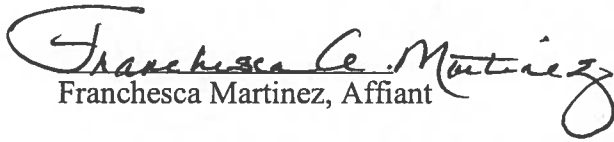


Affidavit of Notice to the Public

I, Franchesca Martinez, the undersigned, on oath, swear and affirm that the Notice of the Public Hearing for the proposed adoption of amendments to Department of Health's Medical Cannabis Program rules 7.34.2, 7.34.3, and 7.34.4 NMAC was provided to the public as identified below:

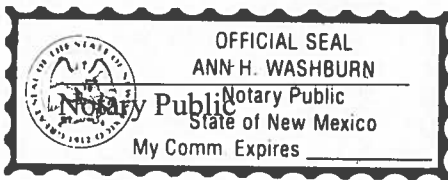
1. On June 11, 2019, I confirmed that the Notice of Public Hearing was electronically posted on the New Mexico Department of Health agency website at <http://nmhealth.org/publication/rules/>, in accordance with the State Rules Act at NMSA 1978, § 14-4-5.2.
2. On June 11, 2019, I electronically posted the Notice of Public Hearing on the New Mexico Sunshine Portal website, in accordance with the State Rules Act at NMSA 1978, § 14-4-5.2.
3. On June 11, 2019, I emailed the Notice of Public Hearing to persons who have made a written request for notice from the agency of announcements addressing the subject of rulemakings and who have provided the agency an electronic mail address, in accordance with the State Rules Act at NMSA 1978, § 14-4-5.2. The list of persons who requested notice includes the following persons: Tim Gardner, tgardner@drnm.org; and Marilyn Wolfe, MWolfe@drnm.org.
4. No persons have provided a postal address to request written notice by postal mail.
5. On June 11, 2019, I emailed the Notice of Public hearing to Laurie Canepa at the New Mexico Legislative Counsel Service, at laurie.canepa@nmlegis.gov, in accordance with the State Rules Act at NMSA 1978, § 14-4-5.2.
6. On June 11, 2019, I emailed the Notice of Public Hearing to Johanna Nelson of New Mexico Small Business Regulatory Advisory Commission, the identified contact person for the receipt of proposed rule changes, at Johanna.nelson@state.nm.us, pursuant to the Small Business Regulatory Relief Act at NMSA 1978, § 14-4A-4.

FURTHER AFFIDANT SAYETH NAUGHT.


Franchesca Martinez, Affiant

State of New Mexico
County of Santa Fe

SWORN TO and SUBSCRIBED before me on the 11th day of June, 2019, by
Franchesca Martinez.



07/02/2020
My commission expires

Martinez, Franchesca, DOH

From: Martinez, Franchesca, DOH
Sent: Tuesday, June 11, 2019 9:49 AM
To: 'tgardner@drnm.org'
Subject: Notice of Public Hearing.
Attachments: Notice of Hearing.pdf

Importance: High

Hello,

You are receiving this message because you requested to be notified of any rulemakings by the New Mexico Department of Health. Attached is a rule hearing notice for proposed amendments to the Medical Cannabis Program rules, 7.34.2, 7.34.3, and 7.34.4 NMAC. Please inform me if you have any difficulty opening this document.

Respectfully,

Franchesca A. Martinez
Legal Secretary-A



Accredited since 2015

Office of General Counsel
1190 St. Francis Drive, Ste. N4095
Santa Fe, NM 87502
ph:(505) 827-2997
fax:(505) 827-2930
www.nmhealth.org



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Martinez, Franchesca, DOH

From: Martinez, Franchesca, DOH
Sent: Tuesday, June 11, 2019 9:51 AM
To: 'MWolfe@drnm.org'
Subject: Notice of Public Hearing.
Attachments: Notice of Hearing.pdf

Importance: High

Hello,

You are receiving this message because you requested to be notified of any rulemakings by the New Mexico Department of Health. Attached is a rule hearing notice for proposed amendments to the Medical Cannabis Program rules, 7.34.2, 7.34.3, and 7.34.4 NMAC. Please inform me if you have any difficulty opening this document.

Respectfully,

Franchesca A. Martinez
Legal Secretary-A



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Martinez, Franchesca, DOH

From: Martinez, Franchesca, DOH
Sent: Tuesday, June 11, 2019 9:53 AM
To: 'laurie.canepa@nmlegis.gov'
Subject: Notice of Public Hearing.
Attachments: Notice of Hearing.pdf

Importance: High

Ms. Canepa:

By this message I am providing a copy of a rule hearing notice to the New Mexico Legislative Counsel Service, in accordance with the State Rules Act at NMSA 1978, § 14-4-5.2. A copy of the notice is attached to this e-mail. The hearing will be held to consider various proposed amendments to the Department of Health's Medical Cannabis Program rules at 7.34.2, 7.34.3, and 7.34.4 NMAC. Please inform me if you have any difficulty opening this document.

