



Pennsylvania Medical Marijuana Grower/Processor and Dispensary Permit Applications

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272	Would you confirm the validity of the provisions in the initial temporary regulations that are excluded from the amended temporary regulations?	Please refer to the website of the Pennsylvania Department of Health, www.health.pa.gov , and refer to the "Pa. Medical Marijuana" page, and then the pages for growers/processors or dispensaries to access the temporary regulations. Alternatively, you may select the following links: Temporary Regulations - General Provisions Temporary Regulations - Growers/Processors Temporary Regulations - Dispensaries
273	Instructions (for attachment E) state that each principal or operator must complete the Affidavit, but also refer to executing and saving a single affidavit. Should a separate affidavit be signed by every single principal and operator? Please clarify.	For Attachment F, "Affidavit of Business History," the Department will accept individual affidavits from each principal, operator, financial backer and employee or one affidavit signed by a principal or operator that covers all principals, operators, financial backers and employees.
274	Moreover, affidavit itself (Attachment E) refers to principals, operators, financial backers and employees. Do employees and financial backers need to execute affidavits as well, or do they only get listed on the affidavit (s?) executed by principals and operators	For Attachment F, "Affidavit of Business History," the Department will accept individual affidavits from each principal, operator, financial backer and employee or one affidavit signed by a principal or operator that covers all principals, operators, financial backers and employees.
275	In Attachment G of each application, the instructions indicate that each "principal or operator must complete the Affidavit of Criminal Offense." However, the Affidavit of Criminal Offense appears to cover all criminal offenses relating to all principals, operators and financial backers. May a single authorized representative of the applicant sign and notarize the Affidavit of Criminal Offense or must each individual sign and notarize a	For Attachment G, "Affidavit of Criminal Offense," the Department will accept individual affidavits from each principal, operator and financial backer or one affidavit signed by a principal or operator that covers all principals, operators and financial backers.



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	separate but redundant version of said affidavit? Should all financial backers be included as well?	
276	I am a resident of New Jersey and licensed as a Pharmacist in NY and NJ. I wanted to know if I am able to apply for a permit in Pennsylvania.	Please refer to 35 P.S. 10231.402 (a 2) .
277	Do Affidavits F and G need to be completed by individuals who have ownership of an applicant indirectly through an LLC, or would the Affidavits only need to be completed on behalf of the LLC that directly owns equity of the applicant?	For Attachment F, "Affidavit of Business History" and Attachment G, "Affidavit of Criminal Offense," the Department will accept individual affidavits from each principal, operator and financial backer or one affidavit signed by a principal or operator that covers all principals, operators and financial backers.
278	How does the Department of Health define "operating" as it relates to the six-month time period after permit award (section 8)?	Please refer to 28 Pa. Code § 1141.21 regarding operational requirements.
279	If for some reason a permit awardee is unable to reach "operational" status (which depends on the answer to the question above), what contingency is in place for after the six-month time period? Will there be a grace period?	Please refer to 28 Pa. Code § 1141.21 regarding operational requirements.
280	Under 1141.42 Failure to be operational (a) states that "No more than 6 months from the date of issuance of a permit, a medical marijuana organization shall notify the Department, on a form prescribed by the Department, that it is operational". What is the definition of "operational"?	Please refer to 28 Pa. Code § 1141.21 regarding operational requirements.



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281	<p>What is their expected timing for growers to be operational with products for sale? If dispensaries have to be operation within 6 months of permit issuance (as an outside date), by when must growers be operational and how will that occur? Eg if a dispensary is able to open within 4 months of permit issuance because they have completed their buildout and ramp up, will they be able to? Will there be MMJ available to purchase? Will there be patients certified? How long do they expect it to take growers to build their facility and then grow and process their first crops?</p>	<p>Please refer to 28 Pa. Code § 1141.21 regarding operational requirements.</p>
282	<p>With regard to Attachment F, the Affidavit of Business History, do applicants need to list all applicable businesses in the Commonwealth, or just businesses involving the manufacturing or distribution of medical marijuana or a controlled substance?</p>	<p>Attachment F requires listing positions of management or ownership of a controlling interest in any other business in this Commonwealth or any other jurisdiction involving the manufacturing or distribution of medical marijuana or a controlled substance.</p>
283	<p>Attachment F (Affidavit of Business History). Instructions indicate that this attachment must be completed by each principal or operator. As defined, this would require the Affidavit be submitted by each officer, director and owner of the Applicant. It seems that the intent of the Affidavit (based on the language of the affidavit itself) is for an authorized person to attest on behalf of all principals, operators, financial backers and employees of the Applicant, rather than requiring each person or entity that has any ownership of the Applicant to submit an affidavit? Please provide clarification as to who will need to complete this Affidavit.</p>	<p>For Attachment F, "Affidavit of Business History," the Department will accept individual affidavits from each principal, operator, financial backer and employee or one affidavit signed by a principal or operator that covers all principals, operators, financial backers and employees.</p>



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284	Must each principal or operator complete a separate Attachment F, Affidavit of Business History, or can information be combined on a single affidavit?	For Attachment F, "Affidavit of Business History," the Department will accept individual affidavits from each principal, operator, financial backer and employee or one affidavit signed by a principal or operator that covers all principals, operators, financial backers and employees.
285	Attachment G (Affidavit of Criminal Offense). Same question as 7 above. It seems that the intent of the Affidavit is for one affiant to attest to the items thereon on behalf of all categories of persons; however, the instructions, read literally, would require the Affidavit to be submitted by each officer, director and owner of Applicant. Please clarify.	For Attachment G, "Affidavit of Criminal Offense," the Department will accept individual affidavits from each principal, operator and financial backer or one affidavit signed by a principal or operator that covers all principals, operators and financial backers.
286	Attachment A: Why are there 3 signature lines?	A person authorized to sign for the applicant should sign Attachment A. If more than one person must sign for the applicant, there are additional signature lines.
287	Does an Applicant only need to fill out and submit one copy of Attachment K: Release Authorization or does each Principal, Operator, Financial Backer, and Employee of the Application need to fill the form out?	Attachment K should be signed by whomever is authorized to sign for and legally bind the applicant.
288	In Attachment F, the instructions say only principals and financial backers need to complete the form, but on the actual form is says principals, financial backers, operators, and employees must complete it. Which is accurate?	For Attachment F, "Affidavit of Business History" and Attachment G, "Affidavit of Criminal Offense," the Department will accept individual affidavits from each principal, operator and financial backer or one affidavit signed by a principal or operator that covers all principals, operators and financial backers.



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289	For Attachment H (Tax Clearance Review) Do you understand to read this form as it is a clearance for the entity or that one is needed for each individual (Principal, Operator, Employee and Financial Backer) ?	On Attachment H, the applicant, its principals and other persons affiliated with the applicant each must provide tax clearance certificates.
290	Does each principal, including individuals as well as entities, need to complete and sign Attachment H (and/or complete a PA-100, if an entity), or does only the Applicant sign and complete Attachment H (and complete a PA-100, if applicable)?	On Attachment H, the applicant, its principals and other persons affiliated with the applicant each must provide tax clearance certificates.
291	In Attachments H: Tax Clearance Certificates, it states "...review the tax records of the applicant and its principals and other persons affiliated with the applicant..." What does "other persons affiliated with the applicant" refer to?	Please refer to 28 Pa. Code § 1141.21 and the definitions for financial back, operator, principal and controlling interest.
292	Fingerprinting – When I contacted the State Police, they were not aware of any particular process that owners/investors have to go through for MMOs. Are investors/owners to use the Cogent system? Or is paper fingerprinting preferred? Also, if an investor is out of state, can they use cogent in their state?	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
293	If an owner recently had a Cogent system fingerprint taking for another work-related reason (within 3 or 4 months) do they have to submit additional fingerprints?	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
294	Background Check – After the fingerprints are taken, do we have to specify that an FBI background check is required and to whom do we send the results? To the Department of Health or to the individual to enclose with the MMO’s application?	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.



