

Pennsylvania Department of Health
Application for Approval of an Act 63 of 2023 Permit

Contents

I. GENERALLY.....2
Completing the Application2
Medical Marijuana Regions3
Fees3
Application Timetable4
Definitions for Terms Within Application Documents4

II. DISCLOSURE OF APPLICATION INFORMATION6
Information Subject to Disclosure6
Definition of Trade Secret and Confidential Proprietary Information.....6
Other Information Exempt From Disclosure7
Defense of Applicant Redactions.....8

III. CONSENT TO INVESTIGATION AND BACKGROUND CHECKS.....8
Individuals with Controlling Interest8
Background Checks.....8
Background Check Process.....9

IV. PREPARING AND SUBMITTING YOUR APPLICATION9
The Application Package.....9
Completing the Application10
Submitting Your Application Package.....11

V. AFTER YOU SUBMIT YOUR APPLICATION.....11
Changes During Application Process or Permit Term.....11

VI. SCORING METHODOLOGY12
Scoring Rubric12
Diversity Plan Scoring Matrix15
Community Impact Scoring Matrix.....19
Currently Underserved Counties20

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

I. GENERALLY

The Pennsylvania Department of Health (Department) became responsible for administering Pennsylvania's Medical Marijuana Program with the enactment of the Medical Marijuana Act (Act).

Act 63 of 2023 allows for:

- (1) an independent grower/processor that applies and meets the requirements under section 618 shall be issued one dispensary permit.
- (2) an independent dispensary that applies and meets the requirements under section 618 shall be issued one grower/processor permit.

Act 63 requires that the permit granted as part of this application to be issued to the business entity that holds the original permit (the permittee). Therefore, the permit will not be issued to a separate, distinct legal entity.

The Department's use of "applicant" refers to the current Medical Marijuana Organization (MMO) applying for an additional permit under Act 63 of 2023.

Upon approval by the Department, the permits issued under this section shall carry the same rights, privileges and obligations as permits issued under this chapter.

An independent grower/processor or an independent dispensary may not enter into a change of control transaction with any person, which as defined in the regulations includes entities, for a duration of one year from the date the first dispensary location or the grower/processor location of the permit issued under Act 63 is deemed operational by the department, unless the change of control transaction occurs between an independent grower/processor or independent dispensary and a diverse group (securities sale prohibition period). The Department interprets the securities sale prohibition period to be a blackout period, wherein the independent MMO is restricted from soliciting, negotiating, or selling securities.

Applicants should understand the Act and its accompanying regulations at 28 Pa. Code Chapters 1141a, 1151a, 1161a, 1171a, 1181a, 1191a and 1211a (permanent regulations) and are advised to read these instructions and any guidance before beginning work on any application. These instructions apply to both the grower/processor and dispensary permit applications unless otherwise noted.

Completing the Application

An applicant seeking approval from the Department must complete all sections of the Application for Approval of an Act 63 of 2023 Permit, including information on the individual who will be the primary contact for the applicant during the Department's review of the application. The primary contact will be the business contact of record for the applying MMO. The application and any required supporting documentation must be saved as PDF files on a single USB drive.

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

An area is provided for all answers unless it is specified that additional documents must be attached. Please restrict your answers to the fields provided (). Each answer area is supplied with three blank lines. Feel free to copy and paste to make additional answer lines should more room be needed. Additional documents may also be attached.

The applicant must provide the requested documentation and answer ALL affirmations unless directed to move on to the next section. All documentation (either specifically requested or if more space is necessary for your answer) must be attached to the application in the form of PDF files.

Please make sure the Application is properly signed and dated. A signature may be scanned and provided electronically in a PDF file.

Medical Marijuana Regions

The Commonwealth is divided into six Medical Marijuana Regions, comprised of the counties listed below. [A map of the Medical Marijuana Regions](#) is available online.

