

**Pennsylvania Medical Marijuana Grower/Processor and Dispensary Permit Applications**

**Questions and Answers**

**Updated 1/27/2017**

Question #	Questions	Answers
1	<p>It is to my understanding that there will only be a handful of permits provided in PA. We can submit our application(s) with all the appropriate fees and requirements; however, what would keep an application from being approved? Is it a "first come - first serve" opportunity? Will there be an allotment of accepted permits for corporations and a separate allotment for private interests? I ask this because of the obvious advantage a corporation has in applying for multiple applications at once etc.</p>	<p>The Department will review all permit applications that are complete and timely submitted. All permit applications will be reviewed and scored against the criteria listed in the <a href="#">Medical Marijuana Act (35 P.S. § 10231.603(a.1))</a> and the factors listed in the regulations (28 Pa. Code § 1141.24(b)). The following are links to the regulations:</p> <p>Temporary Regulations Chapter 1141: <a href="#">General Provisions</a></p> <p>Temporary Regulations Chapters 1141 &amp; 1151 Annex A: <a href="#">General Provisions and Growers/Processors (Amendments)</a></p>
2	<p>How will you be picking who can dispense the medical marijuana? If I apply and pay the \$5,000 application fee, what are the measurements to ensure I will be reviewed to obtain the required license?</p>	<p>The Department will review all permit applications that are complete and timely submitted. All permit applications will be reviewed and scored against the criteria listed in the <a href="#">Medical Marijuana Act (35 P.S. § 10231.603(a.1))</a> and the factors listed in the regulations (28 Pa. Code § 1141.24(b)). The following are links to the regulations:</p> <p>Temporary Regulations Chapter 1141: <a href="#">General Provisions</a></p> <p>Temporary Regulations Chapters 1141 &amp; 1151 Annex A: <a href="#">General Provisions and Growers/Processors (Amendments)</a></p>

3	I have a question about the process for background checks for the applications. What is the first step to setting up a process for all of us to get our background checks? I know we need to pay a fee and fill out paperwork. Who do we call to get this initiated?	Please refer to the "Instructions" document, Section III, regarding background checks. In addition, you may also review our <a href="#">Guidance</a> section for additional information pertaining to this topic.
4	Currently the FBI website states a fingerprint check takes up to 14 weeks plus mailing time; the application requires a FBI check but results may come back past the deadline date. What are our options?	Please refer to the "Instructions" document, Section III, regarding background checks. In addition, you may also review our <a href="#">Guidance</a> section for additional information pertaining to this topic.
5	For the \$150,000 capital requirement, does that have to be ready money or can it be my real estate?	A dispensary applicant must have at least \$150,000 in capital, which must be on deposit with a financial institution. ( <a href="#">35 P.S. § 10231.607</a> )
6	What is "Schedule A: Civil or Administrative History Incident"? What type of "Incidents" are you asking about?	Please refer to 28 Pa. Code § 1141.29(b)(9). The following are links to the regulations:  Temporary Regulations Chapter 1141: <a href="#">General Provisions</a> Temporary Regulations Chapters 1141 & 1151 Annex A: <a href="#">General Provisions and Growers/Processors (Amendments)</a>
7	Will there be any Medical Marijuana Dispensary licenses given in Schuylkill County? If so, How many? If not, when?	Please refer to the "Instructions" document, Section I, regarding Medical Marijuana Regions: "For dispensary permit applicants, italicized counties indicate those in which an applicant for a dispensary permit is eligible to locate a primary dispensary location. The numbers in parentheses indicate the maximum number of primary dispensary locations for which the Department may issue permits in Phase 1." Note that in Region 1 – Southeast, Schuylkill County is not an italicized county. Although a dispensary permittee may open a second or third dispensary location in Schuylkill County, there are no primary dispensary locations in Schuylkill County for Phase 1.

8	<p>I have a...in Franklin County who wants to apply for a medical marijuana license. At the bottom of page 2 on both of the permit instruction pages, there is no provision for a grower/processor permit or dispensary permit for Franklin County. Will Franklin County be eligible for a grower/processor permit or dispensary permit at some point? If so, when? Is the lack of availability of a grower/processor permit or dispensary permit in Franklin County only for Phase I?</p> <p>My...very much wants to apply for a permit but doesn't want to lose the application fee if Franklin County is not going to be granted a grower/processor permit or dispensary permit.</p> <p>Should my...apply in hopes of a permit becoming available? Or would they lose their permit application fee even if Franklin County has no open spots?</p>	<p>Two grower/processor permits will be issued for Region 3 - Southcentral, which may be within any county in that medical marijuana region. Please refer to the "Instructions" document, Section I, regarding Medical Marijuana Regions: "For dispensary permit applicants, italicized counties indicate those in which an applicant for a dispensary permit is eligible to locate a primary dispensary location. The numbers in parentheses indicate the maximum number of primary dispensary locations for which the Department may issue permits in Phase 1." Note that in Region 3 – Southcentral, Franklin County is not an italicized county. Although a dispensary permittee may open a second or third dispensary location in Franklin County, there are no primary dispensary locations in Franklin County for Phase 1.</p>
9	<p>Is my understanding of Section 2 of the Dispensaries application correct: If I file an initial application for one primary location and it gets approved, am I guaranteed up to 2 more locations in my zone if I make separate applications at a later date, assuming the conditions are met as defined in the terms of the application?</p>	<p>Please refer to 28 Pa. Code § 1161.40 (a), which states: "An applicant for a dispensary permit shall include a primary dispensary facility location, and may include up to two additional dispensary facility locations, in its initial permit application. A permittee may file an application under this section for additional dispensary facility locations at a later date." The following are links to the regulations:</p> <p>Temporary Regulations Chapter 1161: <a href="#">Dispensaries</a> Temporary Regulations Chapter 1161 Annex A: <a href="#">Dispensaries (Amendments)</a></p>

