



Office of Cannabis Management

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Board Member

CHRIS ALEXANDER

Executive Director

No. 2023-19
May 11, 2023

RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE NEW YORK STATE DEPARTMENT OF HEALTH TO CONTINUE CERTAIN MEDICAL CANNABIS ADMINISTRATIVE HEARINGS

WHEREAS, pursuant to Section 10(13) of the Cannabis Law, the Cannabis Control Board (Board) is authorized to enter into contracts, memoranda of understanding, and agreements as deemed appropriate to effectuate the policy and purpose of the statute;

WHEREAS, pursuant to Section 11(9) of the Cannabis Law, the Executive Director of the Office of Cannabis Management (Office) is authorized to enter into contracts, memoranda of understanding, and agreements to effectuate the policy and purpose of the statute;

WHEREAS, pursuant to Section 17 of the Cannabis Law, the Board may designate any person to provide for hearings and various proceedings thereunder;

WHEREAS, the Office, as a newly formed agency, and the Board do not yet have an administrative hearing process established for the agency;

WHEREAS, the Office has requested to utilize the services of certain New York State Department of Health (DOH) personnel that possess the knowledge and background relevant to the Administrative Hearings to conduct transferred administrative proceedings for the Office as required by the Transfer Decisions issued by the Supreme Court of Albany County on September 21, 2022, including In the Matter of the Application of New York Medical Growers vs. NYS DOH, OCM, and Chris Alexander, and on September 23, 2022, including In the Matter of the Application of Compassionate Care Center of New York vs. NYS DOH, OCM, and Chris Alexander, and to carry out tasks related to the administrative hearings and other related hearings on behalf of the Office; now, therefore, be it,

RESOLVED, that the Board in exercising such authority provided by the Cannabis Law, hereby approves the memorandum of understanding between the Office, the Board, and DOH as may be amended from time to time to make any necessary non-material changes to the agreement subsequent to such approval.

[Attachment]