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295	Is there a specific location that is completing this piece of the application process or can you tell me where I have to go to have this completed?	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
296	Will you please clarify the process for submitting fingerprints to the State Police, as required by the application and instructions? I have not been able to locate a Pennsylvania State Police Station or branch that will take fingerprints for Pennsylvania Medical Marijuana Applicants and principals.	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
297	Will the Commonwealth be publishing better information on fingerprinting and background checks? Often Medical Marijuana programs produce a form. Please see link below. http://dphh.nv.gov/uploadedFiles/dphh.nv.gov/content/Reg/MedMarijuana/dta/Forms/FINGERPRINTBACKGROUNDWAIVER9-30-15.pdf	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
298	Background Check page- Does the state intend to provide a form that individuals can use so as to obtain fingerprints/background checks as part of the submission process?	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
299	Where should Medical Marijuana Organizations' principals, financial backers, and operators get their fingerprinting completed at? We were under the impression that the State Police were handling it, but they are unaware of the whole process.	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
300	In the completed application, how should we document that the principals, operators, and financial backers have all completed the fingerprinting process? For example, should we submit an affidavit stating that the fingerprinting requirement has been completed?	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.



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301	I am trying to obtain Fingerprinting Service Information from the PSP. In order for our application to be submitted, must fingerprinting be done at any PSP station or can it be completed by 3M Cogent Systems?	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
302	Please advise as to where fingerprinting services are being provided and how to pre-register for them.	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
303	Will the department provide either the public or the Pennsylvania State Police with an ORI or OCA number in order to complete fingerprinting? Conversations with PSP indicate that this information may not yet be available.	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
304	What fingerprint form should be used and where can we obtain this form? To what address should the fingerprints be sent? Are there any additional requirements for submitting the fingerprints? (i.e. our home state requires a sealed envelope with the technicians signature across the seal)	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
305	How do we proceed with fingerprinting if the State Police is not involved in the submittal process? Also, our team is receiving conflicting reports that “ink and card” may not be accepted anyway, that it should be scan or COGENT?	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
306	To get fingerprinted, applicants need a Registration ID or a Document Control Number to be fingerprinted at Cogent ID. Does the Department want applicants to get a traditional ‘ink and roll’ fingerprint card or can they do livescan? Does the Department want applicants to submit the fingerprint card to the Department? If the Department wants Applicants to submit fingerprint cards, where should the Applicant mail them too? How do applicants transmit the livescan fingerprints to the	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.



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	Department? Will the Department provide more direction on how to complete the background check requirement?	
307	Could you please specify what the fingerprint requirements for both the grow and the processing applications entail? Meaning do we submit the fingerprint cards to you as part of the applications? If not, who do we submit them to and how do we ensure their processing results are sent to you and by which means? Additionally, do all individuals whose resumes are being submitted (i.e. including pharmacists and registered nurses need to be fingerprinted or just owners, managing partners, etc...). Thanks!	Please refer to 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
308	If the entity applying for a permit has assembled a scientific and/or business advisory board, do such advisors (who are not intending to be employees of the company) need to be finger printed for background checks?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 regarding requirements for background checks. Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
309	The Pennsylvania Bureau of Records and Identification has informed the Applicant that no process exists for PA State Police to collect or submit to FBI any fingerprints or background check requests relating to medical marijuana permit applications. The Bureau stated that Cogent, the proposed program for administration, is not yet operational and able to process background checks. Could the Department please provide additional guidance on how an Applicant may evidence initiation of background checks as required by the application and regulations?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 regarding requirements for background checks. Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.



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310	Should the applicant request state background check via Pennsylvania’s e-patch system? Should the applicant submit fingerprints and a request for the federal criminal background check directly to the FBI? Should the applicant request to receive the results personally and then send them to the Department of Health? Or should the applicant request that the results be sent directly to DOH? If directly to DOH, to what address should the results be sent?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 regarding requirements for background checks. Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
311	Should we get our fingerprints taken at Cogent facilities or PA State Police facilities; and, more importantly, 2) what process do we have to follow to ensure that the PA State Police send the results of our record checks to the DOH	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 regarding requirements for background checks. Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
312	My question is two-fold: 1) should we get our fingerprints taken at Cogent facilities or PA State Police facilities; and, more importantly, 2) what process do we have to follow to ensure that the PA State Police send the results of our record checks to the DOH? I have read Act 16, all of the DOH Regulations, the Applications, the Instructions, the Guidance documents and the Q&A and there’s nothing heretofore listed that describes the mechanism to ensure that our FBI record checks will be submitted to the DOH. I know that other departments have links to Cogent PA to register your fingerprints for specific departments and purposes (i.e. Dept. of Education, Department of Human Services, etc.), but there is no corresponding link to the Department of Health. Please advise. Thanks!	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 regarding requirements for background checks. Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.



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313	How can fingerprints be taken and submitted? People have been showing up to the State Police and they weren't aware of the program or where they could be taken. This has happened with multiple potential applicants. For people who are out of state, how do they submit? Do they have to make a special trip to PA for it? If so, can we know the process as soon as possible so applicants can make the appropriate arrangements?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 regarding requirements for background checks. Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
314	Background Fingerprints: It states in the app that they need to be sent in to the Pennsylvania State Police. They do not specify an address to my knowledge so far. Can you clarify where these are to be sent in to? Also, I was thinking we would have each of us get a receipt form whomever takes our fingerprints to include in the application to show that person submitted their info.	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
315	To fulfill background check initiation requirements, may prospective employees, principals, financial backers and operators who currently reside outside of Pennsylvania submit completed, standard FD-258 fingerprint forms and Identity History Summary request forms to the FBI through their home-state police departments or authorized agencies, or are out-of-state individuals required to travel to PA to complete this process	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
316	The Pennsylvania State Police send you to UPS and then you get sent to COGENT who then said that they can't send to State Police. Some help here or direction would be awesome. It would be helpful to know where to go and the process for the FBI clearance check.	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.



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317	Can out of state principals and investors get their finger prints and criminal background check done in their own state?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
318	When will the MMJ Application-specific finger printing registration instructions be posted on the DOH website?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
319	Where can we go to complete our fingerprints? We have been told CogentID (I believe this is wrong).	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
320	Do we have to have the background checks completed ourselves through the PA State Police or do we just need to provide the fingerprint cards so that they can be done once the applications are received?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
321	I would like to know if there are formal guidelines for submitting the fingerprint forms yet, what address to send them to, and which forms should we be using?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.



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322	Can you please clarify how we should submit fingerprints to the Pennsylvania State Police. Will an Illinois LiveScan vendor suffice? To whom should we direct the prints in the state police? Or, is there different procedure we should follow for accomplishing this?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
323	In Instructions, Background Checks, it states “an applicant must submit fingerprints of its principals, financial backers, operators and employees to the Pennsylvania State Police”. Does that mean every financial backer, principal, or employee must come to Pennsylvania to have that done? Can that fingerprinting be done by a non-PA government agency that then sends them to PA? Where (specifically) can that fingerprinting be done (State Police Barracks, etc.), and have those locations been informed they are designated to take the fingerprints for this purpose?	Please refer to 35 P.S. 10231.602 (a) (4) and 28 Pa. Code § 1141.31 . Please also reference the guidance on the web site of the Pennsylvania Department of Health (www.health.pa.gov), Medical Marijuana pages.
324	Regarding Attachment I-1: Affidavit of Capital Sufficiency; Please confirm that the \$500,000 should be in the Applicant’s Bank account and the Principals can provide evidence of cash and extend a loan and/or line of credit to the Applicant for the remaining \$1,500,000. Looking for confirmation the above is sufficient to meet the \$2,000,000 minimum Capital Requirement.	Please refer to 28 Pa. Code § 1141.30 (a) and 35 P.S. § 10231.607 An applicant for a grower/processor permit shall provide an affidavit that the applicant has at least \$2 million in capital, \$500,000 of which must be on deposit with one or more financial institutions.
325	In Application, Section 27: Capital Requirements is a scored section relating to both “available capital and an estimated spending plan”, but unrelated to Attachment I: Affidavit of Capital Sufficiency (which is not scored). By what criteria are you scoring available capital to meet the spending plan? Is having more available capital scored better?	The Department is not able to provide a response to your specific inquiry. The application instructions and the Scoring Rubric state the Department may award up to 75 points for Capital Requirements.
326	In the grading rubric there is a point value assessed for capital requirements; will points be awarded for exceeding the \$2M stated capital requirement? If so, what value will be required to secure all 75 points?	The application instructions and the Scoring Rubric state the Department may award up to 75 points for Capital Requirements.