Respectfully,

Franchesca A. Martinez
Legal Secretary-A



Accredited since 2015

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Santa Fe, NM 87502
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Martinez, Franchesca, DOH

From: Martinez, Franchesca, DOH
Sent: Tuesday, June 11, 2019 9:57 AM
To: Nelson, Johanna, EDD
Subject: Notice of Public Hearing.
Attachments: Notice of Hearing.pdf

Importance: High

Ms. Nelson:

By this message I am providing a copy of a rule hearing notice to the New Mexico Small Business Regulatory Advisory Commission, in accordance with the Small Business Regulatory Relief Act at NMSA 1978, § 14-4A-4. A copy of the notice is attached to this e-mail. The hearing will be held to consider various proposed amendments to the Department of Health's Medical Cannabis Program rules at 7.34.2, 7.34.3, and 7.34.4 NMAC. Please inform me if you have any difficulty opening this document.

Respectfully,

Franchesca A. Martinez
Legal Secretary-A



Accredited since 2015

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1190 St. Francis Drive, Ste. N4095
Santa Fe, NM 87502
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Rule Hearing Search

Hearing Date: Comments Agency:

All Deadline Date: Department of Health

[Return to Search Results](#)

Proposed Rule Name:

Adoption of Amendments to MCP rules 7.34.2, 7.34.3, and 7.34.4 NMAC

Agency:

Department of Health

Purpose:

The public hearing will be conducted to receive public comment on the various proposed amendments to sections of Parts 7.34.2, 7.34.3, and 7.34.4 NMAC.

Summary:

The New Mexico Department of Health (Department) will hold a public hearing on proposed amendments to various rule sections of the Department's Medical Cannabis Program rules at Parts 7.34.2, 7.34.3, and 7.34.4 NMAC. The hearing will be held on July 12, 2019 at 9:00 a.m. in the auditorium of the Harold Runnels Building, located at 1190 St. Francis Drive in Santa Fe, New Mexico.

The proposed rule amendments include:

- Revisions to nonprofit producer licensure requirements, including cannabis plant limits, licensing fee requirements, and the specification of certain quarterly reporting requirements;
 - Revisions to standards concerning bases for disciplinary actions against licensed producers, and revisions to the fines applicable to licensed nonprofit producers;
 - Revisions to personal production license (PPL) standards, including provisions regarding who may hold a PPL and where a PPL holder may grow cannabis plants;
 - Addition of a licensing provision for school districts, public schools and charter schools, and their designated school personnel, to possess, store and administer cannabis for qualified students, in accordance with recent changes to the Public Schools Code;
 - Modification of the patient enrollment period from the current one-year period to three years;
 - Revision of certain hepatitis C eligibility requirements;
 - Inclusion of certain annual submittal requirements for qualified patients;
 - Removal of the 70% THC concentration limit for cannabis-derived products;
 - Removal of the prohibition against certifications conducted by telemedicine, and inclusion of certain requirements applicable to such certifications;
 - Revisions to the Medical Cannabis Advisory Board membership requirements;
- and
- Various revisions and additions to definitions in all three rule parts.

Administratives Codes:

7.34.2 NMAC

7.34.3 NMAC

7.34.4 NMAC.

Rule Complete Copy :

Free copies of the full text of the proposed rule amendments can be obtained online from the New Mexico Department of Health's website at

<http://nmhealth.org/about/asd/cmo/rules/>

(<http://nmhealth.org/about/asd/cmo/rules/>) or from Andrea Sundberg at:

Andrea Sundberg

NM Department of Health

Medical Cannabis Program

P.O. Box 26110

Santa Fe, NM 87502-6110

Or at:

[MCP.comment@state.nm.us \(mailto:MCP.comment@state.nm.us\)](mailto:MCP.comment@state.nm.us)

Corrections:

[Click Here to access Rule Corrections](#)

(<http://nmhealth.org/publication/rules/>)

Rule Explanatory Statement:

How to submit Comments:

Interested members of the public may attend the hearing and submit data, views, or arguments either orally or in writing on the proposed rule amendments during the hearing. Written public comment may also be submitted prior to the date of the hearing.

