

IN THE MATTER OF

\*

BEFORE THE

R. M.

\*

NATALIE M. LAPRADE

Respondent

\*

MEDICAL CANNABIS

\*

COMMISSION

Patient No: XXXX-XXX-XXXX-██████████

\*

Case No: 19-00088

\* \* \* \* \*

**CONSENT ORDER**

The Maryland Medical Cannabis Commission (“Commission”) held a Case Resolution Conference (“CRC”) on May 23, 2019 with R. M.,<sup>1</sup> patient registration number XXXX-XXXX-XXXX-██████████, (“Respondent”) regarding the Commission’s intent to revoke the registration to participate 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

<sup>1</sup> The patient’s full name and full identification number have been edited for privacy.

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

### **FINDINGS OF FACT**

The Commission finds the following facts:

1. At all relevant times, the Respondent lived in the state of Virginia.
  2. On or about April 18, 2017, the Respondent submitted an application to become a Maryland medical cannabis patient.
  3. On or about May 8, 2017, the Commission registered the Respondent to become a Maryland medical cannabis patient.
  4. The Commission later reviewed its registry and determined that the Respondent's information did not sufficiently show that Respondent was a "qualifying patient" under applicable regulations.
  5. On or about February 27, 2018, the Commission requested further information from the Respondent on Respondent's place of residence and place of treatment.
  6. On or about March 12, 2018, the Commission received the Respondent's response confirming ongoing residency in Virginia and confirming that Respondent was not physically present Maryland for the purpose of receiving medical care.
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### **CONCLUSIONS OF LAW**

Based upon the foregoing Findings of Fact, the Commission concludes that the Respondent does not 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

In the Matter of R.M.  
Consent Order

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

**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



Chairman  
Natalie M. LaPrade Medical Cannabis Commission

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**CONSENT**

By this Consent, I, R.M., 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, R.M. 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.

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R.M. 

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In the Matter of R.M.  
Consent Order

NOTARIZATION

STATE: Virginia

CITY/COUNTY: Chesapeake

I HEREBY CERTIFY that on this 10<sup>th</sup> day of July, 2019, before me, Notary Public of the State and City/County aforesaid, R.M. personally appeared, and made oath in due form of law that signing the foregoing Consent Order was the voluntary act and deed of R.M.

AS WITNESSETH my hand and notarial seal.

SEAL



Sonja Collier-Owens  
Notary Public

My Commission Expires: 09/30/2021