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327	<p>Section 7 on both the Medical Marijuana Grower/Processor and the Dispensary Application asks whether a principal of the applicant has ever had a civil or administrative action taken against you under the laws of Pennsylvania or any other state, the United States or a military, territorial or tribal authority relating to their profession, or occupation, or fraudulent practices, including fraudulent billing practices. Could the department provide further guidance on the scope of this request? For example, is the request limited to official civil or administrative actions brought by a governmental body or administrative licensing agency relating to their profession, or occupation, or fraudulent practices, including fraudulent billing practices? Or, is the request more broad such that if a principal of the applicant is a doctor, the doctor would be required to disclose every civil malpractice action brought by a private plaintiff against the doctor even where the matter was dismissed or settled without any finding of liability? In the event that the department wants the applicant to disclose every civil malpractice action, does the department want the applicant to limit the timeframe of such actions (i.e. in the past 5 years)?</p>	<p>Please refer to 28 Pa. Code §1141.29 (9). The intent of Section 7 of the application is to determine if any civil or administrative actions have been filed against the applicant regarding a license, permit or authorization to grow, process or dispense medical marijuana. The questions must be answered regardless of the circumstances or disposition of the action. The applicant should complete each question accordingly.</p>
328	<p>For the secondary locations, are LOI's sufficient or do you need a full lease or purchase for all 3 dispensary locations?</p>	<p>Please see instructions for Attachment C: Property Title, Lease, or Option to Acquire Property Location:</p> <ul style="list-style-type: none"> o Evidence of the applicant's clear legal title to or option to purchase the proposed site and facility o A fully-executed copy of the applicant's unexpired lease for the proposed site and facility and a written statement from the property owner that the applicant may operate a medical marijuana



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		<p>organization on the proposed site for, at a minimum, the term of the initial permit</p> <p>o Other evidence that shows that the applicant has a location to operate its medical marijuana organization</p>
329	<p>Section 2: Is it necessary for dispensaries to list 3 locations on their application? Will applicants score less if they have not selected 3 locations?</p>	<p>Please see the Dispensary Permit Application, Section 2: "The applicant is required to provide a primary dispensary location. The applicant may include a second or a third location under this application. A second or third dispensary may be added to a dispensary permit at a later date through the filing of an application for additional dispensary locations." Please also see the application Instructions document, Medical Marijuana Regions, in Section I, regarding counties in which an applicant is eligible to locate a primary dispensary location.</p>
330	<p>Regarding Section Part B, Section 3.1: Are Principals, Operators, Financial Backers and Employees of the Medical Marijuana Organization are required to be U.S. Citizens in order to qualify for diversity status.</p>	<p>Please refer to 28 Pa. Code § 1141.32 regarding diversity goals.</p>
331	<p>Regarding Section Part B, Section 3.5: Is the applicant expected or permitted to execute Letters of Intent with the diverse groups for the Application, with the understanding that once the Permit is approved the Operator will execute a contract with the diverse vendor per the terms of the LOI</p>	<p>Please refer to 28 Pa. Code § 1141.32 regarding diversity goals.</p>



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332	Regarding Section Part B, Section 3.5: What total dollar amount should be utilized to calculate the “expected percentage” of diverse vendor procurement.	Please refer to 28 Pa. Code § 1141.32 regarding diversity goals.
333	Is the Initial Permit fee of \$200,000 assessed annually or is it a one-time fee?	The Initial Permit Fee is filed one time, with the application. Please refer to 28 Pa. Code § 1141.28 regarding applicable fees.
334	The instructions for Attachment A require the primary contact or registered agent to sign the document, but there are three signature blocks. Who should sign?	A person authorized to sign for the applicant should sign Attachment A. If more than one person must sign for the applicant, there are additional signature lines.
335	In the grower/processor application, Section 21 is a scored section but only provides for a Yes/No response; there is no area for us to describe our process. Is that accurate?	A yes/no answer only is required in Section 21 of the grower/processor application.
336	Part D, Section 21 (Quality Control and Testing) of the grower/processor application is worth 50 points but does not contain a narrative response field. Is this a mistake? Should applicants expect to see an updated version of the application allowing a narrative response about quality control?	A yes/no answer only is required in Section 21 of the grower/processor application.
337	What is the preferred way to respond to the narrative sections. Must we put our responses in the text boxes? Or can we reference an attachment and include our narrative as an attachment to the application?	An applicant must provide information required by the application within the application form and observe the word count limits. If an applicant believes additional attachments are necessary, they may be submitted and must be listed on Attachment A.



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338	Regarding Attachment E: Personal Identification, the Scoring Rubric for the Grower/Processor Application allocates 50 points to attachment E, how does an Applicant qualify for those points?	An evaluation committee will determine the quality of each application.
339	For Application Section D – Plan of Operation, is a Power Point format submission acceptable? If not, what format is required?	Electronic imagery may be included as long as it is responsive to the application. Images do not count as words, however, words within the image, captions or explanations will be counted in the word count. Images with no explanatory text will not be considered.
340	For Application Section 10, is it acceptable to use diagrams, in addition to the 5,000 word limit, to visually depict security features that are unique to the proposed site/facility?	Electronic imagery may be included as long as it is responsive to the application. Images do not count as words, however, words within the image, captions or explanations will be counted in the word count. Images with no explanatory text will not be considered.
341	Section 5: Moral affirmation. Is each financial backer, principal, operator and employee supposed to fill this out? If so, there is only space for one person to “affirm”.	One person can complete this section on behalf of the applicant, its financial backers, principals, operators and employees.
342	Section 6: Compliance: Is each financial backer, principal, operator and employee supposed to fill this out? If so, there is only space for one person to “affirm”.	One person can complete this section on behalf of the applicant, its financial backers, principals, operators and employees.
343	The Medical Marijuana Act and its associated regulations both define a “principal” as any “person who directly owns a beneficial interest in or ownership of the securities of an applicant or permittee.” The term “person” is undefined. The use of the word “directly” and not “directly	Persons and business entities holding an interest in the Applicant must be listed in appropriate sections of the application.



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	or indirectly” suggests that if a principal is a company (i.e., LLC or LP), only the company, as the “direct” owner would have to be disclosed, rather than its indirect owners. Is this correct?	
344	Section 4A (Principals, Financial Backers, Operators and Employees). Would like clarification as to whether the direct principal, financial backer etc. should be listed, or if we need to go further and also list any natural persons in the event the financial backer or principal is an entity. For example, if an investor is an LLC, do we also need to list the owners of the LLC, or for this section is it sufficient to just the actual financial backer/principal.	Persons and business entities holding an interest in the Applicant must be listed in Section 4 of the application.
345	Should Advisory Board members that are not compensated or employed at the time the application is submitted, but may be compensated in the future, required to be listed as employees in the application and complete all employee requirements for the application?	Please refer to 28 Pa. Code § 1141.21 , and the definition of employee.
346	The scoring rubric lists Part A, Section 2 (Facility Information) as pass/fail. How will application evaluators consider whether an applicant checks the box for “financially distressed municipality” in this section? Will applicants receive extra points or some other advantage for having a facility located in a financially distressed municipality?	Please refer to 28 Pa. Code § 1141.24 , Medical marijuana regions. (b) The Department will consider the following factors about each region in its determination to grant or deny an initial permit to an applicant: (1) Regional Population (2) The number of patients suffering from a serious medical condition. (3) The types of serious medical conditions in the region. (4) Access to public transportation. (5) The health care needs of rural and urban areas.



