard nationally, its being written as we speak with several national sponsors already expressing interest.

I bring a vast amount of knowledge and expertise to the table as a Master Cannabis Grower regarding how marijuana is safely, economically and efficiently grown, dried, harvested, processed, and distributed. I am open minded about how the rules and regulations (F.A.C. 64-4) should be written in compliance with F.S. 381.986, and want the Department to be completely satisfied with compliance of low-THC Cannabis and low-THC Cannabis Derivatives rules and regulations in conjunction with the Statute, id. It is also important that there are elements of fairness regarding the implementation of these rules and regulations in their entirety by formulating rules and regulations that can be actually done on the grow site, including dispensing, and that essentially make sense to everybody involved including the physicians and patients, as well as the Counties and Cities in this State that are trying to write their ordinances.

I have personally presented testimony, sometimes being the only one to testify, to Orange County Commissioners and the City of Apopka City Councilmen and have made a huge difference in their anticipated ordinances while working with the County and City Managers and Attorneys, the Apopka Mayor and Chief of Police. To our favor, Orange County and the City of Apopka have both put a moratorium on their implementation of any ordinances until the Department concludes the process. I have also worked with many other cities and counties to help them with formulating their ordinances, most have placed moratoriums until the "state decides."

I am also on the lecture circuit and lecture globally about all facets of this industry. While attending these speaking engagements, I visit grow and dispensing facilities to check out what they're doing and to learn from them. My research into other states' laws, and rules and regulations, is extensive. I know many people throughout the country and could recommend all kinds of people in this industry, i.e., attorneys, dispensing organization owners, and or growers, and many others. Also, there is a lot of my personal research that may be of assistance in creating a knowledge base of this plant and how it is grown, this industry nationally, and which testing is required by other states. I have this and many other items that I will continue to forward to you, as we discussed at the meeting on Dec. 30th.

Finally, I am buying a "qualified nursery" and am in interested party in the outcome of these proceedings. The project at Baywood is approximately a 250 million dollar project. Baywood's grow site is approximately 109 acres of site plan development and will ultimately yield 6 to 7 million plants every 8 to 10 weeks, depending upon the medical grade strains selected for cultivation. I will forward to you some statistical data that I prepared which explains the supply and demand issues. You may find these stats interesting based upon the population of Florida and establishing a percentage of patients and physicians and dispensaries needed to meet this unprecedented high supply demand. But, there are approximately 21 different strains to choose from for the benefit of the patients, but not all will meet our criteria of .03 to .08 THC, and will test above at much higher levels. I have a patent on processing the product to test within the acceptable ranges without any affect on other much needed components of the medicine without the unnecessary destruction of much needed medicine. However, I believe that we currently have the testing ability to test the seeds to make that initial determination without first having the expense of growing, cultivating, and processing; a matter that I'm investigating. At Baywood, I am intending to grow as many of these strains as I can that meet F.S. 381.986, being within the .03 to .08 THC, because the variety will enable, along with their physicians, to have lots of choices to find the strain of medicine that works best for their symptoms. Baywood will be a "state-of-the-art" learning facility with extensive community outreach programs established to help communities in this State. With this variety of strains and by being a "state-of-the-art" facility, we can get superior products to the patients and help more people. And, with the growing methodology of organic hydroponics in greenhouses, we can get the products out there faster while not compromising on safety and being totally compliant.

I should be on this Committee because my standards for growing are high as I understand the importance of getting this medicine to patients quickly and safely. I also understand the importance of implementation of the statute for accountability and transparency of all concerned. I am invested in the process and am dedicated to the outcome! Finally, these proposed rules and regulations should be written simply and clearly without ambiguity. I have always remembered when I didn't know and how to nurture someone's understanding that is articulated with clarity.

I would appreciate the opportunity to be of service to the Department on this Committee and bring the skill-set to help get this done. Thank you for your consideration!

Respectfully submitted,  
Heather Z.

