

CERTIFYING PROVIDER COMPENSATION AGREEMENT PROPOSAL

Summary

The proposal amends existing law to clarify which practices are permissible for certifying providers and licensees regarding compensation agreements. These clarifications are an effort to better protect against undue influence in provider-patient relationships that involve medical cannabis treatment. The provisions:

- Prohibit a certifying provider from receiving compensation from certain entities affiliated with a licensed grower, processor, or dispensary without Commission approval;
- Prohibit a grower, processor, or dispensary from receiving compensation from a certifying provider without Commission approval; and
- Expressly outline certain events which are permissible for a certifying provider to participate in without Commission approval.

10.62.03 Certifying Providers

.02 Compensation from a Licensed Grower, Processor or Dispensary or Certifying Provider.

A. [A] *Unless a certifying provider or a licensed grower, processor, or dispensary submits an application to the Commission for approval:*

(1) *The certifying provider may not receive compensation, including promotion, recommendation, advertising, subsidized rent, or anything of value, from a:*

(a) *[licensed] Licensed grower, [licensed] processor, or [a licensed] dispensary; or*

(b) *Corporate parent, subsidiary, or affiliate of the licensed grower, processor, or dispensary [unless the certifying provider submits an application to the Commission for approval for the compensation.]; and*

(2) *The licensed grower, processor, or dispensary may not receive compensation, including promotion, recommendation, advertising, subsidized rent, or anything of value from a certifying provider.*

B. *The compensation restrictions set forth in □A of this regulation do not apply to a certifying provider's participation in medical cannabis educational events in which:*

(1) *No written certifications for medical cannabis are issued to patients by the certifying provider; and*

(2) *No compensation is received from a:*

(a) *Licensed grower, processor, or dispensary; or*

(b) *Corporate parent, subsidiary, or affiliate of the licensed grower, processor or dispensary.*

[B.] *C.* – [E.] *F.* (text unchanged)