

New York State Office of Cannabis Management

# Transparency Plan 2023

W. Averell Harriman State Office Building Campus  
Albany, New York

[Office of Cannabis Management | Office of Cannabis Management \(ny.gov\)](#)

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# OUR MISSION

The Marihuana Regulation and Taxation Act (MRTA) created a first in the nation comprehensive regulatory structure to oversee the licensure, cultivation, production, distribution, sale and taxation of medical, adult-use and cannabinoid hemp within New York State. The MRTA established the following framework:

## Social Justice

Established a robust social and economic equity program to actively encourage members from communities disproportionately impacted by the policies of prohibition to participate in the new industry.

## Public Health & Safety

Administered a sophisticated quality assurance regulatory structure including standards for production and manufacturing, robust product testing, packaging, labeling, marketing, and advertising to ensure products are safer for consumers and not targeted to youth. Prioritized public education to teach key populations about cannabis.

## Economic Development

Encouraged small business and farmers to participate in the cannabis industry with the creation of microbusiness, cooperative and delivery license types.

## Background

The Marihuana Regulation and Taxation Act (MRTA) enacted our State's Cannabis Law and was signed into law on March 31, 2021, legalizing adult-use cannabis in NYS and consolidating all cannabis-related programs and functions under one newly created state entity. The Cannabis Law created a new Office of Cannabis Management (Office) governed by a Cannabis Control Board (Board) to comprehensively regulate adult-use cannabis, medical cannabis, and cannabinoid hemp. In September 2021, Governor Kathy Hochul appointed members to the Board and the Executive Director of the Office. The Board's inaugural meeting was held October 5, 2021, during which it appointed the Office's first cohort of staff.

The goal of the Office and the Board is to ensure social justice, public health and safety, and economic development through a comprehensive regulatory framework that centralizes licensing, enforcement, and economic development functions. To meet its goals, the agency actively solicits input from members of the public and community stakeholders regarding its policies and framework, particularly in the area of social and economic equity.

Further, the New York State Cannabis Advisory Board (Advisory Board), a multidisciplinary group of experts from across New York State, is tasked with providing guidance and leadership on a range of issues related to adult-use, medical and hemp cannabis to both the Board and Office. This Advisory Board will also govern and administer the New York State community grants reinvestment fund, reinvesting tax revenue from cannabis sales to those communities most impacted by over policing and cannabis prohibition.

In recognition of Governor Hochul's pledge to ensure greater transparency and accountability in government, the Office presents the following transparency plan.

# PUBLIC ENGAGEMENT

## Community Outreach and Education Events

The Board and Office have prioritized building relationships with local governments, nonprofit organizations, faith-based organizations, community boards, and many individuals who are interested in building New York's cannabis industry.

The Office's Community Affairs Unit is an integral part of helping to build and grow relationships with New Yorkers across the state, particularly in communities that have been disproportionately impacted by the policies of cannabis prohibition, to ensure the work of the Office reflects the diverse experiences and needs of communities across the state. With a focus on engaging with individuals who were eligible for Conditional Adult-Use Retail Dispensary (CAURD) licenses, the Community Affairs team held "Get Ready, Get Set!" workshops which provided detailed information on eligibility requirements, the documentation required to apply, and the application process. The Community Affairs team traveled to 18 different locations across New York during the summer of 2022 to present on the particulars of the CAURD program.

In addition, the Office worked closely with local organizations including libraries, community centers, re-entry groups, and other community-based organizations to host and promote these events. The Community Affairs team also started a statewide faith-based leader cannabis coalition to educate faith leaders on the state of cannabis in New York. Through these sessions and other outreach events, Community Affairs staff focused on connecting with the public and providing an avenue for potential licensees to ask questions and share their feedback on Office initiatives.

## Public Education Campaigns

In April 2022, the Office launched *Cannabis Conversations*, the first educational campaign on cannabis geared towards educating the public about the new law - who can use, where they can use, and information on safer consumption. In April 2023, the Office launched its second educational campaign, *Why Buy Legal New York*, designed to reach adult cannabis consumers (21+) and educate about the safer legal purchases of cannabis from licensed dispensaries in New York State. The campaign focuses on two key pillars: protecting public health and

promoting social equity and community reinvestment. The Office's public education campaigns and print materials are available on the agency's website (Linked [HERE](#)).