HEATHER ZABINOFSKY, C.E.O.  
MASTER GROWERS, P.A.  
5321 Shoreline Circle  
Sanford, Florida 32771  
321-544-6600  
[ZDazzlingMom@aol.com](mailto:ZDazzlingMom@aol.com)

**Bist, Kevin**

---

**From:** Nelson, Patricia A  
**Sent:** Friday, January 16, 2015 2:31 PM  
**To:** 'joelstanley@msn.com'  
**Subject:** Negotiated Rulemaking  
**Attachments:** 64-4 Negotiated Rulemaking.published.doc; 64-4 Text 1.15.15.doc

Mr. Stanley,

Thank you for agreeing to participate in the rule negotiation. I know that your knowledge and experience will be very helpful. I have attached the Notice of Negotiated Rulemaking that includes the time, date, and address for the negotiation meeting. I have also attached the latest draft of the rules. I envision continuing to develop this draft, publishing sequential drafts leading to the meeting. Please feel free to comment on this draft by email prior to the meeting if you have any thoughts.

Thank you,  
Patty

Patricia Nelson  
Director  
Office of Compassionate Use  
Florida Department of Health



## NOTICE OF DEVELOPMENT OF RULEMAKING

### DEPARTMENT OF HEALTH

#### Office of Compassionate Use

##### RULE NOS.: RULE TITLES:

64-4.001	Regulatory Structure Rule 1
64-4.002	Regulatory Structure Rule 2
64-4.003	Regulatory Structure Rule 3
64-4.004	Regulatory Structure Rule 4
64-4.005	Regulatory Structure Rule 5
64-4.006	Regulatory Structure Rule 6
64-4.007	Regulatory Structure Rule 7
64-4.008	Regulatory Structure Rule 8
64-4.009	Compassionate Use Registry

**PURPOSE AND EFFECT:** The Department of Health announces the convening of a negotiated rulemaking proceeding to address the regulatory structure for dispensing organizations of low-THC cannabis. The purpose of the negotiated rulemaking is to draft mutually acceptable proposed rules.

**SUBJECT TO BE ADDRESSED:** The subject and scope of the rules to be developed through negotiated rulemaking will be the regulatory structure for dispensing organizations of low-THC cannabis.

**RULEMAKING AUTHORITY:** 381.986 FS.

**LAW IMPLEMENTED:** 381.986 FS.

**NEGOTIATED RULEMAKING COMMITTEE:** The negotiated rulemaking committee members will be selected from the following representative groups:

1. A nursery that meets the criteria in Section 381.986(5)(b)1., Florida Statutes;
2. A qualified patient or patient representative;
3. A testing laboratory;
4. A member of the Florida Bar experienced in administrative law;
5. An individual with demonstrated experience in sound agricultural practices and necessary regulation;
6. A physician authorized to order low-THC Cannabis products for qualified patients;
7. An individual with demonstrated experience establishing or navigating regulatory structures for cannabis in other jurisdictions; and
8. Representatives of the Department of Health.

If you believe that your interests are not adequately represented by the committee members listed above, you may apply to participate within 30 days of the date of publication of this notice. Your application must contain the following information: your name, business address, and telephone number; the name of any organization you are representing; a description of the organization or the members of the organization; a description of how the proposed rulemaking proceedings will affect you or the parties that you represent; a statement identifying the reasons why you believe the representative groups listed above will not adequately represent your interests; and a statement that you are willing to negotiate in good faith and can attend the scheduled meeting. Please submit your application to Patricia Nelson, Department of Health, 4052 Bald Cypress Way, Bin A-02, Tallahassee, Florida 32399, email address: [Patricia.Nelson@flhealth.gov](mailto:Patricia.Nelson@flhealth.gov).

##### NEGOTIATED RULEMAKING COMMITTEE MEETING:

The committee will meet at the following date, time, and place to discuss rule development: February 4, 2015, 8:00 a.m. - 10:00 p.m. and February 5, 2015, 8:00 a.m. until concluded, Department of Health, Room 301, 4052 Bald Cypress Way, Tallahassee, FL 32399.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 72 hours before the meeting by contacting Sophia Flowers, Department of Health, (850)245-4005, [Sophia.Flowers@flhealth.gov](mailto:Sophia.Flowers@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1 (800)955-8771 (TDD) or 1 (800)955-9770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Patricia Nelson, Department of Health, 4052 Bald Cypress Way, Bin A-02, Tallahassee, Florida 32399, Email address: Patricia.Nelson@flhealth.gov  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

RULE NO.:	RULE TITLE:
64-4.001	Definitions
64-4.002	Initial Application Requirements for Dispensing Organizations
64-4.003	Biennial Renewal Requirements for Dispensing Organizations
64-4.004	Revocation of Dispensing Organization Approval
64-4.005	Inspection Procedures
64-4.006	Identification, Labeling and Testing
64-4.007	Recordkeeping and Reporting Requirements
64-4.008	Procedural Requirements
64-4.009	Compassionate Use Registry

**64-4.001 Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings indicated:

(1) Applicant – An organization that meets the requirements of Section 381.986(5)(b)1., F.S., applies for approval as a dispensing organization, and identifies a nurseryman as defined in s. 581.011 who will serve as the operator.