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		(6) Areas with recognized need for economic development.
347	For financial backers, a lot of privately held companies may be using funds that have a bunch of investors. Is there a threshold for privately held companies or is it that every single person who holds ANY type of ownership need to go through the vetting process? In other words, is there a threshold on the private side of the equation?	Please refer to 28 Pa. Code §§ 1141.21 , and the definition of Controlling interest.
348	If a small interest in the company (i.e., less than 10%) of the company is directly held by a company, and that company's interests are held by other companies, must the applicant identify all owners of the underlying companies? For example if the applicant is XYZ Co., and 5% of XYZ Co. is owned NEWCO, LLC, and NEWCO LLC is, in turn, owned by Person 1, Person 2 and ABC LLC, must the applicant identify each individual owner of ABC LLC as a principal? In sum, must the applicant identify all owners of all interests, individually, regardless of how small the ownership percentage?	Please refer to definitions of principal within 28 Pa. Code § 1141.21 , and the definition of Controlling interest. Persons and business entities holding an interest in the Applicant must be listed in appropriate sections of the application.
349	Lastly, if an interest is owned by a trust, who would be the principal for purposes of the act? For example if a trust owns 1% of the applicant, who should be identified as the principal (the trustee or its beneficiary)? Would this person be subject to a background check?	Please refer to definitions of principal within 28 Pa. Code § 1141.21 , and the definition of Controlling interest. Persons and business entities holding an interest in the Applicant must be listed in appropriate sections of the application.
350	Does "Others holding an interest in the proposed site or facility" refer to the landlord?	Please refer to definitions of principal within 28 Pa. Code § 1141.21 , and the definition of controlling interest. Persons and business entities holding an interest in the Applicant must be listed in appropriate sections of the application.



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351	<p>“Principal” is defined in the Act and regulations as “an officer, director or person who directly owns a beneficial interest in or ownership of the securities of an applicant or permittee...”. As a result, the concept of “Financial Backer” is subsumed in most cases with the definition of Principal. Confirm that wherever information has been requested of “Principals” applicant should also include responses for all equity owners of applicant.</p>	<p>Please refer to the definition of Financial backer and Principal in 28 Pa. Code § 1141.21.</p>
352	<p>We are a new PA LLC formed strictly for the purpose of pursuing a PA MMJ grower/processor and Dispensary permit - most of the LLC principals and equity owners listed in the original Operating Agreement are part of the new organization and plan to work in the new organization if a permit(s) is granted - please clarify if such individuals should be listed as "employees" in the application if it is their intent to work for the entity if a permit is awarded?</p>	<p>Please refer to the definition of Employee in 28 Pa. Code § 1141.21.</p>
353	<p>Section 20: Can you clarify what is meant by “Officers”?</p>	<p>Please refer to the definition of Principal in 28 Pa. Code § 1141.21.</p>
354	<p>Patient services is not one of the application narrative responses. How are we supposed to be a patient centered facility when that isn’t included in the merit scale?</p>	<p>Please refer to the Medical Marijuana Act.</p>
355	<p>If dispensaries are allowed to manufacture, are growers permitted to send and dispensaries receive, intermediate forms of marijuana that are not Medical Marijuana but would be manufactured into Medical Marijuana by the dispensary, e.g., the dispensary receives buds from the grower (which technically is not Medical Marijuana being transported but another substance) and makes oil that can be sold?</p>	<p>Please see 28 Pa. Code 1141.21 and the definition of Dispensary, "A person who holds a permit issued by the Department to dispense medical marijuana," and Grower/processor, "A person who holds a permit from the Department under the act to grow and process medical marijuana."</p>



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	Same question if the scenario is one dispensary sending intermediates to another dispensary?	
356	Are there more detailed definitions of the differences between a principal, financial backer, operator, and employee?	Please see the definitions in 28 Pa. Code § 1141.21 for definitions of these roles, and definition of Controlling interest.
357	May we refer to other responses throughout the application? For example, may we refer to Section 20, safety and sanitation, when drafting a response to Section 17, growing practice, or should we present similar information in each section?	Please see the Instructions document, Section IV, Preparing and Submitting your Application. "Complete every section of the application package. For sections that require a written answer, limit your response to 5,000 words per section. If a question or item does not apply, place "Not Applicable" or "N/A" within that line or box."
358	If we end up with an additional employee/investor, then what do we do? Submit the applicable new pages to the state?	Please see the Instructions document, Section V, After You Submit Your Applications, and the subsection Changes During Application Process or Permit Term: During the application process, while the application is under review or at any time during the permit term, if a permit is issued, the medical marijuana organization must notify the Department, in writing, of the following: Any change in facts or circumstances reflected in the application, or any newly discovered or occurring fact or circumstance which the Department requires to be included in the application, including a change in control. Any proposed modification of its plan of operation,



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		including any change to any information provided on the initial permit application.
359	Since Pennsylvania is a State requiring a pharmacist, physician, CRNP, or PA to dispense and be present in the dispensary driving up overhead costs compared to other states, will there be price regulations with the grower/processor? The dispensaries?	In general, pricing to patients will be established by the dispensary. Please also refer to 35 P.S. § 10231.705 .
360	The testing Section 21 of the application is worth 50 points but only involves checking a box. Did the application intend to omit the narrative section for this topic?	Section 21 is correct as is and requires completion of the check boxes
361	Is the universe of relevant Pennsylvania law and regulations comprised of the following: The Medical Marijuana Act; and 29 PA Code Chs 1131, 1141, 1151 and 1161?	The correct set of regulations are 28 Pa. Code Chs 1131, 1141, 1151 and 1161. Those, plus the Medical Marijuana Act comprise the laws and regulations pertaining to medical marijuana in Pennsylvania.
362	What are entities seeking a permit doing about bank accounts and proof of liquidity? (it does not appear that any banks in the Commonwealth are willing to receive deposits from entities involved in the trade)	The Department is not able to provide a response to your specific inquiry.
363	We would like to inquire as to how the regulations would treat a Sunday religious course of learning at a church (or other religious center) within 1000 feet of the property line. Would this pass regulation?	The Department is not able to provide a response to your specific inquiry, and suggests the applicant may consider consulting with their local municipality for additional guidance.



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364	Can you clarify if you will be answering questions through February 8th. Or, should we submit questions several days prior to February 8th so that you can answer them by the 8th?	The Department will accept questions from applicants through February 8. After February 8, the Department will continue to provide answers to all questions it received by February 8.
365	(For Attachment E) Is it a requirement for the Applicant to have a Pennsylvania address? Is it a requirement for Principals to have a Pennsylvania Residency and/or ID?	There is no reference in the Act or its regulations such as you describe.
366	Can you tell me if you give preference to business that are incorporated in Pennsylvania?	There is no reference in the Act or its regulations such as you describe.
367	Who is our main point of contact in our Region?	Please refer to the Instructions document regarding the address to submit an application for a medical marijuana dispensary permit or grower/processor permit.
368	When can doctors sign up for the State Program?	The Department is not able to provide a response to your inquiry at this time.
369	What is the difference between an operator and employee? (Not defined in the Senate Bill)	Please refer to the definitions of Operator and Employee in 28 Pa. Code § 1141.21 .
370	We have a large investment group that consists of individuals, trusts and also an existing LLC company operating in another state within the Medical Marijuana industry. Our question is: Do we need to have every individual that has ownership of these existing trusts and the LLC listed	Persons and business entities holding an interest in the Applicant must be listed in appropriate sections of the application.



