

Sunset Advisory Commission
Board and Commission Review of the Marijuana for Symptom Relief Oversight Committee.

The Commission reviews every State board and commission and takes testimony regarding whether each board or commission should continue to operate or be eliminated and whether the powers and duties of any board or commission should be revised. Each board and commission has the burden of justifying its continued operation.

The Commission also reviews whether members of a board or commission should be entitled to a per diem and, if so, the amount of that per diem.

In testifying before the Commission, you should be able to provide the following information:

1. In general, how often does the board and commission meet? Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found.

In general, the Committee meets multiple times per year, more commonly in the fall/winter months. Meetings have been held on the following dates over the past 24 months: December 2019, November 2019, October 2019, April 2019, March 2019, January 2019, and December 2018. Agendas and Minutes of the Committee can be found on the Vermont Marijuana Registry website at the address below:

<https://medicalmarijuana.vermont.gov/committees-and-boards/oversight-committee>

2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive.
 - Dr. Joseph McSherry - Physician Appointed by the Vermont Medical Society
 - Angel Means - Registered Nurse Appointed by the Governor
 - John Gonyea – Designee of the Department of Public Safety

It should be noted that in addition to the members noted above there are five patient representatives appointed (one by each dispensary) and one patient representative appointed by the Governor. However, their identities are not listed here due to privacy considerations given their status as patients. Additionally, the representative from the Vermont League of Cities and Towns and the representative jointly appointed by the Vermont Sheriffs' Association and the Vermont Association of Chiefs of Police are currently vacant. The Per Diem rate for meeting participation is currently set at \$50.00 per meeting.

3. Provide an overview of the board or commission's purpose.

The Committee generally advises the legislature on various items related to marijuana for symptom relief including the following areas:

- The ability of qualifying patients and registered caregivers in all areas of the state to obtain timely access to marijuana for symptom relief
 - The effectiveness of the registered dispensaries individually and together in serving the needs of qualifying patients and registered caregivers, including the provision of educational and support services
 - Sufficiency of the regulatory and security safeguards contained in this subchapter and adopted by the Department of Public Safety to ensure that access to and use of cultivated marijuana is provided only to cardholders authorized for such purposes
4. Is that purpose still needed? What would happen if the board or commission no longer fulfilled that purpose?

As the Vermont Marijuana Registry continues to provide service to qualifying patients, caregivers, and registered dispensaries the Committee continues to have a defined area of responsibility. It is unclear what avenues the legislature might look towards to gather perspective on the program outside of the Committee.

5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance?

The Committee generally produces the required report in a timely manner and meets with appropriate frequency to allow members to contribute.

6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner?

The collaborative committee approach is an effective way to gather input from participating constituencies as noted in the authorizing statute.

7. If the purpose is still needed, do any of your board or commission's functions overlap or duplicate those of another State board or commission or federal or State agency? If so, is your board or commission still the best entity to fulfill the purpose?

While there are various working groups devoted to cannabis at the state and federal level there do not appear to be any ongoing groups focused specifically on the therapeutic program here in Vermont.

8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission?

The committee's enabling statute (18 V.S.A. § 4474j) appears to continue to correctly reflect the purpose and activities of the committee.

9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded?

The only direct costs are Per Diem expenses for Committee members and were \$400 for the most recent fiscal year. Expenses are funded by fees collected by the Vermont Marijuana Registry program. There are no direct staff or other expenses tied to the Committee.

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor, or any State agency or officer? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations?

The committee is required to prepare an annual report to the legislature and has completed that function annually, although the 2019 version is awaiting final approval by the committee.

11. How would you measure the performance of the board or commission?

The committee continues to broadly fulfill the requirement to gather feedback from members and submit a report to the legislature annually. However, the effectiveness of this particular avenue of program feedback would better be judged by the appropriate legislative committees.