



State of New Jersey
CANNABIS REGULATORY COMMISSION

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Lt. Governor

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

RESOLUTION 2022-1
FINAL AGENCY DECISIONS ON REMANDED APPLICATIONS SUBMITTED
PURSUANT TO THE 2018 REQUEST FOR APPLICATIONS PROCESS

WHEREAS, on July 16, 2018, the Department of Health (“Department”) posted a Request for Applications (“RFA”) to award up to six vertically integrated Alternative Treatment Centers (“ATCs”), with up to two awardees in each of the three New Jersey Regions – North, Central and South; and

WHEREAS, in response to the RFA, the Department received 146 timely applications submitted by 103 applicants, with several applicants submitting applications to operate ATCs in multiple regions; and

WHEREAS, pursuant to N.J.A.C. 8:64-6.2 (now N.J.A.C. 17:30A-6.2 and 6.4), the Department convened a selection committee of six individuals to review and score all applications; and

WHEREAS, review and scoring of the applications was completed on December 12, 2018, when the selection committee recommended six applications per region for “further consideration” of an ATC permit award by the Department; and

WHEREAS, on December 17, 2018, the Department issued final agency decisions to all applicants, expressing either acceptance or rejection of their applications; and

WHEREAS, several unsuccessful applicants appealed the Department’s decisions, with all appeals being consolidated as Matter of the Application for Medicinal Marijuana Alternative Treatment Ctr. for Pangaea Health & Wellness, LLC, 465 N.J. Super. 343 (App. Div. 2020); and

WHEREAS, on November 25, 2020, the Court rendered an opinion vacating the final agency decisions of seven applicants and remanded the matter back to the Department for

¹ Due to a clerical error, the prior copy of Resolution 2022-1 failed to list the additional applications of Bloom Medicinals of PA, LLC for the South (S-0010) and Central (C-0007) regions.

further administrative proceedings; and

WHEREAS, on March 17, 2021, the Court upheld the Department’s process for conducting further administrative proceedings as consistent with the Court’s November 25, 2020, ruling; and

WHEREAS, the authority to regulate and enforce activities related to medicinal cannabis previously was vested in the Department, and now vests in the New Jersey Cannabis Regulatory Commission (“the Commission”) pursuant to P.L. 2019, c.153; and

WHEREAS, Commission staff executed a plan to establish an administrative review process in conformity with the spirit of the Court’s opinion to allow for further agency proceedings concerning the 2018 RFA process, including providing the appellant applicants the opportunity to submit supplemental information regarding their applications; and

WHEREAS, the Executive Director of the Commission and his staff have extensive knowledge of the 2018 RFA, with several staff members having been involved in the process as far back as the posting of the RFA by the Department in 2018; and

WHEREAS, the Executive Director of the Commission and his staff have executed the established administrative review plan and completed a quality control review of the 2018 RFA process, including a review of the appellants’ applications and scoring; and

WHEREAS, the Executive Director of the Commission has provided the Commissioners with his recommendation report regarding the appropriate action to be taken to satisfy the Court’s remand and address patient needs within the medicinal marijuana industry; and

WHEREAS, the following list of appellants have had their applications reviewed and, pursuant to the spirit of the Court's remand, were put through a quality control process implemented by the Commission:

Control #	Applicant	Region	Score
C-0041	Altus New Jersey, LLC	Central	901.66666663
S-0048	Altus New Jersey, LLC	South	901.66666663
N-0014	Bloom Medicinals of PA, LLC	North	894.33333337
S-0010	Bloom Medicinals of PA, LLC	South	894.33333337
C-0007	Bloom Medicinals of PA, LLC	Central	894.33333337
N-0007	GGB New Jersey, LLC	North	823.66666663
S-0026	Harvest of New Jersey, LLC	South	911.66666667
N-0010	Liberty Plant Sciences LLC	North	894.66666663
C-0014	Pangaea Health and Wellness, LLC	Central	801.66666663

WHEREAS, the appellants' scores were not high enough to surpass the scores of any of the six entities issued an award by the Department of Health pursuant to the 2018 RFA;

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

1. Pursuant to the terms of the 2018 RFA, and in accordance with the methodology outlined by Executive Director Jeff Brown in the attached Recommendation Memorandum and following the rigorous quality control process implemented by the Commission following remand by the Superior Court, Appellate Division, the following applications for ATC vertically integrated permits are hereby **DENIED**.

Control #	Applicant	Region
C-0041	Altus New Jersey, LLC	Central
S-0048	Altus New Jersey, LLC	South
N-0014	Bloom Medicinals of PA, LLC	North
S-0010	Bloom Medicinals of PA, LLC	South
C-0007	Bloom Medicinals of PA, LLC	Central
N-0007	GGB New Jersey, LLC	North
S-0026	Harvest of New Jersey, LLC	South
N-0010	Liberty Plant Sciences LLC	North
C-0014	Pangaea Health and Wellness, LLC	Central

2. The denial of each application is a Final Agency Decision that may be further appealed to the Superior Court of New Jersey, Appellate Division, within 45 days of issuance.
3. Each applicant's Final Agency Decision, consistent with this Resolution, shall be sent to the applicant via regular and electronic mail.

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			
Commissioner Del Cid-Kosso	x		x			
Commissioner Delgado			x			
Chairwoman Houenou			x			
Commissioner Nash		x	x			