Region 1 Southeast	Region 2 Northeast	Region 3 Southcentral	Region 4 Northcentral	Region 5 Southwest	Region 6 Northwest
Berks Bucks Chester Delaware Lancaster Montgomery Philadelphia Schuylkill	Carbon Lackawanna Lehigh Luzerne Monroe Northampton Pike Susquehanna Wayne Wyoming	Adams Bedford Blair Cumberland Dauphin Franklin Fulton Huntingdon Juniata Lebanon Mifflin Perry York	Bradford Centre Clinton Columbia Montour Northumberland Sullivan Snyder Tioga Union Lycoming Potter	Allegheny Armstrong Beaver Butler Cambria Fayette Greene Indiana Somerset Washington Westmoreland	Cameron Clarion Clearfield Crawford Elk Erie Forest Jefferson Lawrence McKean Mercer Venango Warren

Fees

Application Fees and Permit Fees must be submitted in the form of separate, certified checks or money orders made payable to “Commonwealth of Pennsylvania.” Each fee must be enclosed in a separate, sealed envelope within the application package. Application Fees are non- refundable. Permit Fees will be refunded if the applicant is not issued a permit. Permit fees will not be refunded until the applicant has exhausted the opportunities to resubmit a failed application within 15 days (“retry”) and resubmit an application not meeting minimum criteria within 15 days (“cure”). Refunds will be issued to the business name provided in the permit application, in care of the primary contact, and mailed to the primary contact’s mailing address.

Please note: a refund cannot be processed without the applicant’s Federal Employer ID Number.

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

The following fees must be submitted with each application:

Grower/Processor Permit Applications:

Application Fee: \$10,000

Permit Fee: \$200,000

Dispensary Permit Applications:

Application Fee: \$5,000

Permit Fee: \$30,000 per dispensary location identified in the application, up to \$90,000

Application Timetable

Applicants must be aware of and conform to the following dates and deadlines:

April 12, 2024:

The Application for Approval of an Act 63 of 2023, Grower Processor Permit Application, Dispensary Permit Application, associated attachments, and instructions will be available on Pennsylvania's Medical Marijuana [website](#).

May 12, 2024:

The earliest date for which the Department will accept Act 63 of 2023 Applications. (See Section IV below, "Preparing and Submitting Your Application").

June 12, 2024:

The latest date for which the Department will accept Act 63 of 2023 Applications. (See Section IV below, "Preparing and Submitting Your Application").

Definitions for Terms Within Application Documents

Certain relevant and newly enacted definitions are included here for the Applicant's convenience. All words and phrases shall have the meanings given to them in the Medical Marijuana Act and regulations, and applicants are encouraged to familiarize themselves with all defined terms. See 35 PS. § 10231.103 and 28 Pa. Code § 1141a.21:

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

Change of control transaction - the consolidation, merger or acquisition by a person or group of persons acting in concert of more than 20% of:

- (1) a medical marijuana organization's securities or other ownership interests, with the exception of any ownership interest of the person that existed:
 - (i) at the time of the issuance of the initial medical marijuana organization's permit and payment of the initial permit; or
 - (ii) prior to the effective date of this subparagraph; or
- (2) the securities or other ownership interests of a corporation or other form of business entity which owns directly or indirectly 20% of the securities or other ownership interests of the medical marijuana organization.

Diverse group - A disadvantaged business, minority-owned business, women-owned business, service-disabled veteran-owned small business or veteran-owned small business that has been certified by a third-party certifying organization.

Independent dispensary - A dispensary issued a permit to operate in this Commonwealth and that meets all of the following:

- (1) Has not had the dispensary's permit revoked.
- (2) Has not entered into a change of control transaction with any other person that was issued a grower/processor permit, dispensary permit or clinical registrant permit in this Commonwealth.
- (3) Is not materially the same as another medical marijuana organization in this Commonwealth through a parent company, subsidiary or shared affiliation with another entity that holds a permit from the department under this act or through the sharing of principals, officers or directors, employees, facilities, equipment, finances or capital.

Independent grower/processor - a grower/processor awarded a permit to operate in this Commonwealth that meets all of the following criteria as of the effective date of this definition:

- (1) Has not had its permit revoked.
- (2) Has not entered into a change of control transaction with any other person that was issued a grower/processor permit, dispensary permit or clinical registrant permit in this Commonwealth.
- (3) Is not materially the same as another medical marijuana organization in this Commonwealth through a parent company or subsidiary of another entity that holds a permit from the department under this act or through the sharing of principals, officers or directors, employees, facilities, equipment, finances or capital.