When are comments due:

7/11/2019 5:00 PM

Hearing Date:

7/12/2019 9:00 AM

Public Hearing Location:

The hearing will be held in the auditorium of the Harold Runnels Building, located at 1190 St. Francis Drive in Santa Fe, New Mexico 7/12/2019 (9:00 AM -5:00 PM)

How to participate:

Any interested member of the public may attend the hearing and submit data, views, or arguments either orally or in writing on the proposed rule amendments during the hearing. Written public comment may also be submitted prior to the date of the hearing. Please submit any written comments regarding the proposed rule amendments to the attention of :

Andrea Sundberg

NM Department of Health

Medical Cannabis Program

P.O. Box 26110

Santa Fe, NM 87502-6110

Or at:

[MCP.comment@state.nm.us \(mailto:MCP.comment@state.nm.us\)](mailto:MCP.comment@state.nm.us)

All written comments must be received by 5:00 p.m. MDT on July 11, 2019. All

written comments will be published on the agency website at

<http://nmhealth.org/about/asd/cmo/rules/>

(<http://nmhealth.org/about/asd/cmo/rules/>) within 3 days of receipt, and will be available at the New Mexico Department of Health Medical Cannabis Program for public inspection.

[Click Here to access the Rule Explanatory Statement](#)

[\(http://nmhealth.org/publication/rules/\)](http://nmhealth.org/publication/rules/)

Related New Mexico Register Publications:

[Click Here to access Related New Mexico Publications](#)

http://164.64.110.134/nmac/nmregister/xxx/DOHnotice_xxx11.html

For any additional information or questions concerning this rule making or posting please contact:

Andrea Sundberg
mcp.comment@state.nm.us
(505) 827-2318

Last Updated Date
6/11/2019 9 06 AM

① If the document is not visible on the previewer, please download the file.

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[Communications](#) » [Rules & Regulations](#)

Rules & Regulations

This webpage contains materials from the New Mexico Department of Health (NMDOH) rulemakings conducted after 7/1/2017. This page is updated periodically to include new materials from ongoing or concluded rulemakings of the agency. You can view notices, proposed rules, and adopted rules from this webpage.

To view the complete rulemaking record for any rule listed here for which the rulemaking has concluded, please visit the [Rule Hearing Search](#) page on the New Mexico Sunshine Portal website. Pursuant to the State Rules Act, the Sunshine Portal includes materials in addition to those listed here.

Records from rulemakings that concluded prior to 7/1/2017 are not available online, but can be obtained by submitting a Inspection of Public Records Act (IPRA) request for records. To learn more about IPRA, please visit the [Inspection of Public Records](#) section of our website.

Pending Rulemakings

2019

Medical Cannabis Program — [NMAC 7.34.x](#)

- [NMAC Rule Change - 2019 - MCP - Public Notice](#)
 - [Proposed 7.34.2](#)
 - [Proposed 7.34.3](#)
 - [Proposed 7.34.4](#)

Medical Cannabis Program — [NMAC 7.34.4.8](#)

- [NMAC Rule Change - 2019 - MCP - Emergency Amendment](#)

2018

Certified Nurse Midwives — [NMAC 16.11.2](#)

- [NMAC Rule Repeal - 2018 - MWP - Public Notice](#)
 - [Proposed 16.11.2](#)

Statewide Immunization Registry — [NMAC 7.5.5](#)

- [NMAC Rule Adoption - 2018 - PHD - Public Notice](#)
 - [Proposed 7.5.5](#)

Crisis Triage Centers — [NMAC 7.30.13](#)

- [NMAC Rule Change - 2018 - DHI - Public Notice](#)
 - [Proposed 7.30.13](#)
 - [Public Comments](#)

Comprehensive Behavioral Health Standards — NMAC 7.20.2

- [NMAC Rule Change - 2018 - CBHS - Public Notice](#)
 - [Proposed 7.20.2](#)
 - [Transmittal Forms](#)
 - [Hearing Officer Report](#)
 - [Statement of Reasons](#)
 - [Audio from Public Hearing](#)

Concluded Rulemakings

2017

Health Information System Public Access Website — NMAC 7.1.29

- [NMAC Rule Change - 2017 - HIS - Public Notice](#)
 - [Proposed 7.1.29](#)
 - [Transmittal Forms](#)
 - [Hearing Officer Report](#)
 - [Statement of Reasons](#)
 - [Adopted 7.1.29](#) (Effective 12/26/2017)

Emergency Medical Systems — NMAC 7.27.x

- [NMAC Rule Change - 2017 - EMS - Public Notice](#)
 - [Proposed 7.27.2](#)
 - [Proposed 7.27.6](#)

- Proposed 7.27.8
- Proposed 7.27.11
- Proposed 7.27.13
- Transmittal Forms
- Hearing Officer Report
- Statement of Reasons
- Adopted 7.27.2 (Effective 12/12/2017)
- Adopted 7.27.6 (Effective 12/12/2017)
- Adopted 7.27.8 (Effective 12/12/2017)
- Adopted 7.27.11 (Effective 12/12/2017)
- Adopted 7.27.13 (Effective 12/12/2017)