

STATE OF NEVADA

BRIAN SANDOVAL  
Governor

CODY PHINNEY, MPH  
Administrator, DPBH

RICHARD WHITLEY, MS  
Director, DHHS

JOHN DIMURO, D.O., MBA  
Chief Medical Officer



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
MEDICAL MARIJUANA PROGRAM

4150 Technology Way, Suite 106  
Carson City, NV. 89706  
Telephone: (775) 684-3487 Fax: (775) 684-3213

**NOTICE OF PUBLIC HEARING**

Intent to Adopt Regulations  
(LCB File No. R148-15)

NOTICE IS HEREBY GIVEN, that the Administrator of the Division of Public and Behavioral Health will hold a public hearing to consider amendments to Nevada Administrative Code (NAC) 453A. The public hearing will be conducted on site and videoconference beginning at 9:00 A.M. on August 29, 2016, at the following locations:

Division of Public and Behavioral Health 4150 Technology Way Room 303 Carson City, Nevada 89706	Rawson-Neal Psychiatric Hospital 1650 Community College Dr. Room B-193 Las Vegas, Nevada 89146
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The proposed regulations to NAC 453A include the following: The proposed addition/change of regulations in LCB File No R148-15 include provisions for:

- Regulation 148-15, Implement S.B. 447, S.B. 276 and A.B. 70 (78th Nevada Legislature)
- Medical Marijuana Industry meeting to gain concurrence and support of the industry regarding issues on the definitions of lots, batches, and production runs.

1. Anticipated effects on the business which NAC 453A regulates:
  - a. *Adverse effects:* Definition of “Production Run of Concentrated Cannabis” to include “of any quantity; resulting in no more than 2.2 lbs. (1kg) of concentrated cannabis.”
  - b. *Beneficial:* Research and Development (R&D) of usable Marijuana laboratory analysis, which allows for additional optional laboratory testing.
  - c. *Immediate:* The stated adverse and beneficial effects would be immediate impacts as soon as the proposed regulations become effective.
  - d. *Long-term:* The long term impacts would be the same as the immediate impacts as it is not be expected that the impacts would go away.
2. Anticipated effects on the public:
  - a. *Adverse:* None anticipated
  - b. *Beneficial:* Increased public health and safety.
  - c. *Immediate:* Increased public health and safety.
  - d. *Long-term:* Increased public health and safety.

3. At this time, there is no estimated cost to the Division of Public and Behavioral Health for enforcement of the proposed regulations. Enforcement of the proposed regulations will be incorporated into current administrative, registration, licensing and inspection processes.
4. The amendments do not increase any existing fees. Collected fees are set by NRS 453A.344.
5. The proposed regulations do not overlap or duplicate any other Nevada state regulations, or other proposed regulations.
6. Per NRS 233B.0608(3), A Small Business Impact Questionnaire (SBIQ) and Small Business Impact Statement (SBIS) were submitted at the February 4, 2016 Division of Public and Behavioral Health Medical Marijuana Public Workshop.
7. Per NRS 233B.064(2), upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.
8. Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8½” x 11” pages must submit the material to Marilyn Gray, Division of Public and Behavioral Health to be received no later than August 17, 2016 at the following address:

Division of Public and Behavioral Health  
4150 Technology Way, Suite 106  
Carson City, NV 89706  
Phone: (775) 684-3487

Written comments, testimony, or documentary evidence in excess of two typed pages will not be accepted at the time of the hearing. The purpose of this requirement is to allow the Administrator of the Division of Public and Behavioral Health adequate time to review the documents.

Copies of this notice and proposed regulations will be posted online and available for download at the following websites:

Division of Public and Behavioral Health  
[http://dpbh.nv.gov/Reg/MME/MME\\_-\\_Home/](http://dpbh.nv.gov/Reg/MME/MME_-_Home/)

Legislative Counsel Bureau  
<https://www.leg.state.nv.us/App/Notice/A/>

Copies may be obtained in person, by mail, or calling the Medical Marijuana Program at (775) 684-5925 in Carson City.

A copy of the notice has been posted at the following locations:

1. Division of Public and Behavioral Health, 4150 Technology Way, 1st Floor Lobby, Carson City
2. Nevada State Library and Archives, 100 Stewart Street, Carson City
3. Emergency Medical Systems, 1020 Ruby Vista Drive, Ste. 102, Elko
4. Washoe County District Health Department, Ninth and Wells Street, Reno
5. Rawson-Neal Psychiatric Hospital, 1650 Community College Dr. Rm B-193, Las Vegas

6. Nevada Early Intervention Services, 1161 S. Valley View Blvd, Las Vegas
7. Southern Nevada Health District, 280 S. Decatur Blvd, Las Vegas

Carson City Library  
900 North Roop Street  
Carson City, NV 89702

Churchill County Library  
553 South Main Street  
Fallon, NV 89406

Clark County District Library  
833 Las Vegas Boulevard North  
Las Vegas, NV 89101

Douglas County Library  
1625 Library Lane  
Minden, NV 89423

Elko County Library  
720 Court Street  
Elko, NV 89801

Esmeralda County Library  
Corner of Crook and 4<sup>th</sup> Street  
Goldfield, NV 89013-0484

Eureka Branch Library  
210 South Monroe Street  
Eureka, NV 89316-0283

Henderson District Public Library  
280 South Water Street  
Henderson, NV 89105

Humboldt County Library  
85 East 5<sup>th</sup> Street  
Winnemucca, NV 89445-3095

Lander County Library  
625 South Broad Street  
Battle Mountain, NV 89820-0141

Lincoln County Library  
93 Maine Street  
Pioche, NV 89043-0330

Lyon County Library  
20 Nevin Way  
Yerington, NV 89447-2399

Mineral County Library  
110 1<sup>st</sup> Street  
Hawthorne, NV 89415-1390

Pahrump Library District  
701 East Street  
Pahrump, NV 89041-0578

Pershing County Library  
1125 Central Avenue  
Lovelock, NV 89419-0781

Storey County Library  
95 South R Street  
Virginia City, NV 89440-0014

Tonopah Public Library  
167 Central Street  
Tonopah, NV 89049-0449

Washoe County Library  
301 South Center Street  
Reno, NV 89505-2151

White Pine County Library  
950 Campton Street  
Ely, NV 89301-1965