



The Regulatory Process

The Policy Lifecycle, From Drafting to Final Adoption - and
How Stakeholders Can Shape the Process

August 25, 2026

Agenda

1. What is a statute?
2. What is a regulation?
3. What is sub-regulatory guidance?
4. The Pre-Regulatory Process
5. The Regulatory Process
6. Frequently Asked Questions
7. Audience Questions

Meet the Office of Policy & Government Affairs (OPGA)



Khadijah Tribble
Director, Office of Policy & Government Affairs (OPGA)



Timothy Dupree
Division Chief, Stakeholder Engagement



Alison Butler
Division Chief, Policy Implementation



TBA
Division Chief, Legislative Affairs



Diana Goldsmith
Senior Policy Analyst, Stakeholder Engagement



Khadyne Augustine
Senior Policy Analyst, Stakeholder Engagement



Carlos Camacho
Senior Policy Analyst, Policy Implementation



Jessica Larson
Senior Policy Analyst, Policy Implementation

What is a statute?

A **statute** is a written law that has been passed by the Maryland General Assembly.

The primary statute governing cannabis operations is Alcoholic Beverages and Cannabis Title 36, Medical and Adult Use Cannabis (MD AL Bev D. III, T. 36).

Statutes are drafted, debated, and passed by legislators. Maryland Cannabis Administration (MCA) interprets and implements statute, including through the Code of Maryland Regulations (COMAR).

What is a regulation?

A **regulation** is a rule, policy, or statement that is adopted by a state agency to implement statute.

The primary regulation governing cannabis operations is COMAR Title 14, Subtitle 17 Maryland Cannabis Administration.

The Office of Policy and Government Affairs (OPGA) drafts and coordinates the regulatory process within the MCA. All MCA divisions are responsible for considering, providing input, and implementing regulations once in effect.

What is sub-regulatory guidance?

Sub-regulatory guidance is published material that complements the adopted regulations in COMAR 14.17.

Sub-regulatory guidance is published on the MCA's website. Guidance is periodically updated to reflect the most-recent statutory and regulatory changes and interpretation. As a condition of licensure, licensees must comply with all subregulatory guidance issued by MCA.

Like regulations, OPGA drafts and coordinates the publication of sub-regulatory guidance. All MCA divisions are responsible for considering, providing input, and implementing sub-regulatory guidance once in effect.

The Pre-Regulatory Process

Topic Selection

OPGA's Policy Implementation team is always accepting suggestions about gaps or novel issues that would benefit from regulation.

Stakeholder Engagement

OPGA's Stakeholder Engagement team performs early stakeholder engagement efforts on areas of interest.

Drafting

OPGA's Policy Implementation considers feedback on the topics, performs thorough research on the topic, researches how other jurisdictions handle the issue at hand, and drafts regulatory language.

Internal Review

OPGA shares a draft with internal stakeholders for subject matter expertise and feedback.

Edits

OPGA's Policy Implementation team considers the feedback and incorporates changes to the draft.

Internal Re-Review

OPGA shares a revised draft with internal stakeholders for subject matter expertise and feedback.

The Regulatory Process

Informal Draft Regulations

Following the pre-Regulatory process, OPGA's Policy Implementation Team posts the draft proposed regulations to the MCA's website. Everybody [subscribed to updates](#) receives a notification that an informal draft has been posted.

Informal Comment Period (14 days)

Stakeholders and the public review the draft regulations and submit informal comments. **This is the best time to make substantive comments, requests, and recommendations.**

Consideration & Edits

OPGA's Policy Implementation considers the comments, consults with subject matter experts, and makes edits to the draft regulations.

Submission of Notice of Proposed Action (NOPA) (~45 days)

OPGA submits the proposed amendments to the Joint Committee on Administrative, Executive, and Legislative Review and the Division of State Documents, for a month-long review of the regulation for intent, sufficiency, due process, fiscal impact, and style.

Publication of the NOPA

The Division of State Documents publishes the Maryland Register every two weeks.

The Regulatory Process - Part II

Formal Public Comment (30 days)

Stakeholders are encouraged to submit comments, questions, and concerns about the NOPA during the open comment period.

Consideration & Edits

OPGA's Policy Implementation team considers the comments, consults with subject matter experts, and makes non-substantive edits to the draft regulations if appropriate. Per state law, **no substantive changes can be made at this time.**

Submission of Notice of Final Action (NOFA)

OPGA's Policy Implementation team submits the NOFA to the Division of State Documents, which reviews the action for style.

Publication & Effective Date

The NOFA is published in the Maryland Register and effective no sooner than 10 days following the publication date.

Frequently Asked Questions

Q: How long does it take to draft, propose, and adopt regulations?

A: The pre-Regulatory process is ongoing and iterative - **it never stops!**

The Regulatory process, from submission to DSD to adoption, takes **at least 4 months.**

Frequently Asked Questions

Q: How can stakeholders suggest regulations? How can stakeholders share feedback on proposed regulations?

A: Stakeholders and the public can share feedback on regulations, including ideas and suggestions about how to improve regulations at any time through the mca.policy@maryland.gov inbox.

Stakeholders can submit comments on proposed regulations during the informal and formal comment periods. These comments will be considered and responded to as part of the regulatory process.

Frequently Asked Questions

Q: Why didn't the MCA incorporate my suggested changes into the NOPA/NOFA?

A: MCA appreciates and carefully considers all comments received during the informal and formal comment periods. However, MCA often receives conflicting comments, and must balance these perspectives to provide a safe, equitable, and accessible medical and adult-use cannabis industry for qualifying patients and adult consumers.

Note that MCA is prohibited from making substantive changes between the publication of the NOPA and the publication of the NOFA. Adoption of substantive changes between the NOPA and the NOFA would undermine the regulatory process. If substantive changes are made, it would require the entire regulatory package to be re-submitted to AELR, starting the whole timeline over again.

Questions?

Submit comments to mca.policy@maryland.gov.

Thank You!