

Co-Chair Kaohly Vang Her  
5th Floor Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155

Co-Chair Tim O'Driscoll  
2nd Floor Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155

Re: File no. HF1615 - DE

Dear Co-Chairs Her & O'Driscoll, and members of the Committee:

The Minnesota Cannabis and Drug Policy Resource Center (MN Cann) is dedicated to advancing safe, equitable, and sustainable cannabis policy in Minnesota. As a trusted resource for policymakers, businesses, and consumers, we provide education, advocacy, and strategic guidance to support a thriving and just cannabis industry. Our commitment is to foster informed policy solutions that prioritize public health, social equity, and economic opportunity in Minnesota's evolving cannabis landscape.

### **Medical Cannabis Provisions (Article I)**

Minnesota has long recognized medical cannabis as a legitimate treatment option for patients suffering from chronic pain, PTSD, cancer, and other serious conditions. However, despite legal protections, patients continue to face discrimination in employment, education, and housing due to outdated federal policies and regulatory gaps. House File 1672 addresses these inequities by ensuring medical cannabis patients cannot be unfairly penalized for legally using their medicine.

#### **Change to Distribution Requirements for Medical Cannabis (Section 30)**

We strongly support this change in the process for dispensing medical cannabis, allowing any employee to label medical cannabis products, rather than requiring a pharmacist or medical cannabis consultant to do so. This is a practical and necessary improvement that will streamline operations, reduce costs, and improve patient access to their medicine. Labeling is a routine task that does not require specialized medical expertise, and the current requirement only adds costs and delays without enhancing patient safety. By freeing up pharmacists and consultants

to focus on patient care and consultations, this provision ensures patients can receive their medicine more efficiently. Streamlining this process is especially helpful for microbusinesses seeking to participate in the medical cannabis market, as it reduces their staffing costs and regulatory burden.

#### Recommendation

MN Cann recommends that this year’s legislation go one step further by requiring that a patient’s dosing plan—established with a pharmacist or medical cannabis consultant—be included in their registry profile. This would eliminate the need for duplicative consultations, a change patients have complained about for years. Currently, under Chapter 342, patients must undergo a new consultation each time they visit a different retailer, which is burdensome, unnecessary, and can disrupt timely access to medicine.

#### Visiting Patient Reciprocity (Section 31)

We appreciate Representative Reyer’s willingness to include visiting patient reciprocity, expanding the legislation from only including Tribal patients, and the inclusion of this language in the DE Amendment. In 2023, legislation created a pathway for visiting patient reciprocity, although reciprocity was never established within Chapters 152 or 342. This provision provides a pathway for visiting patients to receive the privileges and rights medical cannabis patients receive in Minnesota.

#### Extending Civil & Criminal Protections to Tribal Medical Cannabis Patients (Section 34)

This section incorporates Tribal medical cannabis program patients into the civil and criminal protections currently afforded to registry patients. This is an important and overdue step, as these protections do not currently extend to Tribal program participants in Chapter 342. As the bill continues through the legislative process, we are hopeful that this section will be amended to also include visiting patients.

#### Recommendation

The DE amendment includes reciprocity for visiting patients. This reciprocity should be extended to the civil and criminal protections by making a simple edit to Article 1, Section 34 of the DE amendment—replacing the phrase “Tribal medical cannabis program patient” with “visiting patient.”

## Improving Patient Protections (Section 34)

The DE incorporates House File 1672, which does a number of things:

- Adds protections for discrimination by licensing or occupational boards due to enrollment in the medical cannabis program or use of medical cannabis, giving medical professionals, educators, and other licensed workers protection from career-risking consequences for simply using their medical cannabis.
- Prohibits schools and landlords from penalizing students and tenants based solely on cannabis as a federally controlled substance.
- Requires notice to medical cannabis patients for adverse actions by schools, landlords, and employers; shifting that burden. Instead of forcing patients into court just to understand why they've been denied housing, employment, or education, it requires landlords, schools, and employers to clearly articulate their rationale.
- Provides real, enforceable meaning to rights that have existed on paper for years through increased civil penalties, injunctive relief, and prohibitions on retaliation.

The language in this section is long-advocated for by patients, some going as far back as legislation carried by former Senator Melisa López Franzen and Representative Aisha Gomez in 2020. We appreciate the Office of Cannabis Management for supporting these changes, and helping to champion them to the finish line this year.

### Recommendation

MN Cann respectfully requests that the House consider amending Minn. Stat. 342.56, which currently requires health care facilities to accommodate medical cannabis use by medical cannabis patients. We have heard from health care workers, and learned from personal experience, that registry patients have had facilities deny their use of hemp-derived products, and expect that denial to extend to adult-use cannabis products when they are available for sale. MN Cann has worked with the Senate to include language in Senate File 2372, and respectfully request that the House adopt a similar amendment *or* agree to the Senate position in conference committee.