Materially the same - A person who shares any of the following with another person:

- (1) Profits or losses.
- (2) Common valuation, in the case of a publicly traded company.
- (3) Common ownership of more than 5%, including subsidiaries.
- (4) Common ownership of 5% or less if the persons with voting rights to elect or appoint one or more members of the board of directors or other governing board.
- (5) Common management, policies, principals, officers, directors, employees, equipment, finances or capital.

Operator - An individual who directly oversees or manages the day-to-day business functions for an applicant or permittee and has the ability to direct employee activities onsite and offsite or within a facility for which a permit is sought or has been issued under this part

Parent company - A company which directly or indirectly controls any other permittee under this act.

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

Person - a natural person, corporation, foundation, organization, business trust, estate, limited liability company, licensed corporation, trust, partnership, limited liability partnership, association or other form of legal business entity.

The terms “you” and “your” generally refer to the applicant applying for the permit. The term “Department” refers to the Pennsylvania Department of Health.

II. DISCLOSURE OF APPLICATION INFORMATION

Information Subject to Disclosure

Applications submitted to the Department, including all attachments, are public records and are subject to disclosure under the [Right-to-Know Law](#) (RTKL), 65 P.S. §§ 67.101-67.3104.

Accordingly, under 28 Pa. Code § 1141a.29 (a)(2), to the extent that your application package contains trade secret or confidential proprietary information, an applicant also must submit a redacted application in an electronic format.

Definition of Trade Secret and Confidential Proprietary Information

“Trade secret” is defined under the RTKL as: “Information, including a formula, drawing, pattern, compilation, including a customer list, program, device, method, technique or process that: (1) derives independent economic value, actual or potential, from not being generally known to and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and (2) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. The term includes data processing software obtained by an agency under a licensing agreement prohibiting disclosure.” 65 P.S. § 65.102.

“Confidential proprietary information” is defined under the RTKL as: “Commercial or financial information received by an agency: (1) which is privileged or confidential; and (2) the disclosure of which would cause substantial harm to the competitive position of the person that submitted the information.” 65 P.S. § 65.102.

You must **SUBMIT A SEPARATE REDACTED APPLICATION** in an electronic format that complies with the following:

Redact **ONLY** trade secret or confidential proprietary information *as defined under the RTKL*.

1. Redaction marks must be BLACK on WHITE background, must be marked “RTKL 708(b)(11),” and must cover only exempt material. Section headings and content descriptors on the permit application and attachments must remain exposed.

Pennsylvania Department of Health
Application for Approval of an Act 63 of 2023 Permit

PROPERLY REDACTED:

C. PLEASE ALSO PROVIDE A DETAILED SUMMARY OF THE METHODS AND PROCEDURES THAT WILL BE USED FOR THE GROWING OF MEDICAL MARIJUANA AT THE PROPOSED GROWER/PROCESSOR FACILITY. FOR EXAMPLE: THE INCLUSION OF GROWING MEDIUMS OR HYDROPONICS, THE PHYSICAL CONDITION FOR MAINTAINING THE IMMATURE MEDICAL MARIJUANA PLANTS AND MEDICAL MARIJUANA PLANTS, NUTRIENT PRACTICE, PARTICULAR LIGHTING STRATEGIES, ETC.

ABC Corporation will utilize the following proprietary methods:

RTKL 708(b)(11)

IMPROPERLY REDACTED:

RTKL 708(b)(11)

2. All redactions must be marked. Do not withhold or delete portions of the redacted application.
3. Do not lock, password protect, or otherwise secure the redacted copy from editing, organizing and printing.
4. Include all sections of application and attachments in the redacted application (even if no redaction is made to some portions), as the redacted and unredacted applications must match page for page.
5. Include a written statement signed by an applicant representative stating that all redactions made by the applicant constitute trade secret or confidential proprietary information as defined under the RTKL.

In accordance with section 707(b) of the Right-to-Know Law, 65 P.S. 67.707(b), the Department will make an independent determination as to whether to release the information marked as confidential proprietary or trade secret.