(2) Approval – Written notification from the department to an applicant that its application for dispensing organization approval has been found to be in compliance with the provisions of this chapter and that the department is awaiting notification that it is prepared to be inspected and authorized to begin cultivation and other operations.

(3) Authorization – Written notification by the department to a dispensing organization that it may begin specific phases of operation including cultivation, harvesting, processing, dispensing and other activities authorized by this chapter involving the possession of low-THC cannabis and the production of low-THC cannabis derivative products. Authorization may be requested and given in stages as the infrastructure and staffing requirements of the operation are completed.

(4) Batch - means a specific lot of low-THC cannabis derivative product produced from one or more harvests of low-THC cannabis plants that are processed or blended into a uniform mixture before portioning such that all products bearing the same batch number would be expected to be representative of the entire batch for the purpose of laboratory testing.

(5) Batch number - means a unique numeric or alphanumeric identifier assigned to a batch by a dispensing organization when the batch is portioned and packaged for dispensing.

(6) Certified financials - [TBD]

(7) Cultivation - means the growth of source plant or tissue culture material.

(8) Derivative product – means forms of low-THC cannabis suitable for routes of administration, e.g., vapor, resins, salts, extracts, capsules, oral sprays, nasal sprays, and any compound, manufacture, mixture or preparation derived from low-THC cannabis that is dispensed by a dispensing organization.

(9) Dispensing Region – A geographical area where the growing and production of low-THC cannabis under the control of a dispensing organization occurs. The five dispensing regions shall be identified as follows:

(a) Northwest Florida Region consisting of Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Santa Rosa, Okaloosa, Taylor, Wakulla, Walton, and Washington counties.

(b) Northeast Florida Region consisting of Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette, Levy, Marion, Nassau, Putnam, St. Johns, Suwannee, and Union counties.

(c) Central Florida Region consisting of Brevard, Citrus, Hardee, Hernando, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, St. Lucie, Sumter, and Volusia counties.

(d) Southwest Florida Region consisting of Charlotte, Collier, DeSoto, Glades, Hendry, Highlands, Hillsborough, Lee, Manatee, Okeechobee, and Sarasota counties.

(e) Southeast Florida Region consisting of Broward, Dade, Martin, Monroe, and Palm Beach counties.

(10) Dispensing Organization – an organization that meets the requirements of Section 381.986(5)(b)1., F.S., which has been approved by the department to cultivate, process and dispense low-THC cannabis.

(11) Dispensing Organization Facility – One or multiple structures on contiguous properties that are used by the dispensing organization for the preparation, cultivation, storage, processing, or dispensing of low-THC cannabis.

(12) Harvest – A specific lot of low-THC cannabis plants grown from one or more seeds, cuttings or tissue cultures, that are planted, cloned or cultured and harvested at the same time such that any plant in the harvest is expected to be representative of the entire harvest for the purposes of laboratory testing.

(13) Harvest number - means a unique numeric or alphanumeric identifier assigned to a harvest by a dispensing organization when the harvest is planted.

(14) Inventory Agent – An employee of the dispensing organization who has been designated in writing to have oversight of the inventory control system.

(15) Manager – Any person with the authority to exercise operational direction or management of the dispensing organization or the authority to supervise any employee of the dispensing organization such as, the following:

(a) All directors, officers, board members and managers identified in the most recent annual report filed with the Florida Division of Corporations;

(b) The inventory agent;

(c) The security director;

(d) The medical director; and

(e) If the dispensing organization is a joint venture, all persons who have a direct or indirect interest in each joint venture partner as well as all persons who have the authority to exercise operational direction or management of the dispensing organization or have the authority to supervise any employee of the dispensing organization.