## **Cannabis Business Licensing and Operations (Article II)**

### Expansion of Social Equity Applicant Criteria (Section 8)

MN Cann supports the addition of delinquency and stays of adjudication for offenses involving the possession or sale of cannabis prior to May 1, 2023. This critical expansion will bring applicants who may have served jail time or lengthy probation sentences or experienced other negative consequences, onto the same level as someone with a conviction for a minor infraction related to cannabis. MN Cann's leadership has advocated for this change since 2023, and appreciates the Office including it in this year's legislative package.

### Clean Up of Authorized Actions (Sections 10 and 12; Section 14)

Again, MN Cann thanks the Office for including these technical fixes in their agency agenda, and the House for including this in the DE. Currently under Chapter 342, microbusinesses and mezzobusiness cannot purchase cannabis products, lower-potency hemp edibles, and hemp-derived consumer products from another cannabis business for sale to customers. Also missing was the authorization to purchase cannabis and hemp products from cannabis cultivators and lower-potency hemp edible manufacturers. Finally, cannabis cultivators did not have an authorization to sell cannabis plants, seedlings, and cannabis flower to other cannabis businesses. These changes are critical to a successful market launch, and we appreciate the attention to fixing the issues.

### Transportation Requirements (Section 18)

The changes proposed to transportation requirements that remove the two-employee requirement and the randomized delivery times and routes requirements are supported by MN Cann. These current requirements, having two employees and using randomized delivery times and routes, are not only unduly burdensome, they add expense for cannabis businesses - which ultimately trickles down to cannabis consumers.

## **Hemp Business Regulations (Article III)**

### Hemp Oil Sublingual Fix (Section 1)

Another long standing issue brought forward by MN Cann leadership over the past two years is the vague but apparent exclusion of sublingual oils from allowable

product types in the hemp market. During the past two years, retailers and manufacturers have faced a grey area in selling these products. When you think of “CBD,” many think of CBD oil – which is included in the current gray area. The language at Section 1 removes the uncertainty for all stakeholders, and ultimately benefiting the consumers of these products.

### Lower-Potency Hemp Edible Wholesale Fix (Section 19)

MN Cann supports the addition of a LPHE wholesaler license in the DE. This is a critical gap in the supply chain with cascading effects for businesses already engaged in commerce, who, with this change, will have a smoother transition of operations from Minn. Stat. 151.72 to Chapter 342.

### Recommendations

We have a few concerns with the language as presented that we believe can, and will, be addressed prior to final passage. Specifically:

- The current language on Lines 64.25-27 doesn't allow for an importing wholesaler to rely on information provided by an out of state manufacturer for establishing compliance, but it also doesn't explain how the wholesaler is supposed to establish that a product is compliant for importation.
- Lines 67.26 and 68.29 say that hemp wholesalers engaged in transportation and delivery can be inspected at any time without specifying who is authorized to inspect them. Rather than leaving it open ended, it would be good to specify that they can be inspected by OCM at any time.
- A \$10,000 license and renewal fee is excessively steep for this license type -- it means it would cost \$12,000 for a small hemp outfit to self-distribute its products. This is especially problematic for hemp businesses in rural areas, and will cause existing businesses - perhaps putting them out of business.

## Additional Issues

### Supply Chain Unification

While the legislature is making progress in addressing some of the major outstanding issues with Chapter 342, we want to raise the issue of supply chain unification – which we understand is a work in progress. Allowing businesses to streamline operations and integrate their supply chains will help stabilize prices, increase product availability, and open up options for patients that have historically not existed.

However, we caution, **any changes to the medical cannabis combination license should ensure that the combination business license holder privileges, such as self-transport and delivery, apply across the board to micro and mezzo businesses participating in the medical cannabis market.** Last year, during the legislative change from a merit-based application scoring system to a vetted lottery system, the incentive for businesses to participate in the medical cannabis market disappeared; this keeps the medical cannabis program almost solely in the hands of a few larger operators. **We also caution the legislature in its policy deliberations to ensure that the combination business changes, such as removal of the canopy ratio, protect and leave space for all license holders to service the adult use and medical cannabis markets.** We do not want to continue seeing patients pitted against small businesses – and it is up to the legislature to remedy the policies that have created this conflict.

## Closing

In closing, MN Cann appreciates the thoughtful work reflected in this year’s DE amendment to HF1615 and the continued partnership of the Office of Cannabis Management and legislative leaders in responding to the urgent needs of patients, consumers, and small businesses. While the bill takes meaningful steps forward—particularly in enhancing patient protections, fixing gaps in licensing, and bringing clarity to the hemp marketplace—critical issues remain. These include full supply chain unification, equitable participation in the medical market, and economic sustainability for small operators. As implementation progresses, we urge the House Commerce Committee to continue refining these policies to build a truly equitable, accessible, and sustainable cannabis ecosystem in Minnesota. MN Cann remains committed to supporting this effort through continued engagement, advocacy, and community-informed solutions. Thank you for your time, consideration, and leadership.

Best Regards,



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MN Cannabis & Drug Policy Resource Center