Other Information Exempt From Disclosure

Should the Department receive a RTKL request for an application, the Department will redact any other information exempt from disclosure under the RTKL, the Act and the regulations prior to providing records to the requester.

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

Defense of Applicant Redactions

An applicant must defend its own redactions in any administrative or court proceeding, including any appeals. You must maintain the email address you submit as your primary contact in Section 1 of the application, even if you do not receive a permit, so that the Department may keep you informed of RTKL requests and any litigation involving your redacted permit application. Any information not adequately defended by the applicant may result in full disclosure of the information in un-redacted form.

III. CONSENT TO INVESTIGATION AND BACKGROUND CHECKS

By submitting an application to the Department, an applicant consents to any investigation, to the extent deemed appropriate by the Department, of the applicant's ability to meet the requirements of the Act and regulations.

Individuals with Controlling Interest

In the application, questions relating to principals and financial backers must be answered only for those individuals with a "controlling interest," which is defined as follows:

- For a publicly traded company, voting rights that entitle a person to elect or appoint one or more of the members of the board of directors or other governing board or the ownership or beneficial holding of 5% or more of the securities of the publicly traded company.
- For a privately held entity, the ownership of 5% or more of the business.

Background Checks

To provide the criminal history record check required, an applicant must submit fingerprints of its principals, financial backers, operators and employees to the Pennsylvania State Police. The Pennsylvania State Police or its authorized agent will submit the fingerprints to the Federal Bureau of Investigation for the purpose of verifying the identity of the individuals whose fingerprints have been submitted and obtaining a current record of criminal arrests and convictions.

The Department may only use criminal history background check information to determine the character, fitness and suitability to serve in the designated capacity of the principal, financial backer, operator and employee.

The requirement of obtaining a background check applies to individual owners of securities in a publicly traded company only where the individual holds a controlling interest.

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

A financial backer, principal or employee may not hold a volunteer position, position for remuneration or otherwise be affiliated with a MMO if the individual has been convicted of a criminal offense relating to the sale or possession of illegal drugs, narcotics or controlled substances.

Background Check Process

All individuals who are listed as financial backers, principals, operators and employees in Part C, Section 4 of the grower/processor permit application or the dispensary permit application must complete a federal background check as part of their permit application. The Commonwealth's vendor for digital fingerprinting is Identogo.

Pre-enrollment with Identogo is required. Once enrolled, you may either schedule an appointment or "walk-in" during the location's posted hours of operation. Scheduling an appointment is recommended.

Identogo uses service codes that are unique to the agency requiring the background check. These codes ensure that applicants are processed for the proper purpose and that the results are forwarded to the appropriate agency. The Department uses the Service Name and Code listed below. DO NOT use the code for any other purpose. All background check results will be transmitted directly to the Department. Please use the following steps to obtain the required federal background check:

1. Each individual financial backer, principal, operator and employee begins the Federal Criminal Background Check process by visiting the Identogo website at the following link:
<https://uenroll.identogo.com>
2. Enter the service code (also referred to as Authorization or Coupon Code) no matter the individual's affiliation with the organization.
 - PA Medical Marijuana Organization – 1KGBJG
3. If you are able to visit a Pennsylvania location to get your digital fingerprinting, click on the "Schedule or Manage Appointment" tab and complete the requested information.
4. If you are outside of the Commonwealth and not able to visit a physical location in Pennsylvania, click on the "Submit A Fingerprint Card by Mail" tab and complete the requested information.

IV. PREPARING AND SUBMITTING YOUR APPLICATION

The Application Package

The application package consists of the following:

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

1. The completed Act 63 of 2023 Permit Application.
2. The completed Medical Marijuana Grower/Processor Permit Application if the applicant is already in possession of a Pennsylvania Medical Marijuana dispensary permit OR the completed Medical Marijuana Dispensary Permit Application if the applicant is already in possession of a Pennsylvania Medical Marijuana grower/processor permit.
3. Completed Attachments 1 through 7 for the Act 63 of 2023 Permit Application submitted.
4. Completed Attachments A through J for any Medical Marijuana Grower/Processor or Dispensary Permit Application submitted.
5. Any additional attachments referenced in a narrative section of the applications.
6. Redacted version of each completed application and all accompanying attachments, redacted according to the instructions provided in Section II.
7. Appropriate Application Fees and Permit Fees for each application submitted, in the form of certified checks or money orders, made payable to "Commonwealth of Pennsylvania." Each fee must be enclosed in its own separate, sealed envelope within the application package.
8. The Department will consider any application sent by mail as long as the United States Postal Service postmark on the outside of the package is clear and legible. The Department will return a permit application that is postmarked after the June 12, 2024 deadline.