10	I live in Cambria County and was going to submit a permit for that county, but from the presentation I believe the following to be true; Please advise if I am correct: Due to the allocation of Phase 1 permits, there are 5 available in my region, which is region 5 (So to apply for a permit, I have to apply in one of the counties with a number after it. Is this correct?	Please refer to the "Instructions" document, Section I, regarding Medical Marijuana Regions: "For dispensary permit applicants, italicized counties indicate those in which an applicant for a dispensary permit is eligible to locate a primary dispensary location. The numbers in parentheses indicate the maximum number of primary dispensary locations for which the Department may issue permits in Phase 1." Note that in Region 5 - Southwest, Cambria County is not an italicized county. Although a dispensary permittee may open a second or third dispensary location in Cambria County, there are no primary dispensary locations in Cambria County for Phase 1.
11	I was wondering if the Department has compiled a list of diverse participants and groups that a medical marijuana organization could employ or contract as provided for in § 1141.32(b)(3) of the temporary regulations, which states that the Department will: "Compile, maintain and make available to medical marijuana organizations lists of diverse participants and diverse groups for the purpose of encouraging medical marijuana organizations to provide employment and contracting opportunities consistent with the Act."	Please refer to the Department of General Services' webpage "Locate Small and Small Diverse Businesses," which may be found at this <a href="#">link</a> .
12	May we include links to relevant web pages (e.g., web pages for existing dispensaries) in the application?	Responses in the application must be provided in narrative form. Any links to web pages will not be considered.
13	What are the requirements to be a grower, processor and/or a dispensary?	The Department will review all permit applications that are complete and timely submitted. All permit applications will be reviewed and scored against the criteria listed in the <a href="#">Medical Marijuana Act (35 P.S. § 10231.603(a.1))</a> and the factors listed in the regulations (28 Pa. Code § 1141.24(b)). The following are links to the regulations:  Temporary Regulations Chapter 1141: <a href="#">General Provisions</a>

		<p>Temporary Regulations Chapter 1151: <a href="#">Growers/Processors</a></p> <p>Temporary Regulations Chapters 1141 &amp; 1151 Annex A: <a href="#">General Provisions and Growers/Processors (Amendments)</a></p> <p>Temporary Regulations Chapter 1161: <a href="#">Dispensaries</a></p> <p>Temporary Regulations Chapter 1161 Annex A: <a href="#">Dispensaries (Amendments)</a></p>
14	Are we allowed to include images in the application?	Electronic imagery may be included as long as it is responsive to a question in the permit application.
15	<p>I have downloaded the application. The application is requiring: <b>Attachment B:</b> Organizational Documents (Trade Name and DBA number); <b>Attachment C:</b> Property Title, Lease, or Option to Acquire Property Location (Address); <b>Attachment D:</b> Site and Facility Plan. How can I have the corporation in place and Business address (lease a property), when it is unknown if a permit will be granted? Am I missing something here?</p>	<p>Please refer to 28 Pa. Code § 1141.29(b)(3), which states: "The physical address of the applicant's proposed site and facility, including the following, as applicable: (i) Evidence of the applicant's clear legal title to or option to purchase the proposed site and the facility. (ii) A fully-executed copy of the applicant's unexpired lease for the proposed site and facility that includes the consent by the property owner to the use by the applicant of that site and facility on the proposed site for, at a minimum, the term of the initial permit. (iii) Other evidence satisfactory to the Department that shows the applicant has the authority to use the proposed site and facility as a site and facility for, at a minimum, the term of the permit." The following are links to the regulations:</p> <p>Temporary Regulations Chapter 1141: <a href="#">General Provisions</a></p> <p>Temporary Regulations Chapters 1141 &amp; 1151 Annex A: <a href="#">General Provisions and Growers/Processors (Amendments)</a></p>

