



State of New Jersey
CANNABIS REGULATORY COMMISSION

PHILLIP D. MURPHY
Governor

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DIANNA HOUEYOU, *Chair*
SAMUEL DELGADO, *Vice Chair*
KRISTA NASH, *Commissioner*
MARIA DEL CID-KOSSO, *Commissioner*
CHARLES BARKER, *Commissioner*
JEFF BROWN, *Executive Director*

SHEILA Y. OLIVER
Lt. Governor

RESOLUTION 2022-5
DESIGNATION OF AUTHORITY TO THE EXECUTIVE DIRECTOR OF THE
CANNABIS REGULATORY COMMISSION TO WAIVE REQUIREMENTS FOR
ALTERNATIVE TREATMENT CENTERS PURSUANT TO N.J.A.C. 17:30A-7.11
AND EXTEND EXISTING WAIVERS IN RESPONSE TO COVID-19

WHEREAS, pursuant to N.J.S.A. 24:6I-24(c)(1), the Commission has established a plan of organization under the direct supervision of a full-time Executive Director for the Commission; and

WHEREAS, pursuant to N.J.S.A. 24:6I-24(e), the Commission may designate its powers and authority as it deems necessary and appropriate to carry out its duties and implement the provisions of N.J.S.A. 24:6I-1 et al. and N.J.S.A. 24:6I-31 et al.; and

WHEREAS, pursuant to N.J.A.C. 17:30A-7.11, the Commission's, or the Commission's designee, in accordance with the general purpose and intent of N.J.S.A. 24:6I-1 et seq., may waive certain requirements regarding the operations of Alternative Treatment Centers, if in the Commission's, or the Commission's designee's, determination, such a waiver is necessary to achieve the purpose of the Act and provide access to patients who would otherwise qualify for the use of medicinal marijuana to alleviate suffering from debilitating medical conditions, and does not create a danger to the public health, safety or welfare; and

WHEREAS, the Commission has determined that it is in the public interest to streamline Commission business and create greater operational efficiency to facilitate the waiver process established by regulation by delegating authority to consider and approve waivers under N.J.A.C. 17:30A-7.11 to the Executive Director for a period of 90 days from the date of this Resolution; and

WHEREAS, the Centers for Disease Control and Prevention has reported that new variants of COVID-19 have been identified in the United States, and that certain variants, particularly the Delta variant and the Omicron variant, are more transmissible than previous strains; and

WHEREAS, the State of New Jersey has experienced significant overall upticks in critical COVID-19 metrics since July 2021, including COVID-19 positive cases, the rate of transmission, spot positivity, and new hospitalizations, that warrant precautions in certain settings; and

WHEREAS, on January 6, 2022, the State of New Jersey reported 27,404 positive cases of COVID-19, 5,598 COVID-19 related hospitalizations, and 106 COVID-19 related deaths; and

WHEREAS, the Department of Health and the Commission have previously issued certain specific waivers that are currently in effect pursuant to N.J.A.C. 17:30A-7.11 in consideration of the public health crises caused by COVID-19; and

WHEREAS, the Commission has determined that it is in the public interest to extend all existing waivers currently in effect and issued pursuant to N.J.A.C. 17:30A-7.11 for a period of 90 days from the date of this resolution;

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Cannabis Regulatory Commission, that:

1. The waiver authority established by regulation at N.J.A.C. 17:30A-7.11 is delegated to the Executive Director of the Commission, or his designee, for a period of 90 days from the date of this Resolution, to be extended only upon further Resolution of the Commission.
2. All waivers currently in effect and issued pursuant to Governor Phil Murphy's Executive Order #103 and N.J.A.C. 17:30A-7.11 are extended for a period of 90 days from the date of this Resolution.

Submitted by:



Dianna Houenou, Chair

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 7th day of January, 2022.



Jeff Brown, Executive Director

| Vote on the Approval of This Resolution | Motion | Second | Yes | No | Abstain | Absent |
|--|---------------|---------------|------------|-----------|----------------|---------------|
| Commissioner Barker | | x | x | | | |
| Commissioner Del Cid-Kosso | x | | x | | | |
| Commissioner Delgado | | | x | | | |
| Chairwoman Houenou | | | x | | | |
| Commissioner Nash | | | x | | | |