Completing the Application

Complete every section of each required application. For sections that require a written answer, please limit your response to no more than 5,000 words per section. If a question or item does not apply, place "Not Applicable" or "N/A" within that line or box. Do not leave the answer space blank.

The application form and all attachments must be saved in an electronic format as PDF files on a single USB drive, CD-ROM, or DVD, in accordance with the following file naming format: *Applicant Name_Application Type_Document Title.pdf*.

Examples:

- Jane Doe LLC_Act 63 of 2023_Application.pdf
- Jane Doe LLC_Act 63 of 2023_Attachment 4.pdf
- Jane Doe LLC_Grower-Processor_Application.pdf
- Jane Doe LLC_Grower-Processor_Attachment G.pdf
- Jane Doe LLC_Dispensary_Application.pdf
- Jane Doe LLC_Dispensary_Redacted Application.pdf

If you are submitting more than one application on a single USB drive, CD-ROM, or DVD, add a numerical suffix to clearly identify which application the file is associated with:

- Jane Doe LLC_Grower-Processor_Application-2.pdf

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

- Jane Doe LLC_Dispensary_Attachment G-3.pdfXxx

Please note:

- Do not lock, password protect, or otherwise secure any file.
- Paper submittals will not be considered.
- Letters of Recommendation or Support should not be submitted and will not be considered.

Submitting Your Application Package

Application packages must be mailed to the following address:

Bureau of Medical Marijuana
Department of Health
Room 628, Health and Welfare
Building 625 Forster Street
Harrisburg, PA 17120

V. AFTER YOU SUBMIT YOUR APPLICATION

If the Department deems corrected or additional information is needed to make a determination, the Department will request, in writing, the information and documentation required. The applicant will have 15 days from the mailing date of the notice to respond. If the Department deems that the application does not meet minimum scores in any section, the Department will notify the applicant of the deficiency(s). The applicant will have an additional 15 days from the mailing date of the notice to respond. Failure to provide the requested information to the Department by the deadline may be grounds for denial of the issuance of a permit.

An application is deemed to be incomplete if any of these occur, but not limited to: missing signatures; attachments referenced in narrative section but not actually included; lack of complete notarization; all checkboxes not appropriately marked; failure to include required dispensary and/or grower/processor application; failure to included complete required attachments; **Electronic media not containing the complete application package will be deemed incomplete and rejected.**

An application package that is postmarked after the June 12, 2024 deadline will be rejected by the Department and returned to the applicant without further consideration, along with the Application Fee and Permit Fee.

Changes During Application Process or Permit Term

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

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 in the application.

Please note: the Department will only take into consideration the application and attachments that are received on or after May 12, 2024, and postmarked on or before June 12, 2024. Documentation received outside of this submission window unless part of the “retry” or “cure” process will not be considered in the scoring of your application submission.

VI. SCORING METHODOLOGY

The Act permits the Department to grant or deny a permit to an applicant based upon the criteria specified in section 603(a.1) of the Act:

- (1) The applicant will maintain effective control of and prevent diversion of medical marijuana.
- (2) The applicant will comply with all applicable laws of this Commonwealth.
- (3) The applicant is ready, willing and able to properly carry on the activity for which a permit is sought.
- (4) The applicant possesses the ability to obtain in an expeditious manner sufficient land, buildings and equipment to properly grow, process or dispense medical marijuana.
- (5) It is in the public interest to grant the permit.
- (6) The applicant, including the financial backer or principal, is of good moral character and has the financial fitness necessary to operate.
- (7) The applicant is able to implement and maintain security, tracking, recordkeeping and surveillance systems relating to the acquisition, possession, growth, manufacture, sale, delivery, transportation, distribution or the dispensing of medical marijuana as required by the Department.
- (8) The applicant meets the minimum acceptable scoring requirements set forth in 28 Pa. Code § 1211a.27a.