16	I see there are applications for growers for the Marijuana, but are there, and will there be, jobs at the Production Facility that is for Washington Township? I would be interested in applying for a position there. How would I get an application for there if it is possible?	Inquiries for employment opportunities with growers/processors and dispensaries should be directed to those medical marijuana organizations that are issued permits. The list of such organizations will be posted on the Department's web site once those organizations are issued permits.
17	I'm trying to open the CISCO packet web client but nothing happens BUT exceptions on my computer. Freezes thanks.	The Department does not have sufficient details to offer a response.
18	May we include letters of support as attachments to the application and refer to these letters in the application?	Letters of Recommendation or Support will not be considered in scoring applications for permits.
19	Can a single Applicant for a dispensary permit file two (2) separate Applications for two different regions, and possibly be awarded a permit in each region? Or is a single applicant only eligible for one permit in one region only?	For Phase 1, the Department will not issue a person more than one grower/processor permit. For Phase 1, the Department will not issue a person more than one dispensary permit. See <a href="#">47 Pa.B. 73, January 7, 2017</a> .
20	If I plan to open a single location to start, do I still have the ability if I get that permit to add 2 other locations in my region at a later date?	For Phase 1, the Department will not issue a person more than one grower/processor permit. For Phase 1, the Department will not issue a person more than one dispensary permit. See <a href="#">47 Pa.B. 73, January 7, 2017</a> .

21	Under Part E of the Dispensary Application, at page 19, in the block that requests the PA Unemployment Compensation Account Number, it does not include the additional language (“If applicant is currently doing business in Pennsylvania”). Is this an omission, <u>or</u> put another way, can the applicant which is <u>not</u> currently doing business in Pennsylvania respond “Not Applicable” to this block?	If the applicant is currently not doing business in Pennsylvania, please respond with “Not Applicable” or “N/A.”
22	Does the state require personal tax returns and business tax returns from the principals, or just business tax returns?	Please refer to the instructions for Attachment H: Tax Clearance Certificates.
23	I'm curious about regulations regarding transportation of medical marijuana. Suppose our company were to hire a third party delivery service to handle transportation. How will that third party be regulated? Will it fall under the medical marijuana program, or another regulator, like for instance, companies that provide transportation for retail pharmacies?	Please refer to 28 Pa. Code §§ 1151.35-1151.37 and 28 Pa. Code §§ 1161.35-1161.36. The following are links to the regulations:  Temporary Regulations Chapter 1151: <a href="#">Growers/Processors</a> Temporary Regulations Chapters 1141 & 1151 Annex A: <a href="#">General Provisions and Growers/Processors (Amendments)</a> Temporary Regulations Chapter 1161: <a href="#">Dispensaries</a> Temporary Regulations Chapter 1161 Annex A: <a href="#">Dispensaries (Amendments)</a>
24	I know the state will be issuing 12 grower/processor permits and 27 dispensary permits. How many of the 5 vertically-integrated permits will the state be issuing during the first round of awards? In the original text language it called for a 20% cap on vertically-integrated permits; will this 20% stay reflective of the limited available permits?	The Medical Marijuana Act creates only two types of permits: grower/processor and dispensary. There is nothing in the Act that refers to a vertically integrated permit. During any phase of the program, the Department may issue either grower/processor permits, dispensary permits, or both.
25	My company has a labor peace agreement with the union that covers the employees who work for me. Will that agreement offer additional points? What information should I submit in the application?	Any and all information you have regarding a labor peace agreement would best fit in Section 28 - Community Impact of the Grower/Processor permit application and/or Section 23 – Community Impact of the Dispensary permit application. The application Instructions and the Scoring

		Rubric state the Department may award up to 100 points for Community Impact for each of these applications.
26	A scoring rubric is included in the "Instructions" document. Where is the "Instructions" document?	Please refer to the website of the Pennsylvania Department of Health, <a href="http://www.health.pa.gov">www.health.pa.gov</a> , and refer to the "Pa. Medical Marijuana" page, followed by the pages for growers/processors or dispensaries.
27	Hi I'm interested in getting a growers permit can you tell me how I can go about this? Thank you.	Please refer to the website of the Pennsylvania Department of Health, <a href="http://www.health.pa.gov">www.health.pa.gov</a> , and refer to the "Pa. Medical Marijuana" page, followed by the pages for growers/processors or dispensaries.
28	How can I retrieve an application, and what's the website address?	Please refer to the website of the Pennsylvania Department of Health, <a href="http://www.health.pa.gov">www.health.pa.gov</a> , and refer to the "Pa. Medical Marijuana" page, followed by the pages for growers/processors or dispensaries.
29	How do I get info on this application? Where do I apply?	Please refer to the website of the Pennsylvania Department of Health, <a href="http://www.health.pa.gov">www.health.pa.gov</a> , and refer to the "Pa. Medical Marijuana" page, and then the pages for growers/processors or dispensaries.
30	Where can I find the "Instructions" document for the medical marijuana growers/processors license application?	Please refer to the website of the Pennsylvania Department of Health, <a href="http://www.health.pa.gov">www.health.pa.gov</a> , and refer to the "Pa. Medical Marijuana" page, and then the pages for growers/processors or dispensaries.