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	<p>within our application and also does every individual listed need a fingerprint card to be submitted? The LLC that is a part of our ownership group has some overlapping investors and also is comprised of a large contingent of individuals, trusts and corporations also. We would have a very large listing of owners even though only a very small number of them would be involved in the operation itself.</p>	
371	<p>If the State receives an abundance of qualified applicants, will there be additional permits issued in the first round since you are not allocating all the permits that were approved to be issued within the law?</p>	<p>Please see the Instructions document. During Phase 1, the Department intends to issue up to 12 grower/processor permits and up to 27 dispensary permits.</p>
372	<p>Can we make alterations to our building plans after we submit our application as long as we submit those changes to the state?</p>	<p>Please see the Instructions document, Section V, After You Submit Your Applications, and the subsection Changes During Application Process or Permit Term: During the application process, while the application is under review or at any time during the permit term, if a permit is issued, the medical marijuana organization must notify the Department, in writing, of the following: Any change in facts or circumstances reflected in the application, or any newly discovered or occurring fact or circumstance which the Department requires to be included in the application, including a change in control. Any proposed modification of its plan of operation, including any change to any information provided on the initial permit application.</p>



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373	I'm a person with a disability and a real estate agent. I've had interest from clients for a medical marijuana dispensary at a property I represent. In particular, interpretation of the following regulation: (f) A dispensary must have an enclosed, secure area out of public sight for the loading and unloading of medical marijuana into and from a transport vehicle. The property in mind has a main front entrance on the street, and a rear entrance that faces a loading street and parking lot. In order to meet this regulation, would an awning or covered carport be sufficient to meet this requirement? Are there any waivers to this requirement?	The Department does not have sufficient information to answer this question.
374	On page one of the G/P application, it asks if the proposed site is located in an economically disadvantaged community. There is then a hyperlink identifying a number of municipalities. This question appears in the pass/fail section of the application. Question: Is permit approval contingent upon putting the g/p location in one of the communities identified through the hyperlink on the application?	Please refer to 28 Pa. Code § 1141.24 , Medical marijuana regions. (b) The Department will consider the following factors about each region in its determination to grant or deny an initial permit to an applicant: (1) Regional Population (2) The number of patients suffering from a serious medical condition. (3) The types of serious medical conditions in the region. (4) Access to public transportation. (5) The health care needs of rural and urban areas. (6) Areas with recognized need for economic development.
375	In the regulations it states that one of the factors the Department will consider are areas with recognized need for economic development. However, only the cultivation/processing application asks if the facility is located in a financially distressed area. Does this factor also apply to	Please refer to 28 Pa. Code § 1141.24 , Medical marijuana regions. (b) The Department will consider the following factors about each region in its determination to grant or deny an initial permit to an



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	<p>dispensaries, or only cultivation/processing? Also, how will this information factor into the application scoring process? For example, does locating in a distressed area act as a tiebreaker? Or will it be used for another purpose?</p>	<p>applicant: (1) Regional Population (2) The number of patients suffering from a serious medical condition. (3) The types of serious medical conditions in the region. (4) Access to public transportation. (5) The health care needs of rural and urban areas. (6) Areas with recognized need for economic development.</p>
376	<p>In some sections, the applicant is asked to “Please provide an explanation of any responses above that were answered as a ‘No’ and how you will meet these requirements by the time the Department determines you to be operational under the Act and Regulations.” What is the meaning of the second part of this question (“how you will meet these requirements by the time the Department determines you to be operational under the Act and Regulations.”)? Should it only be answered if we responded “No” to any of the responses, or are we required to respond regarding how we will meet the requirements no matter if we select “Yes” or “No”?</p>	<p>A response of yes does not require an answer in this section</p>
377	<p>We are currently looking into finding out the facility criteria for a Medical Marijuana facility. From what I understand it has to be a separate building, which is not close to a school. Can someone please let me know the specifics of the criteria to see if we might be able to accommodate such a use in one of our properties.</p>	<p>Please refer to 35 P.S. § 10231.2107 and 28 Pa. Code § 1141.49 regarding zoning requirements. Please also refer to 35 P.S. § 10231.802.</p>



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378	In Application, Section 26: Section C, it states "List any other persons holding an interest in the proposed site or facility, that are not otherwise disclosed in Sections A or B." Is this where you must list the current owners and/or future landlords of the property (even if being bought/built outright) or is there some other intended meaning?	Please refer to definitions of principal within 28 Pa. Code § 1141.21 , and the definition of controlling interest. Persons and business entities holding an interest in the Applicant must be listed in appropriate sections of the application.
379	According to current regulation and published in application, the growing area for medical cannabis is referred to as an "enclosed facility." Does a fully-secured, sealed environment, research, pharma-grade greenhouse meet the requirements of the State as an approved growing facility?	Please refer to 35 P.S. 10231.702 (b) .
380	Can you grow in greenhouses or must it be an indoor growing facility?	Please refer to 35 P.S. 10231.702 (b) .
381	Can we build greenhouses?	Please refer to 35 P.S. 10231.702 (b) .
382	Will a Grower/Processor be able to distribute to a permitted dispensary in any region in Pennsylvania or just the region in which they are located?	A permitted grower/processor may sell medical marijuana products to any other permitted grower/processor or permitted dispensary within the Commonwealth. Please refer to 28 Pa. Code § 1161.27 (b) and 1151.21 (b) (1) .
383	Could you please let me know if the grower-processors in a specific region are limited to selling products to only the dispensaries in the same region? Or if you are a grower-processor are you able to provide products to any of the dispensaries in the state of Pennsylvania? If you	A permitted grower/processor may sell medical marijuana products to any other permitted grower/processor or permitted dispensary within the Commonwealth. Please refer to 28 Pa. Code § 1161.27 (b) and 1151.21 (b) (1) .



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	are a dispensary can you choos to work with any grower processor in the state?	
384	Will Growers & Processors be able to develop a relationship with any dispensary within the Commonwealth or shall they be limited to their region alone? For instance, if a company were to obtain a license as a Grower/Processor in region 2 -- would they be able to sell to a dispensary in region 1?	A permitted grower/processor may sell medical marijuana products to any other permitted grower/processor or permitted dispensary within the Commonwealth. Please refer to 28 Pa. Code § 1161.27 (b) and 1151.21 (b) (1) .
385	By limiting my response on Section 19 (Grower Application) I am unable to fully demonstrate to you our expertise (or lack thereof) in processing/extraction. You should split the processing and extraction to allow for more response space.	An applicant must provide information required by the application within the application form and observe the word count limits. If an applicant believes additional attachments are necessary, they may be submitted and must be listed on Attachment A.
386	Section 21 (Grower) - Quality Control and Testing has a possibility of 50 points. The application section, however, has only a single item to check and no place to submit a narrative response. Where will the 50 be acquired? In the checking of the single yes/no question or is there an error here in the absence of a narrative response?	Please only answer by using the yes/no check box for Section 21.
387	When you have the 30 days to import seeds and immature plants to start the grow how does that work? Can they drive or fly the seeds and plants to Pennsylvania from Colorado or California? What are the regulations for the transport of them?	Please refer to 28 Pa. code § 1151.24 regarding start-up inventory
388	What is the acceptable form of personal identification (Attachment E) for an employee who lives in an adjacent state (i.e., holding an out-of-state driver's license) who does not have a passport?	Verification of identity documents satisfactory to the Department are: o A valid Pennsylvania Photo Driver's License o A valid Pennsylvania Photo Identification Card



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		<ul style="list-style-type: none"> o A valid Pennsylvania Photo Exempt Driver's License o A valid Pennsylvania Photo Exempt Identification Card o A valid U.S. Armed Forces Common Access Card o A valid U.S. passport <p>The Department also will accept a valid out-of-state driver's license as a form to verify identification.</p>
389	<p>Is a valid U.S. greencard an acceptable form of identification for a prospective employee listed on a GP or dispensary application? If not, what would be the acceptable form of ID for an individual who resides in another state and is not a US citizen?</p>	<p>Verification of identity documents satisfactory to the Department are:</p> <ul style="list-style-type: none"> o A valid Pennsylvania Photo Driver's License o A valid Pennsylvania Photo Identification Card o A valid Pennsylvania Photo Exempt Driver's License o A valid Pennsylvania Photo Exempt Identification Card o A valid U.S. Armed Forces Common Access Card o A valid U.S. passport <p>The Department also will accept a valid out-of-state driver's license as a form to verify identification.</p>
390	<p>Can out of state principals and investors use their own state issued driver's licenses as their form of government issued ID or would a passport be preferable?</p>	<p>Verification of identity documents satisfactory to the Department are:</p> <ul style="list-style-type: none"> o A valid Pennsylvania Photo Driver's License o A valid Pennsylvania Photo Identification Card o A valid Pennsylvania Photo Exempt Driver's License o A valid Pennsylvania Photo Exempt Identification Card o A valid U.S. Armed Forces Common Access Card o A valid U.S. passport