Scoring Rubric

Each section of the application is assigned a maximum number of points, as shown in the tables below. The total possible number of points for a grower/processor permit application and a dispensary permit application is 1,000. The Scoring Matrices for the diversity plan and community impact sections are also attached.

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

Act 63 of 2023 Permit Application Scoring	Pass/ Fail	Points per section	Minimum Acceptable Score	Subtotal
Section 1 – General Information	✓			
Section 2 – Qualifying as an Independent	✓			
Section 3 – Change of Control	✓			
Section 4 – Current Permit Status	✓			
Section 5 – Significant Changes	✓			
Section 6 – Release Authorization	✓			

Grower/Processor Permit Application Scoring	Pass/ Fail	Points per section	Minimum Acceptable Score	Subtotal
PART A – Applicant Identification and Facility Information				
2 – Facility Information	✓			
PART B – Diversity Plan				
3 – Diversity Plan		100		100
PART C – Applicant Information				
4 – Principals, Financial Backers, Operators and Employees	✓			
6 – Compliance with Applicable Laws and Regulations	✓			
7 – Civil and Administrative Action	✓			
PART D – Plan of Operation				
8 – Operational Timetable		75	31	
9 – Employee Qualifications, Description of Duties and Training		25	11	
10 – Security and Surveillance		50	21	
11 – Transportation of Medical Marijuana		25	11	
12 – Storage of Medical Marijuana		25	11	
13 – Packaging and Labeling of Medical Marijuana		25	11	
14 – Inventory Management		25	11	
15 – Management and Disposal of Medical Marijuana Waste		25	11	
16 – Diversion Prevention		50	21	
17 – Growing Practice		100	41	
18 – Nutrient and Additive Practices		100	41	
19 – Processing and Extraction		100	41	
20 – Sanitation and Safety		25	11	
21 – Quality Control and Testing for Potential Contamination	✓			
22 – Recordkeeping		25	11	
Subtotal				675
PART E – Applicant Organization, Ownership, Capital and Tax Status				
23 – Organizational Structure	✓			
24 – Business History and Capacity to Operate		75	31	

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

27 – Capital Requirements	✓			
Subtotal				75
PART F – Community Impact				
28 – Community Impact		100		100
ATTACHMENTS				
Attachment A: Signature Page	✓			
Attachment C: Property Title, Lease, or Option to Acquire Property Location	✓			
Attachment D: Site and Facility Plan		50	21	
Attachment E: Personal Identification	✓			
Attachment F: Affidavit of Business History	✓			
Attachment G: Affidavit of Criminal Offense	✓			
Attachment H: Tax Clearance Certificates	✓			
Attachment I: Affidavit of Capital Sufficiency	✓			
Attachment J: Sample Medical Marijuana Product Label	✓			
Subtotal				50
TOTAL POSSIBLE POINTS				1,000

Dispensary Permit Application Scoring	Pass/ Fail	Points per section	Minimum Acceptable Score	Subtotal
PART A – Applicant Identification and Dispensary Information				
2 – Dispensary Information	✓			
PART B - Diversity Plan				
3 – Diversity Plan		100		100
PART C - Applicant Information				
4 – Principals, Financial Backers, Operators and Employees	✓			
6 – Compliance with Applicable Laws and Regulations	✓			
7 – Civil and Administrative Action	✓			
PART D – Plan of Operation				
8 – Operational Timetable		100	41	
9 – Employee Qualifications, Description of Duties and Training		50	21	
10 – Security and Surveillance		100	41	
11 – Transportation of Medical Marijuana		50	21	
12 – Storage of Medical Marijuana		75	31	
13 – Labeling of Medical Marijuana Products	✓			
14 – Inventory Management		75	31	
15 – Diversion Prevention		100	41	
16 – Sanitation and Safety		50	21	
17 – Recordkeeping		75	31	
Subtotal				675
PART E – Applicant Organization, Ownership, Capital and Tax Status				
18 – Organizational Structure	✓			
19 – Business History and Capacity to Operate		75	31	

