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Lieutenant Governor

The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Bureau of Health Care Safety and Quality  
**Medical Use of Marijuana Program**  
99 Chauncy Street, 11<sup>th</sup> Floor, Boston, MA 02111

MARYLOU SUDDERS  
Secretary

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Commissioner

Tel: 617-660-5370  
[www.mass.gov/medicalmarijuana](http://www.mass.gov/medicalmarijuana)

October 18, 2016

BY U.S. MAIL AND E-MAIL

[REDACTED]  
Massachusetts Patient Foundation, Inc.  
[REDACTED]

Re: Provisional Certificate of Registration for a Registered Marijuana Dispensary for a Dispensary in Arlington and a Cultivation and Processing Facility in Fitchburg

Dear [REDACTED]

Please be advised that you have been selected to receive a Registered Marijuana Dispensary ("RMD") Provisional Certificate of Registration at your proposed Arlington retail dispensary and Fitchburg cultivation and processing facility and to move forward to the Inspectional Phase. The issuance of this RMD Provisional Certificate of Registration is subject to the following ongoing conditions:

1. All dispensary agents and capital contributors shall be subject to a background check as set forth in the *Guidance for Registered Marijuana Dispensaries Regarding Background Checks* prior to commencing work as a dispensary agent or contributing funds to the RMD.
2. The RMD shall comply with the Humanitarian Medical Use of Marijuana Act, Ch. 369 of the Acts of 2012 (the "Act"), as implemented by Department of Public Health (the "Department") Regulations, 105 CMR 725.000, et seq. ("Regulations"), during the period of its provisional registration, except as expressly waived in writing by the Department pursuant to 105 CMR 725.700.
3. The RMD shall be subject to inspection and audit to ascertain compliance with any applicable law or regulation, including laws and regulations of the Commonwealth relating to taxes, child support, workers compensation, and professional and commercial insurance coverage.
4. The RMD shall be subject to inspection and audit to ascertain that the RMD is operating at all times in a manner not detrimental to public safety, health, or welfare.

5. The RMD shall be subject to inspection and audit to ascertain that its facilities are compliant with all applicable state and local codes, bylaws, ordinances and regulations.
6. The RMD shall be subject to inspection and audit to ascertain that it has sufficient financial resources to meet the requirements of the Act or 105 CMR 725.000, et seq.
7. The RMD shall cooperate with and provide information to Department inspectors, agents and employees upon request.
8. The RMD shall, as necessary, amend its bylaws to expressly require compliance with 725.100(A)(1) and the "*Guidance for Registered Marijuana Dispensaries Regarding Non-Profit Compliance*" by stating that the RMD shall "at all times operate on a non-profit basis for the benefit of registered qualifying patients" and shall "ensure that revenue of the RMD is used solely in furtherance of its nonprofit purpose." If the bylaws do not expressly include such requirement, they shall be amended within thirty days of the date of this letter and the amended bylaws shall be filed with the Department by mail at the above address and by email at [RMDcompliance@state.ma.us](mailto:RMDcompliance@state.ma.us).
9. The RMD shall keep current all information required by 105 CMR 725.000, et seq., or as otherwise required by the Department pursuant to 725.100(F)(4) and may not make certain changes without prior approval from the Department pursuant to 725.100(F)(1)-(3).
10. The RMD must submit payment of the registration fee required pursuant to 105 CMR 725.100(C)(1) and 801 CMR 4.02.
11. The property on which the proposed cultivation and processing facility is located is split between Fitchburg and the adjacent town of Westminster. The provisional certificate of registration is limited to the buildings and property within Fitchburg. No buildings or property within Westminster may be used until that town has issued a letter of support or non-opposition.

In the Inspections Phase, the Department will continue to verify, among other things, that the RMD will operate in compliance with the RMD operational requirements, see 105 CMR 725.105 (A)-(Q), and security requirements, see 105 CMR 725.110(A)-(F). Furthermore, the Department may impose other conditions that the Department determines necessary to ensure the RMD will operate in accordance with applicable Massachusetts laws and regulations.

Please be advised pursuant to 105 CMR 725.100(C)(1) the Department may issue a Final Certificate of Registration only after an applicant has successfully completed the Inspections Phase and the Department has issued final approval.


**Please mail the enclosed remittance form with a bank/cashier's check in the amount of \$50,000 payable to the Commonwealth of Massachusetts within thirty (30) days of the date of this letter to:**

Department of Public Health  
Medical Use of Marijuana Program  
RMD Registration  
99 Chauncy Street, 11<sup>th</sup> Floor  
Boston, MA 02111

After the registration fee is processed, this letter shall serve as your Provisional Certificate of Registration with the aforementioned conditions. The Department will continue to verify all information provided by you, and that you are compliant with applicable Massachusetts law and regulations. It is within the Department's discretion to revoke this Provisional Certificate of Registration at any time.

Should you have any questions, please contact the Department at [RMDcompliance@state.ma.us](mailto:RMDcompliance@state.ma.us).

Sincerely,



Eric Sheehan, J.D.  
Bureau Director  
Bureau of Health Care Safety and Quality  
Massachusetts Department of Public Health