(16) Owner – Any person, including any individual or other legal entity, with a direct or indirect ownership interest of 5% or more in the applicant, including the possession of stock, equity in capital, or any interest in the profits of the applicant.

(17) Permanent resident – A person has his or her true, fixed and permanent home in Florida to which, whenever absent, he or she has the intention of returning. Once a permanent residence is established in Florida it is presumed to continue until the resident shows that a change has occurred. Any person who has established a residence in this state may manifest and evidence the same by filing a sworn statement pursuant to Section 222.17, F.S.

(18) Routes of administration – means the path by which a low-THC cannabis derivative product is ordered by a physician to be taken into the body, and includes oral, topical, transdermal, and nasal administration.

(19) Sanitation Protocol - A set of identified policies and procedures of an applicant or dispensing organization that details required sanitation procedures within the dispensing organization facility including personnel and visitor dress protocols, equipment sanitation requirements, facility sanitation requirements, disposal procedures, and employee hygiene requirements.

(20) Tissue culture – Technique of cultivating low-THC cannabis plant tissue in a prepared medium and the low-THC cannabis plant tissue so cultivated.

(21) Transportation plan – Method of transporting up to a 90-day supply of low-THC cannabis derivative product for each qualified patient served on the trip from the dispensing organization to qualified patients in the state which documents, at a minimum, confirmation of the order from the registry, confirmation from the qualified patient that he or she requests delivery, place of delivery, date and time of trip, route of transportation, security of the low-THC cannabis product or products being transported, signature of the qualified patient or the qualified patient's legal representative receiving the order, and creation and maintenance of a log of all low-THC derivative products transported.

Rulemaking Authority 381.986(5)(d) FS. Law Implemented 381.986(5)(b) FS. History—New\_\_\_\_\_.

#### 64-4.002 Initial Application Requirements for Dispensing Organizations.

Each nursery that meets the requirements of Section 381.986(5)(b)1., F.S., desiring to be approved as a dispensing organization shall make application to the department using Form DH8006-OCU-12/2014, "Application for Low-THC Cannabis Dispensing Organization Approval" herein incorporated by reference and available at <https://flrules.com/gateway/reference.asp?No=Ref-#####>. The completed application form must include the following:

(1) An initial application fee of \$x.xx;

(2) An explanation or written documentation, as applicable, showing how the Applicant meets the statutory criteria listed in section 381.986(5)(b), F.S. In any explanation, the Applicant must address each item listed for each criterion below. The Applicant must disclose the name, position, and resume of the employee(s) who provides the knowledge or experience explained for each item.

(a). The technical and technological ability to cultivate and produce low-THC cannabis. Please address the following items:

1. Experience cultivating cannabis;

2. Experience growing plants not native to Florida;

3. Experience cultivating plants for human consumption such as food or medicine products;

4. Experience with tissue culturing or plant genetics;
5. Experience using clean growing rooms;
6. Knowledge of cannabis cultivation, including:
  - a. Proper cultivation conditions and techniques;
  - b. Additives that can be used when growing cannabis;
  - c. Pests and nutritional deficiencies common for cannabis;
  - d. Production of high quality product in a short time.
7. Experience with tracking each plant in a harvest;
8. Experience with good manufacturing practices;
8. Experience with analytical and organic chemistry;
9. Experience with analytical laboratory methods;
10. Experience with analytical laboratory quality control, including maintaining a chain of custody;
11. Knowledge of and experience with CBD/low-THC extraction techniques;
12. Knowledge of CBD/low-THC routes of administration;
13. Knowledge of and experience with producing CBD/low-THC products;
14. Experience interacting with patients;
15. Experience with handling confidential information;
16. Experience gathering and managing data, i.e. data on patient reactions to products dispensed; and
17. Any awards or recognition received for relevant expertise.

(b) Written documentation demonstrating that the applicant must possess a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to s. 581.131 that is issued for the cultivation of more than 400,000 plants, is operated by a nurseryman as defined in s. 581.011, and has been operated as a registered nursery in this state for at least 30 continuous years.

