

IN THE MATTER OF

*

BEFORE THE

A. W.

*

NATALIE M. LAPRADE

Respondent

*

MEDICAL CANNABIS

*

COMMISSION

Patient No: XXXX-XXX-XXXX-██████████

*

Case No: 19-00082

* * * * *

CONSENT ORDER

The Maryland Medical Cannabis Commission (“Commission”) held a Case Resolution Conference (“CRC”) on May 23, 2019 with A. W.,¹ patient registration number XXXX-XXXX-XXXX-██████████, (“Respondent”) regarding the Commission’s intent to revoke the registration as a patient in the Commission’s program pursuant to its authority under the Natalie M. LaPrade Medical Cannabis Commission Act codified Md. Code Ann., Health-Gen., §§ 13-3301 et seq. As a result of this CRC, the Respondent and the Administrative Prosecutor agreed to resolve this matter as set forth below. The Commission ratified this agreement.

~~The pertinent provisions of law are as follows:~~

Health-Gen. § 13-3302 (c) The purpose of the Commission is to develop policies, procedures, guidelines, and regulations to implement programs to make medical cannabis available to qualifying patients in a safe and effective manner.

The Commission’s regulations (“COMAR”) at 10.62.01.01 state:

- (30) “Qualifying patient” means an individual who:
 - (a) Lives in the State or, during that time an individual is present in the State, is physically present in the State for the purpose of receiving medical care from a medical facility in the State;
 - (b) Has been provided with a written certification by a certifying physician in accordance with a bona fide physician-patient relationship; and

¹ The patient’s full name and identification number have been redacted for considerations of privacy.

- (c) If younger than 18 years old, has a caregiver.

FINDINGS OF FACT

The Commission finds the following facts:

1. At all times relevant hereto, the Respondent lived in the District of Columbia.
2. On or about November 29, 2018, staff at a doctor's office in Maryland, where the Respondent had sought treatment, completed application paperwork for the Respondent to be registered as a Maryland medical cannabis patient and, without the Respondent's prior permission or approval, used the address of the doctor's office as the Respondent's address.
3. On December 27, 2018, the Commission processed the Respondent's application and registered Respondent to become a Maryland medical cannabis patient.
4. Later, upon review of the patient registry, the Commission determined that the Respondent did not meet the definition of a "qualifying patient" because Respondent did not live in the State and was not present in the State for the purpose of receiving medical care from a medical facility in the State.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Commission concludes that the Respondent does not to meet the requirements of COMAR 10.62.01.01 and was therefore ineligible to become a Maryland medical cannabis patient.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 27th day of June 2019, by a majority of a quorum of the Commission, hereby

ORDERED that the Respondent A. W.'s registration to participate as a medical cannabis patient in the State of Maryland is hereby **REVOKED** and that the Respondent shall return to the

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Commission any patient identification card held in Respondent's name within ten (10) days of the date of this Order; and

CONSIDERING that the Respondent has shown the Commission that the doctor's office had used incorrect information to register Respondent as a Maryland medical cannabis patient, without Respondent's prior permission or approval to do so, it is further **ORDERED** that that the Respondent's Identification Card fee, paid to the Commission, be returned to the Respondent in full within ten (10) days of the date of this Order; and it is further

ORDERED that the effective date of this Order is the date that it is signed by the Commission; and it is further

ORDERED that this document constitutes a formal disciplinary action of the Commission and as such is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 Vol., 2018 Supp.), provided that all protected health information contained in this document will be kept confidential.

June 27, 2019

Date


Brian Lopez, Chairman
Natalie M. LaPrade Medical Cannabis Commission

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CONSENT

By this Consent, I, A.W., acknowledge that I have read this Consent Order in its entirety, and I accept and submit to the foregoing Consent Order and its conditions. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I, A.W. would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses, to introduce testimony and evidence on my behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Md. Code Ann., State Gov't § 10-222.

I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.


A.W.

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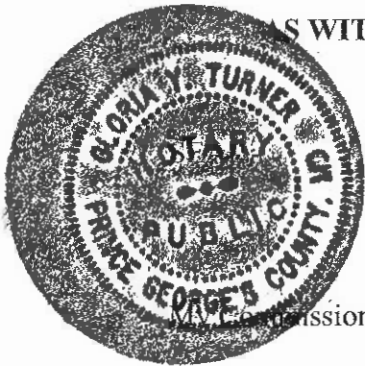
NOTARIZATION

STATE: MARYLAND

CITY/COUNTY: PRINCE GEORGE'S

I HEREBY CERTIFY that on this 9TH day of JULY, 2019,
before me, Notary Public of the State and City/County aforesaid, A.W. personally appeared, and
made oath in due form of law that signing the foregoing Consent Order was the voluntary act and
deed of A.W.

AS WITNESSETH my hand and notarial seal.



Gloria Y. Turner-Simpkins
Notary Public

Commission Expires: _____

GLORIA Y. TURNER-SIMPKINS
NOTARY PUBLIC
PRINCE GEORGE'S COUNTY
MARYLAND
My Commission Expires 03-21-2023