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		The Department also will accept a valid out-of-state driver's license as a form to verify identification.
391	Proof of identification says it can be accomplished by US Passport or valid drivers license. Question: What about a foreign issues passport? Will that suffice?	<p>Verification of identity documents satisfactory to the Department are:</p> <ul style="list-style-type: none"> o A valid Pennsylvania Photo Driver's License o A valid Pennsylvania Photo Identification Card o A valid Pennsylvania Photo Exempt Driver's License o A valid Pennsylvania Photo Exempt Identification Card o A valid U.S. Armed Forces Common Access Card o A valid U.S. passport <p>The Department also will accept a valid out-of-state driver's license as a form to verify identification.</p>
392	How will charts, pictures and tables be counted within the word limits for each answer?	Electronic imagery may be included as long as it is responsive to the application. Images do not count as words, however, words within the image, captions or explanations will be counted in the word count. Images with no explanatory text will not be considered.
393	May we include diagrams or images in the narrative answer boxes of the application? If not, may we include such diagrams or images in the "Additional Attachments" area as shown in the above chart. (For example; process flow diagrams, compliance checklists, CO2 system images, etc)	Electronic imagery may be included as long as it is responsive to the application. Images do not count as words, however, words within the image, captions or explanations will be counted in the word count. Images with no explanatory text will not be considered.



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394	Attachment J: As a dispensary, I acquire products from growers, I do not believe that I make products. Therefore, the products would come with labels. Am I expected to fill out Attachment J because dispensaries are allowed to manufacture or repackage product from growers?	A dispensary applicant does not need to complete Attachment J: Sample Medical Marijuana Product Label
395	Is Attachment J only required for the grower/processor application? What should be included for the dispensary application?	A dispensary applicant does not need to complete Attachment J: Sample Medical Marijuana Product Label
396	Attachment J: Sample Medical Marijuana Product Label: Provide a sample label for each marijuana product you expect to produce. Dispensaries will not be producing products, grower/processors will be. Please clarify what you need here.	A dispensary applicant does not need to complete Attachment J: Sample Medical Marijuana Product Label
397	Section 13: Labeling. This section indicates labeling quality control, logos, badges, artwork, etc. Since the dispensaries are not doing packaging, the grower processors are does this just mean we need to reject product from the growers that is not branded properly?	A dispensary applicant does not need to complete Attachment J: Sample Medical Marijuana Product Label
398	Attachment J: Sample Medical Marijuana Product Label: "Provide a sample label for each medical marijuana product you expect to produce". Dispensaries are not allowed to produce products. Please advise.	A dispensary applicant does not need to complete Attachment J: Sample Medical Marijuana Product Label
399	It is my understanding that at no point in the application process will the Department of Health consider any letters of recommendation or non-opposition; is this correct?	Letters of support will not be considered.
400	How many separate dispensary applications can we submit to the state?	An applicant may submit any number of applications. Each dispensary permit application must include an initial application fee of \$5,000 payable by a certified check or money order. For each dispensary location



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		named in the permit application, a separate dispensary permit fee of \$30,000, payable by certified check or money order, must be submitted for each dispensary location.
401	If we are applying for multiple applications do we need to show 300k in the bank? We understand we will only receive one, however, do we need separate capital for each license?	Each application must specify a single medical marijuana region on the first page of the application form. An applicant may submit multiple permits applications, with the appropriate application fees for each. Please also see Attachment L, Applicant Priorities for Multiple Applications. For Phase 1, an applicant will be issued no more than one permit as a grower/processor.
402	Are we required to submit a \$30,000 permit fee with every application? Are we required to submit a \$5,000 application fee every application?	Each dispensary permit application must include an initial application fee of \$5,000 payable by a certified check or money order. For each dispensary location named in the permit application, a separate dispensary permit fee of \$30,000, payable by certified check or money order, must be submitted for each dispensary location.
403	For dispensing applications, will it be scored more favorably if a group includes additional plans to open up two or three locations? While the application instructions have been modified in the Region 1 (Philadelphia/Southeast) and Region 5 (Pitt/Southwest) so that any SECOND location must be in Philadelphia or Allegheny Counties, it was never explained where a THIRD location might need to be located in	Please see the Dispensary Permit Application, Section 2: "The applicant is required to provide a primary dispensary location. The applicant may include a second or a third location under this application. A second or third dispensary may be added to a dispensary permit at a later date through the filing of an application for additional dispensary locations."



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	either of those regions. Where would the THIRD location also have to be in Allegheny or Philadelphia if applying in Region 1 or Region 5?	Please also see the application Instructions document, Medical Marijuana Regions, in Section I, regarding counties in which an applicant is eligible to locate a primary dispensary location.
404	Should a dispensary applicant with three proposed dispensary locations, in the same region, in different counties, submit one dispensary application with information on the three locations, including leases?	Please see the Dispensary permit, Section 2: "The applicant is required to provide a primary dispensary location. The applicant may include a second or a third location under this application. A second or third dispensary may be added to a dispensary permit at a later date through the filing of an application for additional dispensary locations."
405	On the day that Secretary Murphy announced the dates for the application release and submission, she stated in her press conference that if a permittee is opening three locations under one permit, the permittee would not be permitted to open more than one per county within the region for which the application was submitted. This was not provided for in the regulations nor is this restriction mentioned in the application. Does this restriction apply even though it is not provided for in the law?	Please see the Dispensary permit, Section 2: "The applicant is required to provide a primary dispensary location. The applicant may include a second or a third location under this application. A second or third dispensary may be added to a dispensary permit at a later date through the filing of an application for additional dispensary locations."
406	If we apply for a primary dispensary and submit 30k, 2 years down the line, could we submit another 30k and build a dispensary within our region or should we submit 60k right now?	Please see the Dispensary Permit Application, Section 2: "The applicant is required to provide a primary dispensary location. The applicant may include a second or a third location under this application. A second or third dispensary may be added to a dispensary permit at a later date through the filing of an application for additional dispensary locations." Please also see the application Instructions document, Medical Marijuana Regions, in Section I,



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		regarding counties in which an applicant is eligible to locate a primary dispensary location.
407	If a single entity is applying for licenses in more than one region (multiple grower/processor, multiple dispensary, or a combination of both), is it required to separate proof of funds for each application/permit? Or if there is sufficient capital in one account, may that single account serve as proof of funds for these multiple applications?	For each application submitted for a grower/processor permit, a separate initial application fee of \$10,000 and a separate initial permit fee of \$200,000 must be included. The applicant can use the same required asset base to meet the capital requirements for multiple applications. Please refer 35 P.S. 10231.607 .
408	Secretary Murphy indicated a dispensary opening target date of Mid-2018. Does the Department have a target opening date for Growing/Processing facilities beyond the language in §1141.42 (a)? (i.e. Not less than 6 months from the date of issuance of a permit, a medical marijuana organization shall notify the Department, on a form prescribed by the Department, that it is operational.”) Also, can you elaborate on what the Department means by the word “operational?”	Please refer to 28 Pa. Code § 1161.29 , plans of operation.
409	Is it the expectation that all medical marijuana waste will be returned to the grower/processor it was received from for destruction?	Please refer to 28 Pa. Code § 1151.40 regarding medical marijuana waste.
410	If marijuana has to be returned and destroyed, do we destroy it on our own, is it our responsibility to return it, or is it the grower’s responsibility?	Please refer to 28 Pa. Code § 1151.40 regarding medical marijuana waste.