## **Agency Website**

The Office's website serves primarily as a source of information and education for the public ranging from the agency's proposed regulations available for public comment, to access to the significant government work of the Board and Advisory Board. As the agency administers a new regulatory framework, it is our priority that the public has the information needed to enter in the regulated space and have the tools necessary to help the cannabis industry succeed in New York. One of many tools offered is the "OCM Updates" email list that any member of the public can register for to receive agency updates. In addition, the Office's website contains an incident reporting tool which allows members of the public to report incidents, such as adverse events, to the Office. The Office monitors incident reports for trends which may signify a risk to public health or lead to further action.

## **Social Media and Digital Outreach**

In addition to in-person outreach through meetings, presentations, listening sessions, and other events, the Office regularly connects with New Yorkers through social media and digital resources. The Office maintains an active and engaging presence across social platforms such as Facebook, Instagram, Twitter, and YouTube. Additionally, the Office has utilized these platforms to share resources on the expansion of the medical home grow program, CAURD application, safer consumption, and more as the adult-use market is rolled out. The Office also developed an online toolkit to assist CAURD applicants in determining eligibility and completing the application. The toolkit included a series of instructional videos, FAQ documents, and social media content about the CAURD application all created and shared by the Office. Through these efforts the Office reached an additional 12,500 individuals who viewed the instructional videos, a further 8,000 individuals who viewed CAURD events on social media livestreams, and over 4,000 views of a CAURD press conference held across social channels.

# **PUBLIC ACCESS**

## **Board Meetings**

The Cannabis Control Board (Board) and Cannabis Advisory Board (Advisory Board) are subject to Open Meetings Law and, therefore, are accessible to the public in real time. The

meetings of the Board and the Advisory Board are recorded and made available on the Office's website, along with meeting agendas. Meeting recordings are also available on YouTube. The ability for the public to view the Board and Advisory Board meetings allows New Yorkers to view first-hand the inner workings of the boards, including discussions, committee work, and voting.

In addition, the Board allows for public comment during a designated comment period as part of every meeting. Members of the public can pre-register and/or check in with the Office prior to a Board meeting to provide public comments. Additional public comments may be submitted online using the public comment form on the Office's website.

## Agency Reports

The Office makes available on its website the following reports to provide access to agency information and important initiatives:

1. Office of Cannabis Management Annual Report - (Linked [HERE](#))
2. Chief Equity Officer Annual Report - (Linked [HERE](#))
3. New York State Community Grants Reinvestment Fund Report- (Linked [HERE](#))
4. Two Year Medical Cannabis Report - (Linked [HERE](#))
5. Social and Economic Equity Plan - (Linked [HERE](#))

## Records Access

The Records Access Officer is responsible for the timely review of and response to records request under the Freedom of Information Law (FOIL), Article 6 of the Public Officers Law. FOIL provides access to agency records with certain exceptions. The Office complies with FOIL, using extensions only where necessary based on the complexity of a request, and does not charge for records access. A member of the public may submit a FOIL request to the Office in one of the following ways:

- Open FOIL NY, the Public Records Request Management software otherwise known as GovQA, (Linked [HERE](#));
- by email to [FOIL@ocm.ny.gov](mailto:FOIL@ocm.ny.gov); or
- by mailing a request to the following:

Records Access Officer  
Office of Cannabis Management  
P.O. BOX 2071

Albany, New York 12220

## **Project Sunlight**

The State's Project Sunlight database, an important component of the Public Integrity Reform Act of 2011, is an online database that provides the public with an opportunity to see the individuals and entities that are interacting with government decision-makers. The Office regularly reports applicable meetings to Project Sunlight with the use of internal reporting forms and a designated Project Sunlight Liaison. The Project Sunlight Liaison is responsible for communicating and ensuring compliance with the program. In addition, designated Office employees receive technical and substantive trainings through the Statewide Learning Management System to ensure that meetings are reported in a timely and accurate manner.

## **Lobbying and Regulatory Appearances**

As a regulatory agency, the Office is required, pursuant to Section 166 of the Executive Law, to maintain a record of who appears before it, for a fee as a third party on behalf of a person or organization subject to the regulatory jurisdiction of the agency. The Office's Ethics Officer submits its records of appearances for lobbying and regulatory matters to the NYS Commission on Ethics and Lobbying in Government (COELG) on a quarterly basis to ensure compliance with COELG's rules and regulations.

