

Woodward, Chris, DOH

From: Kunkel, Kathy, DOH
Sent: Monday, March 4, 2019 5:36 PM
To: Woodward, Chris, DOH
Cc: Jacobs, Daniel M., DOH
Subject: FW: Cultivation Info - medical cannabis plant count decision

Kathleen M. Kunkel
Secretary



Accredited since 2015

New Mexico Department of Health
1190 St. Francis Drive
Santa Fe, NM 87505
ph: (505) 827-2613
fax:(505) 827-2530
www.nmhealth.org



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[Redacted content]

[Redacted content]

[Redacted content]

[REDACTED]

[REDACTED]

[REDACTED]

From: Kunkel, Kathy, DOH
Sent: Saturday, February 23, 2019 6:24 PM
To: Wishner, Jane, GOV
Subject: RE: Cultivation Info

Yes I think we might do that. I have been reading all day. It is odd that we are only state with a plant count. Right now I am trying to figure out last possible date to hold a rule hearing (looks like July 5) in time to control the plant expansion of Ultra. They cannot produce a new crop for 16 weeks, so I have roughly 4 months to manage this.

If we do not have a plant count I do not know how we can charge for a license, but the court order removes plant count absent a rational basis-so unless we get a deal between now and Friday, we cannot charge to renew any license between March 1 and the effective date of the new rule.

But, we may be able to come up with a better plan than plant count. I just do not have enough information yet.

Still working on it

Kathy
Kathleen M. Kunkel
Secretary



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From: Wishner, Jane, GOV
Sent: Saturday, February 23, 2019 6:18 PM
To: Kunkel, Kathy, DOH <Kathy.Kunkel@state.nm.us>
Subject: Re: Cultivation Info

Hmmm. Should we rethink the adequate supply section of the statute this weekend? Not sure facility size is something you could do absent additional language. We could also include a temporary plant count limit number much lower than 5,000.

Sent from my iPhone

On Feb 23, 2019, at 5:01 PM, Kunkel, Kathy, DOH <Kathy.Kunkel@state.nm.us> wrote:

fyi

Kathyleen M. Kunkel
Secretary

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New Mexico Department of Health
1190 St. Francis Drive
Santa Fe, NM 87505
ph: (505) 827-2613
fax:(505) 827-2530
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From: Kunkel, Kathy, DOH
Sent: Saturday, February 23, 2019 5:01 PM

To: Vigil, Kenny C, DOH <KennyC.Vigil@state.nm.us>; Sanchez-Sandoval, Gabrielle, DOH <Gabrielle.SanchezSandoval@state.nm.us>; Woodward, Chris, DOH <Chris.Woodward@state.nm.us>
Subject: RE: Cultivation Info

Interesting. So no other state has a plant count? Why did we take such a different path? What are the pros and cons of taking the facility size approach?

Thank you

Kathy

Kathleen M. Kunkel
Secretary

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Santa Fe, NM 87505
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fax:(505) 827-2530
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From: Vigil, Kenny C, DOH
Sent: Saturday, February 23, 2019 3:51 PM
To: Kunkel, Kathy, DOH <Kathy.Kunkel@state.nm.us>; Sanchez-Sandoval, Gabrielle, DOH <Gabrielle.SanchezSandoval@state.nm.us>; Woodward, Chris, DOH <Chris.Woodward@state.nm.us>
Subject: Cultivation Info

Secretary Kunkel:

I know you asked for three states and their plant count limits and how they're determined. MCP had started working to compile info earlier this month. We have been unable to find plant count limits in other states. As I had mentioned in earlier conversations, most are determined by facility size. Some are based on what applicants say they will grow in their initial application. I will continue to look to see if I can find any other information in the next day.

For now, here's what we've been able to piece together. I will see what I can find for other states.

Thanks,

<image007.jpg>

Kenny Vigil
Director

Medical Cannabis Program
1474 Rodeo Rd.
Santa Fe, NM
505-827-2321
www.nmhealth.org

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