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411	Attachment B (Organizational Documents). For applicants that are limited liability companies, please advise as to whether certified Certificate of Formation is sufficient, or if Operating Agreement (which is not filed with the Commonwealth) should also be provided.	Any documentation evidencing that you are authorized to do business in Pennsylvania or any other state may be sufficient for Section B.
412	If the state of formation / incorporation of the entities that will be applying for permits for a grower/processor or dispensary will be taken into account for purposes of issuing the licenses? In other words, if the personnel and operations are based in Pennsylvania, but the actual entity submitting the application was formed in a different state (e.g., it being more advantageous for the entity to be organized in another state for purposes of operations and governance), will that affect the decision to grant a permit at all? Does the Department of Health ("DOH") takes points away from an applicant if that applicant is organized as a foreign (i.e., within the U.S., but out-of-state) entity?	Any documentation evidencing that you are authorized to do business in Pennsylvania or any other state may be sufficient for Section B. There is no requirement that the business must be incorporated in Pennsylvania.
413	Section 21 (Ownership). As with Section 4A, we would like clarity as to whether to list only persons/entities with direct controlling interests in applicant (i.e. ownership of any security), or if we must also pierce through any entities that own shares up to the ultimate natural owners.	Any entity or person holding an interest in the site or facility should be listed in Section 21 in the dispensary application or Section 26 in the grower/processor application, subsection C, "Other Persons Holding an Interest in the Proposed Site or Facility."
414	If the owner is an entity in itself, how do we handle the "Ownership" section?	Please refer to definitions of principal within 28 Pa. Code § 1141.21 , and the definition of Controlling interest. Persons and business entities holding an interest in the Applicant must be listed in appropriate sections of the application.
415	If an applicant submits an application and the required fees in Phase 1 and is not awarded a permit, will that applicant be automatically considered for Phase 2 and if so, would a second fee be necessary for consideration in Phase 2?	The Department has not determined a schedule of subsequent phases at this time.



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416	Can we re-apply without paying an additional fee if we do not win in Phase 1?	<p>A Dispensary applicant may submit any number of applications. Each dispensary permit application must include an initial application fee of \$5,000 payable by a certified check or money order. For each dispensary location named in the permit application, a separate dispensary permit fee of \$30,000, payable by certified check or money order, must be submitted for each dispensary location.</p> <p>A Grower/Processor applicant may submit any number of applications. For each application submitted for a grower/processor permit, a separate initial application fee of \$10,000 and a separate initial permit fee of \$200,000 must be included. The applicant can use the same required asset base to meet the capital requirements for multiple applications. Please refer 35 P.S. 10231.607.</p>
417	Are doctors who are currently able to prescribe medical cannabis as part of the new PA law also permitted to own equity interest in companies applying for grow/processing and/or dispensary licenses?	A practitioner may not hold a direct or economic interest in a medical marijuana organization. Please refer to 35 P.S. § 10231.402.
418	Additionally, may equity holders of licensed grow/processors or dispensaries in PA be allowed to be employed by or receive any compensation from any hospital clinic, or practice that is able to prescribe medical marijuana under the new PA law?	A practitioner may not hold a direct or economic interest in a medical marijuana organization. Please refer to 35 P.S. § 10231.402.



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419	Are cannabis-infused liquids for oral consumption allowed to be sold in dispensaries?	Please refer to 28 Pa. Code § 1151.28 (c) .
420	Regarding 28 Section 1151.29 The labeling requirements indicate that we must label product with 9 cannabinoids, plus “Any other cannabinoid over 0.1%”. Does this mean we are required to test more than the 9 indicated cannabinoids? There are over 85 known cannabinoids. Most labs currently detect between 4 and 20 cannabinoids.	Please refer to 28 Pa. Code § 1151.28 (c) . A grower/processor may not manufacture, produce or assemble any medical marijuana product, instrument or device without the prior written approval of the Department.
421	Section 303 of the Act states that medical marijuana may be dispensed in a Pill form. Would a dissolvable pill/tablet qualify as a "pill form"?	Please refer to 28 Pa. Code § 1151.28 (c) . A grower/processor may not manufacture, produce or assemble any medical marijuana product, instrument or device without the prior written approval of the Department.
422	Will processors be permitted to manufacture and sell concentrated cannabinoid oils, i.e. “wax” and “shatter” for use in vaporizing a.k.a. vape ?	Please refer to 28 Pa. Code § 1151.28 (c) . A grower/processor may not manufacture, produce or assemble any medical marijuana product, instrument or device without the prior written approval of the Department.
423	Does wax, shatter, crumble qualify as a form of saleable medical marijuana under Act 16?	Please refer to 28 Pa. Code § 1151.28 (c) . A grower/processor may not manufacture, produce or assemble any medical marijuana product, instrument or device without the prior written approval of the Department.



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424	Can we sell products to dispensaries that are infused with coconut oil (topical form)?	Please refer to 28 Pa. Code § 1151.28 (c) . A grower/processor may not manufacture, produce or assemble any medical marijuana product, instrument or device without the prior written approval of the Department.
425	For Attachment C, do applicants need to submit “a written statement from the property owner that the applicant may operate a medical marijuana organization on the proposed site for, at a minimum, the term of the initial permit” in addition to the lease if the lease already acknowledges that requirement?	Please refer to 28 Pa. Code § 1141.29 (b) (3) , regarding methods of providing 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.
426	Is a signed letter of intent to lease a property sufficient to meet the requirement for “Other evidence that shows that the applicant has a location to operate its medical marijuana organization”?	Please refer to 28 Pa. Code § 1141.29 (b) (3) , regarding methods of providing 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.
427	Is it absolutely necessary to acquire the property for a dispensary prior to the approval/denial of an applicant’s application? Is it not possible to apply for the permit and once it is issued secure the property in the county where the license is granted? Furthermore, what purpose would one use a property obtained in advance of gaining a permit if said permit is subsequently denied?	Please refer to 28 Pa. Code §1141.29 : "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



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		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."
428	Is there any preference awarded to applicants who own the property of their proposed permit over those applicants who lease, or have a contractual option to own or lease?	Please refer to 28 Pa. Code §1141.29 : "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."
429	Specifically, what needs to be redacted from the application as confidential information?	For additional information an applicant may refer to the Pennsylvania Right-to-Know Law, 65 P.S. § 67.101 <i>et seq.</i>
430	Please clarify the requirement for submitting a redacted application. Shall we submit two complete applications, including all attachments, one that includes all information, and one that is redacted?	Stated in the Medical Marijuana Application Instructions under section IV. PREPARING AND SUBMITTING YOUR APPLICATION, "The application package consists of the following:" for item number



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		five (5.) as “Redacted version of the application form and all accompanying attachments.”
431	Please confirm or clarify which items shall be redacted. Does this include: (a) Individual and company names only, (b) All identifying information including addresses, dates of birth, email, phone, EID numbers etc., (c) any other information that could identify the applicant such as detailed information about location, and biographical and company history information that would make it easy for an individual who is scoring the application to identify the applicant or an individual described in the application?	For additional information an applicant may refer to the Pennsylvania Right-to-Know Law, 65 P.S. § 67.101 <i>et seq.</i>
432	In the redacted copy, what does the Department want the applicant to redact? What format would the Department like redacted content to be in?	For additional information an applicant may refer to the Pennsylvania Right-to-Know Law, 65 P.S. § 67.101 <i>et seq.</i>
433	Can you clarify what must be redacted in accordance with the Right-to-Know Law? Is it the Confidential Information listed in the application instructions only? Or is there more that must be redacted?	For additional information an applicant may refer to the Pennsylvania Right-to-Know Law, 65 P.S. § 67.101 <i>et seq.</i>
434	What information, specifically, is required to be redacted from the application?	For additional information an applicant may refer to the Pennsylvania Right-to-Know Law, 65 P.S. § 67.101 <i>et seq.</i>
435	Who within the department will be responsible for evaluating, scoring, and approving the applications? If application evaluators have not yet been selected, what will be the process for selecting them?	Please refer to 28 Pa. Code § 1141.35 (c) : "The applicant may not obtain the names or any other information relating to persons reviewing