## **Language Access**

Available on the Office's website is the agency's Language Access Plan to comply with New York State Executive Law Section 202-a, which establishes New York's Statewide Language Access Policy. This Plan explains how we make sure that Limited English Proficient ("LEP") individuals have meaningful access to agency services, programs, and activities.

The Office currently has educational material on its website that has been translated into several languages (Link [HERE](#)). In addition, the Office has staff members, where available, and a telephonic interpreting service available to assess whether an individual is LEP and what their primary language is to ensure greater access to resources.



# PLAN TO EXPAND TRANSPARENCY

## Community Outreach and Educational Events

The Office continues to expand its community outreach and education efforts. The Community Affairs team created a new Public Housing Tour that is currently underway. In this initiative, the Office partnered with the New York State Department of Labor and the Cannabis Workforce Initiative to provide information to members of the community residing in public housing relating to workforce opportunities in the cannabis industry.

## Public Education Campaigns

The Office is committed to an “education first” approach to regulating cannabis and expanding the public’s knowledge around adult-use cannabis, medical cannabis, and cannabinoid hemp. This includes the development and dissemination of paid media public education campaigns as well as robust print materials to educate the public about cannabis.

## Agency Website

The Office will continue to prioritize transparency and expand the information available on its website to provide for greater public access to agency resources. The agency’s website includes the adult-use webpage that has information by target population (i.e., young adults, pregnancy and breast/chest feeding individuals) and by content area (i.e., what is legal and what is not, cannabis health effects, impaired driving and more). The Office has also created a consumer webpage to help find and identify licensed dispensaries and answer frequently asked questions. The Medical Cannabis Program webpage includes information for health care providers and individuals to help guide them through the process of accessing medical cannabis in New York State. In addition, the Office’s website includes information and various guidance documents for adult use, medical cannabis and laboratory licensees and permittees that include key requirements to support these licensees and permittees in performing operations in a compliant manner. The Office continues to maintain and update webpage resources as new projects, initiatives and research becomes available and FAQs are built out to be responsive to the questions heard from community engagement sessions.

## **Records Retention Policy**

The Office is in the process of tailoring its records retention and disposition policy to meet the needs of the agency and create a plan to improve record management. Our Records Retention and Disposition Schedule will be made available on the Office's website.

## **Records Access**

The Office plans to review FOIL requests and identify documents and data that can be published on the Office's website to allow greater public access to information that is routinely requested from the Office.

## **Data Strategy and Open Data NY**

The MRTA not only created the Office but also mandated an evidence-based approach to governing the emerging cannabis industry in New York State. To meet this mandate, the agency plans to form and utilize a data strategy that will fully leverage data to drive cannabis policy, agency operations, and ethical and transparent governance. The strategy uses four pillars to guide our work: data sources, data management, data governance, and data analytics. One of these pillars, data governance, is critical to maintaining data privacy, integrity, and quality. Governance will ensure that data is managed consistently across the agency as well as comply with privacy laws, which ensures personal level data is not released.

The Office plans to provide the most publicly released data on Open Data NY, which can be downloaded as discrete, usable, standardized, and high-quality datasets. The data on Open Data NY can be sorted, filtered, and downloaded by members of the public. The Office is also contemplating Web Maps and public-facing Dashboards as additional technology to support informed decision-making and rulemaking among NYS agencies, its licensed businesses, and the public.

## **Language Access Liaisons**

In accordance with the Office's Language Access Policy, the Office plans to designate "Language Access Liaisons" from program areas throughout the agency who coordinate, along with the Office's Language Access Officer, for the purpose of identifying documents, programs and activities that can be made more accessible to LEP individuals.

The goal of the Language Access Liaisons is to ensure continued review of material for language translation from agency staff who are engaged the most with members of the public to be able identify and respond to access needs.

## **MONITORING SUCCESS**

The Office is committed to continued public access and information sharing to ensure greater transparency with individual and communities throughout New York. The Office plans to monitor success through feedback and input from the public outreach and education forums and public comments. As we continue to engage with communities and stakeholders, we can gauge the impact of our strategies for expanding transparency and can steps to adjust moving forward. The Office will also monitor activity of followers the social media platforms and other tools for education and awareness offered which will help determine what additional information or outreach is needed. In addition, the Office will measure attendance at public meetings and participation in public comment at meetings. Lastly, the Office plans to monitor FOIL request and call center volume to determine if making more information publicly available leads to a decrease in FOIL requests.