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

22 – Capital Requirements	✓			
Subtotal				75
PART F – Community Impact				
23 – Community Impact		100		100
ATTACHMENTS				
Attachment A: Signature Page	✓			
Attachment C: Property Title, Lease, or Option to Acquire Property Location	✓			
Attachment D: Site and Facility Plan		50	21	
Attachment E: Personal Identification	✓			
Attachment F: Affidavit of Business History	✓			
Attachment G: Affidavit of Criminal Offense	✓			
Attachment H: Tax Clearance Certificates	✓			
Attachment I: Affidavit of Capital Sufficiency	✓			
Subtotal				50
TOTAL POSSIBLE POINTS				1,000

Diversity Plan Scoring Matrix

- 1) **Diversity Plan – Equal Opportunity and Access in Employment (maximum of 75 points).** The following point allocations are in regard to the applicant’s internal business makeup, including ownership, management, and employment, as well as efforts taken in the community or otherwise to increase its diversity and support workforce development.

Points	Applicant’s commitment to diversity	Diversity Practices and Goals
61-75	Exemplary commitment to diversity.	<ul style="list-style-type: none"> • High percentage of diverse participant principals, operators, financial backers, or owners. • High percentage of diverse participant employees in management or other leadership roles. • Plans to use diverse participant employees, including at least one in a leadership role. • Multiple diverse participants represented across the business. • Official affirmative action plan to recruit, utilize, and promote diverse participants. • Adopted internal diversity goals and regularly tracks its progress toward their achievement. • Consistent efforts to promote diversity such as providing community outreach, mentoring, training or professional development programs or other opportunities to cultivate diversity. • Regularly participating in outside organizations, i.e., civic and professional groups, that promote diversity.

Pennsylvania Department of Health

Application for Approval of an Act 63 of 2023 Permit

46-60	Significant commitment to diversity.	<ul style="list-style-type: none"> • Moderate percentage of diverse participant principals, operators, financial backers, or owners. • High percentage of diverse participant employees. • Plans to use diverse participant employees, including at least one in a leadership role. • Official affirmative action plan to recruit, utilize, and promote diverse participants. • Internal diversity goals with tracked progress toward their achievement. • Regular efforts to promote diversity such as providing or planning to provide community outreach, mentoring, training or professional development programs or other opportunities to cultivate diversity. • Participating in outside organizations, i.e., civic and professional groups, that promote diversity.
31-45	Moderate commitment to diversity.	<ul style="list-style-type: none"> • Few diverse participant principals, operators, financial backers, or owners. • Moderate percentage of diverse participant employees. • Plans to use some diverse participant employees. • Official affirmative action plan to recruit, utilize, and promote diverse participants. • Internal diversity goals. • Moderate efforts to promote diversity such as such as providing or planning to provide community outreach, mentoring, training or professional development programs or other opportunities to cultivate diversity. • Occasionally participates in outside organizations, i.e., civic and professional groups, that promote diversity.
16-30	Some commitment to diversity.	<ul style="list-style-type: none"> • No diverse participant principals, operators, financial backers, or owners. • Some diverse participant employees. • Plans to use some diverse participant employees. • No official affirmative action plan to recruit, utilize, and promote diverse participants. • No internal diversity goals. • Sporadic efforts to promote diversity. • Limited participation in outside organizations, i.e., civic and professional groups, that promote diversity.

Pennsylvania Department of Health
Application for Approval of an Act 63 of 2023 Permit

1-15	Nominal commitment to diversity.	<ul style="list-style-type: none"> • No diverse participant principals, operators, financial backers, or owners. • Few diverse participant employees. • No plans to use diverse participant employees. • No official affirmative action plan to recruit, utilize, and promote diverse participants. • No internal diversity goals. • Minimal efforts to promote diversity. • Limited or no participation in outside organizations, i.e., civic and professional groups, that promote diversity.
0	No commitment to diversity.	<ul style="list-style-type: none"> • No diverse participant principals, operators, financial backers, or owners. • No diverse participant employees. • No plans to use diverse participant employees. • No official affirmative action plan to recruit, utilize, and promote diverse participants. • No internal diversity goals. • No efforts to promote diversity. • No participation in outside organizations, i.e., civic and professional groups, that promote diversity.