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		applications, including a reviewer's individual application reviews."
436	How will the department ensure consistency in application review? Will each part of an individual application be reviewed by the same evaluator? Will all applications be reviewed by the same individual evaluators?	Please refer to 28 Pa. Code § 1141.35 (c) : "The applicant may not obtain the names or any other information relating to persons reviewing applications, including a reviewer's individual application reviews."
437	Will you provide us with reasons to why we did not win?	Please refer to 28 Pa. Code § 1141.35 (b) "An applicant may request a debriefing from the Department within 30 days from the date of notice of denial. The debriefing will be limited to a discussion of the applicant's permit application."
438	Will the Dept. notify applicants of their disqualification for consideration within a timely manner with the reasons why and also enable an appeals process in the event that there is a possible mistake?	Please refer to 28 Pa. Code § 1141.35 (b) "An applicant may request a debriefing from the Department within 30 days from the date of notice of denial. The debriefing will be limited to a discussion of the applicant's permit application."
439	I have a question regarding the Cultivator/Processor application area of Security. More specifically, is there a requirement the entire security system be UL approved beginning with the individual installer, the security company, the security equipment and the security monitoring. Or just portions of the above or none at all. Additionally, is facial recognition equipment required for specific entry points or can biometric recognition be substituted at these points?	Please refer to 28 Pa. Code § 1151.26 (b-e) and 1161.31 (a) .



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440	Is there a requirement for fencing around a building and if so the height and distance away from the building?	Please refer to 28 Pa. Code § 1151.26 (b-e) and 1161.31 (a) .
441	Is there a requirement for 24 hour "on premise" security or can visual security be monitored by a UL approved station?	Please refer to 28 Pa. Code § 1151.26 (b-e) and 1161.31 (a) .
442	Regarding “The dispensary shall designate an employee to continuously monitor the security and surveillance systems at the facility”. (1161.31(b)(5)). May continuous monitoring be performed by an offsite, third-party security monitoring vendor rather than an employee? If an employee is required, does that imply 24/7 monitoring, or is that monitoring during hours of operation only?	Please refer to 28 Pa. Code § 1151.26 (b-e) and 1161.31 (a) .
443	Other states specify the security systems, cameras and alarms to be used by dispensaries. Does the Department of Health specify which equipment and systems can or should be used?	Please refer to 28 Pa. Code § 1151.26 (b-e) and 1161.31 . There is no specification which equipment or systems can be used.
444	Application Section 14, Electronic Tracking System states that a system will be deployed. Will this be deployed to growers at no cost? Are there any details about the Electronic Tracking system’s ability to interface with our existing computer system invoicing and label-generating system? Does this utilize RFID technology, or does it come with pre-generated bar codes?	The Department is in the process of identifying a seed-to-sale vendor (RFQ 6100040415) and will provide guidance at a later date.
445	Has the Department selected, or provided a shortlist of, Electronic Tracking System vendors?	The Department is in the process of identifying a seed-to-sale vendor (RFQ 6100040415) and will provide guidance at a later date.



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446	Does the Department of Health have any more information on the state-mandated inventory control system? Can we, can't we, or are we expected to, use a third-part inventory management system such as MJ Freeway or BioTrackTHC in addition to the state-mandated system?	The Department is in the process of reviewing submittals pertaining to RFQ 6100040415 and will provide additional guidance at a later date.
447	In my attempt to complete the application, reference is made to record generating and tracking often, has the department prescribed an electronic tracking system as of yet. I am also looking for a list of Approved qualified alarm system vendors	The Department is in the process of reviewing submittals pertaining to RFQ 6100040415 and will provide additional guidance at a later date.
448	When will the State decide and publish the seed to sale software company that will be approved to use in the State of PA?	The Department is in the process of reviewing submittals pertaining to RFQ 6100040415 and will provide additional guidance at a later date.
449	Does an Applicant only need to fill out and submit one copy of Attachment H: Tax Clearance Certificates or does each Principal, Operator, Financial Backer, and Employee of the Application need to fill the form out?	On Attachment H, the applicant, its principals and other persons affiliated with the applicant each must provide tax clearance certificates.
450	Attachment H (Tax Clearance Certificate). Instructions indicate that this form must be completed by applicant and its principals. Form clarifies that if business is not at a stage where tax clearance is possible, a copy of form PA-100 may be submitted instead. Please clarify whether this form must be submitted by all Principals as defined in the Act, and if so, whether submission of PA-100 form would be accepted for those Principals that are entities and whose business is not at a stage where tax clearance is possible.	On Attachment H, the applicant, its principals and other persons affiliated with the applicant each must provide tax clearance certificates. For a business entity, from PA-100 may be submitted for a business that is not yet at the stage where a Tax Clearance Certificate is possible
451	Does the State investigate the tax clearance status of entity and individual investors in the Application? If so, what does the State need from the investors?	Please complete Attachment H, Tax Clearance Certificates



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452	Are there any limits to the quantity of medical marijuana product that can be transported to/from dispensaries or grower/processors to other licensees?	Please refer to 28 Pa. Code §§ 1161.35 , Transportation of medical marijuana, and 1161.36 , Transport manifest, for the regulations regarding transportation of medical marijuana.
453	Can appropriately-licensed employees, transportation contractors, and/or security personnel be armed while onsite of a licensed facility or while transporting medical marijuana product? Are there any specific limitations to keeping weapons on site of a licensed facility or in a transport vehicle?	Please refer to 28 Pa. Code §§ 1161.35 , Transportation of medical marijuana, and 1161.36 , Transport manifest, for the regulations regarding transportation of medical marijuana.
454	Are there specific requirements for green waste removal vendors?	Please refer to 28 Pa. Code § 1151.40 regarding medical marijuana waste.
455	For, certification that the applicant complies with zoning, are you looking for a letter from the jurisdiction or an affidavit from the applicant?	Documentation issued by the local municipality or local zoning officer and submitted as part of the application package will be considered.
456	Section 8: Municipality zoning and special use permits can take 4-6 months. Please advise.	Documentation issued by the local municipality or local zoning officer and submitted as part of the application package will be considered.
457	With respect to the requirement that the applicant submit evidence that a proposed site is or will be in compliance with the municipality's zoning requirements, will the Department accept the zoning official's opinion that the medical marijuana use constitutes a use allowed by "special exception" (or "conditional use") in the district, provided that the site-specific standards of the ordinance are met, even though	Documentation issued by the local municipality or local zoning officer and submitted as part of the application package will be considered.



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	specific exceptions (or conditional use) uses procedurally require a subsequent hearing procedure before any permit can be granted?	
458	With respect to the requirement that the applicant submit evidence that the proposed site is or will be in compliance with municipality's zoning requirements, will the Department accept an opinion from the municipality's zoning officer that the use would be permitted at the site as a grandfathered lawful "nonconforming" use?	Documentation issued by the local municipality or local zoning officer and submitted as part of the application package will be considered.
459	Please advise what information the Department would like an applicant to submit to show that the applicant is in compliance or will be in compliance with the municipality's zoning requirement. What will be considered sufficient evidence the show that the applicant is in compliance or will be in compliance with the municipality's zoning requirement?	Documentation issued by the local municipality or local zoning officer and submitted as part of the application package will be considered.
460	The zoning reqs. in attachment D state: "the applicant also must submit evidence that the applicant is in compliance or will be in compliance with the municipality's zoning requirements." Could you please provide examples of what types of documentation would fulfill the "evidence" requirements with respect to demonstrating that our sites are in compliance or will be in compliance with the municipality's zoning requirements? For instance, would a letter from the property owner/landlord and/or the real estate agent suffice in meeting these requirements?	Documentation issued by the local municipality or local zoning officer and submitted as part of the application package will be considered.
461	Same question as number 460	Documentation issued by the local municipality or local zoning officer and submitted as part of the application package will be considered.



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