(c) The ability to secure the premises, resources, and personnel necessary to operate as a dispensing organization. Please address the following items, and include maps and/or photos for each:

1. Location of all properties Applicant proposes to utilize to cultivate, produce, and distribute low-THC cannabis, including ownership information for the properties and any lease terms if applicable;
2. Site plan for each property proposed;
3. Description of the areas proposed for the cultivation of low-THC cannabis, including the following:
  - a. Capacity, in number of plants;
  - b. Cultivation environment, e.g., greenhouse, clean room, aseptic, et cetera;
  - c. Irrigation system(s);
  - d. Lighting control system(s);
  - e. Temperature control system(s); and
  - f. Any equipment or processes designed to reduce the environmental impact of the chosen cultivation technique(s);
4. Back-up systems for all cultivation and processing systems;
5. Description of any onsite laboratory facilities, including the following:
  - a. Extraction equipment and location;
  - b. Concentration equipment and location;
  - c. Analytical equipment, including separators and detectors, and location;
  - d. Safety equipment and facilities and location;
  - e. Computer systems and software;
  - f. Any equipment or processes designed to reduce the environmental impact of the any laboratory processes, e.g., solvent recapture;
6. Description of the areas proposed for the production of low-THC cannabis derivative products, including the following:
  - a. Production equipment; and
  - b. Any equipment designed to reduce the environmental impact of the chosen production technique(s).
7. Description of the areas proposed for the distribution of low-THC cannabis derivative products, including the following:
  - a. Accessibility of dispensing facilities, e.g., centrally located to several populated areas, located on a main roadway, not in a high crime area, et cetera; and
  - b. Proximity of dispensing facilities to patient populations.
8. A list of current and proposed staffing including position, duties and responsibilities;

9. An organizational chart illustrating the supervisory structure of the proposed dispensing organization;  
and

10. Plans and procedures for loss of key personnel.

(d) The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances. Please address the following items for each property or location:

1. Floor plan of each facility or proposed floor plans for proposed facilities, including the following:

- a. Locking options for each means of ingress and egress;
- b. Alarm systems;
- c. Video surveillance;
- d. Name and function of each room;
- e. Layout and dimensions of each room;

2. Diversion and trafficking prevention procedures;

3. A facility emergency management plan;

4. System for tracking cuttings, seedlings, or seeds throughout the cultivation, processing, and distribution processes;

5. Vehicle tracking systems;

6. Vehicle security systems;

7. Methods of screening and monitoring employees;

8. Personnel qualifications and experience with chain of custody or other tracking mechanisms;

9. Personnel reserved solely for inventory control purposes; and

10. Access to specialized resources or expertise regarding security or tracking.

(e) An infrastructure reasonably located to dispense low-THC cannabis to registered patients statewide or regionally as determined by the department. Please address the following items:

1. A map showing the location of the applicant's proposed dispensing facilities;

2. A site plan of the actual or proposed dispensing location showing streets; property lines; buildings; parking areas; outdoor areas, if applicable; fences; security features; fire hydrants, if applicable; and access to water and sanitation systems; and

3. A floor plan of the actual or proposed building or buildings where dispensing activities will occur showing:

a. Areas designed to protect patient privacy;

b. Areas designed for patient consultation;

4. A centralized computer system or network utilized by all facilities;

5. Vehicles that will be used to transport product among cultivating, producing, and dispensing facilities;

6. Communication systems;

7. Vehicle tracking and security systems; and

8. Hours of operation of each dispensing facility.

(f) The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financials to the department. In addition to submitting certified financials, please address the following items (or reference to where that item appears in the certified financials):

1. Applicant's corporate structure;

2. All owners of the Applicant;

3. All subsidiaries of the Applicant;

4. Any other individuals or entities for which the Applicant is financially responsible;

5. Assets of the Applicant and Applicant's subsidiaries;

6. Liabilities of the Applicant and Applicant's subsidiaries;

7. Any pending lawsuits to which the Applicant is a party;

8. Any lawsuits within the past 10 years to which the Applicant was a party; and

9. All financial obligations of Applicant that are not listed as a "liability" in the certified financials.

(g) That all owners and managers have been fingerprinted and have successfully passed a level 2 background screening pursuant to s. 435.04, F.S. within the calendar year prior to application. Please submit the screening report for each owner and manager, including a list of all owners and managers indicating the date of each individual's most recent Level-2 background screening.;

(h) The employment of a medical director who is a physician licensed pursuant to chapter 458 or chapter 459, F.S. to supervise the activities of the proposed dispensing organization.