Total Score for Equal Opportunity and Access in Employment (maximum 75 points) _____

Pennsylvania Department of Health
Application for Approval of an Act 63 of 2023 Permit

- 2) **Equal Opportunity and Access in Contracting (maximum 25 points).** The following section is in regard to the applicant’s plan to utilize Diverse Groups in contracting. Diverse Groups include Disadvantaged businesses, Minority-owned businesses, Women-owned businesses, Service-disabled veteran-owned small businesses, and Veteran-owned small businesses that have been certified by a third-party certifying organization (Unified Certification Program (UCP), Woman’s Business Enterprise National Council (WBENC), National Minority Supplier Development Council (NMSDC), United States Small Business Administration (SBA) 8(a) Program, and Vets First Verification Program (vetbiz.gov)) or that have been verified by the Department of General Services’ Bureau of Diversity, Inclusion and Small Business Opportunities. **Applicants must provide proof of current Diverse Group status.**

Total available points are based upon percentage of revenues to be paid to Diverse Groups for the full permit term.

Total percentage of revenues to be paid to Diverse Groups for the full permit term:

_____ ÷ 4 = _____

Total Score for Equal Opportunity and Access in Contracting (maximum 25 points) _____

Total overall Diversity Plan score: _____ /100 total points

Pennsylvania Department of Health
Application for Approval of an Act 63 of 2023 Permit

Community Impact Scoring Matrix

Category	Score
<p>Job Creation (maximum of 20 points)</p> <p>This category will be scored based on the level of impact on the municipality in which the site and facility is located, depending on the following factors:</p> <p>Size of the Municipality</p> <p>Size of the Site and Facility</p> <p>Number of Jobs Created (or Projected to be Created)</p> <p>The Number of Jobs Created (or Projected to be Created) is Reasonable Based on the Proposed Site and Facility</p> <p>Potential for Future Growth</p> <p>The Potential for Future Growth is Reasonable Based on the Proposed Site and Facility</p>	<p>_____ / 20</p>
<p>Site Selection (maximum of 40 points)</p> <p>This category will be scored based on the following factors:</p> <p>Whether the site and facility will be located in an Act 47 financially distressed municipality as of February 2020(see attached list)</p> <p>Whether the site and facility are the redevelopment of a brownfield or a vacant, previously utilized site or building</p>	<p>_____ / 40</p>
<p>Need for Economic Development (maximum of 15 points)</p> <p>This category will be scored based on the unemployment rate in the municipality (or the unemployment rate of the county if the municipality unemployment rate is unavailable) in which the site and facility is located.</p> <p>The unemployment rate will be compared to the Pennsylvania state unemployment average of 4.2%. Unemployment rates may be found at the following website: https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml</p> <p>This category will be scored as follows:</p>	

Pennsylvania Department of Health Application for Approval of an Act 63 of 2023 Permit

<p>Municipality in which the site and facility is located has an unemployment rate 25% or greater than the state average: 11-15 points</p> <p>Municipality in which the site and facility is located has an unemployment rate from 1% to 24% above the state average: 6-10 points</p> <p>Municipality in which the site and facility is located has an unemployment rate equal to or lower than the state average: 0-5 points</p>	<p>_____/ 15</p>
<p>Priority Points (maximum of 25 points)</p> <p>This category will be scored based on community initiatives that include, but are not limited to, the following factors:</p> <p>Charitable Giving</p> <p>Community events</p> <p>University-community partnerships</p> <p>Job training in the medical marijuana field</p> <p>Existence of a Labor Peace Agreement</p>	<p>_____/ 25</p> <p>TOTAL SCORE:</p> <p>_____/100 points</p>

Currently Underserved Counties

(As of March 2024)

- Adams
- Beaver
- Bedford
- Bradford
- Clinton
- Fayette
- Juniata
- Northumberland
- Pike
- Schuylkill
- Tioga
- Venango
- Warren