(i) The ability to post a \$5 million performance bond [conditions TBD] for the biennial approval cycle.

(3) If the applicant intends to claim any exemption from public records disclosure under Section 119.07, F.S., or any other exemption from public records disclosure provided by law for any part of its application, it shall indicate on the application the specific sections for which it claims an exemption and the basis for the exemption.

(4) Failure to submit the \$x.xx application fee or documentation sufficient to establish the applicant meets the requirements of section 381.986(5)(b), F.S., shall result in the application being denied prior to any scoring as contemplated in section (5) of this rule.

(5) Any "Application for Low-THC Cannabis Dispensing Organization Approval" and all required exhibits and supporting documents shall be delivered to the Agency Clerk of the Department of Health physically located at 2585 Merchants Row Boulevard in Tallahassee, Florida, no earlier than 10:00 AM, Eastern Time, on the effective date of this rule and no later than 5:00 PM, Eastern Time, xx calendar days after the effective date of this rule.

(a) The department will substantively review, evaluate, and score applications using Form DH8007-OCU-12/2014, "Scorecard for Low-THC Cannabis Dispensing Organization Selection" herein incorporated by reference and available at <https://flrules.com/gateway/reference.asp?No=Ref-#####>. The scorecard includes each of the items listed above with each item weighted [TBD]. Each item will be scored on a scale of [TBD] then multiplied by the weighting factor [TBD]. The department's substantive review will be completed by:

1. Director of the Office of Compassionate Use;
2. A member of the Drug Policy Advisory Council appointed by the State Surgeon General; and
3. A Certified Public Accountant appointed by the State Surgeon General.

Scorecards from each of the three substantive review panel members will be combined to generate an aggregate score for each application. The applicant with the highest aggregate score in each dispensing region shall be selected as the region's dispensing organization.

(b) Upon notification that it has been selected as a region's dispensing organization, the applicant shall have 10 calendar days to post a \$5 million performance bond.

(c) If the selected applicant fails to post the bond within the required timeframe, the applicant with the next highest score in the dispensing region shall be selected and notified.

Rulemaking Authority 381.986(5)(d) FS. Law Implemented 381.986(5)(b) FS. History—New \_\_\_\_\_.

#### 64-4.003 Biennial Renewal Requirements for Dispensing Organizations.

(1) No less than six months prior to the expiration of an existing dispensing organization's two year authorization to dispense low-THC cannabis derivative products, the dispensing organization shall make application for renewal of the dispensing organization approval using Form DH8006-OCU-096/2014, "Application for Low-THC Cannabis Dispensing Organization Approval" herein incorporated by reference and available at <https://flrules.com/gateway/reference.asp?No=Ref-#####>, indicating that the application is a renewal application.

(2) In addition to the completed application form, dispensing organization renewal applicants shall:

(a) Demonstrate that they continue to meet the requirements of Section 381.986(5)(b)1.-7., F.S., by updating the documentation submitted with the original application or providing a notarized statement that there have been no changes;

(b) Provide written documentation that any violations noted during any inspections or investigations by the department have been corrected;

(c) Provide written documentation of compliance with the financial requirements of Section 381.986(5)(b)5., F.S., for the previous two years;

(d) Report how much cannabis oil was produced in the previous two years of operation; and

(e) Report how many patients were served in the previous two years of operation.

(3) If the dispensing organization meets the requirements of Section 381.986(5)(b), F.S., and this chapter, the department shall notify the dispensing organization that it intends to renew the approval.

(4) Upon notification that its renewal will be approved, the dispensing organization shall have 30 calendar days to pay a nonrefundable \$xx renewal fee to the department and to provide proof that its \$5 million performance bond remains in effect.

(5) If the dispensing organization fails to renew within the required timeframes, the department shall seek new applications for a dispensing organization in the applicable dispensing region by posting notice in the Florida Administrative Register and thereafter following the procedures in rule 64-4.002, F.A.C.

(6) A dispensing organization that fails to renew its approval shall not dispense low-THC cannabis products after midnight local time on the date that its authorization expires and shall destroy through incineration all low-THC cannabis in its possession within 48 hours of the last dispensing day. Any undestroyed low-THC cannabis