This letter is to inform you that the Department of Public Health ("Department") has reviewed Mass Wellspring, Inc.'s Management and Operations Profile (Application 1 of 1). The Management and Operations Profile requires the following information before the Department may complete its evaluation:

1. In response to Question E.29, the applicant refers to "105CMR725.E.1 & E.2." This citation is unclear. Applicant must resubmit a completed response to Question E.29 that identifies the correct section of the Regulations.

2. In response to Question E.32, the applicant refers to, "247CMR Board of Regist. in Pharmacy." This citation is unclear. Applicant must resubmit a completed response to Question E.32 that identifies a specific section of the Board of Registration in Pharmacy Regulations.

3. In response to Question E.34, applicant states that they will explain the following to patients and caregivers, "...driving/operating machinery while using marijuana is prohibited by law." Pursuant to 105 CMR 725.105(K)(2) an RMD's educational material must include, "A warning that when under the influence of marijuana, driving is prohibited by M.G.L. c. 90, s.24, and machinery should not be operated." Applicant must resubmit a complete response to Question E.34 that demonstrates compliance with 105 CMR 725.105(K)(2).

4. In response to Question E.36, applicant states, "Mass Wellspring will provide free or reduced cost medicine to any patient that is a recipient of MassHealth, or Supplemental Security Income, and [emphasis added] whose income does not exceed the following sliding provide scale, determined by using the Federal Poverty Level (FPL), adjusted for family size." 105 CMR 725.004 defines "Verified Financial Hardship" to mean "that an individual is a recipient of MassHealth, or
Supplemental Security Income, or [emphasis added] the individual’s income does not exceed 300% of the federal poverty level, adjusted for family size.” Applicant must resubmit a completed response to Question E.36 that complies with the definition of Verified Financial Hardship.

5. Also in response to Question E.36, within the sliding price scale, it is unclear whether “FPL 100%”, “FPL 200%” and, “FPL 300%” refer to ranges in income, or whether this is referring to those patients whose income falls exactly at 100% FPL, 200% FPL, or 300% FPL. Please resubmit a completed response to Question E.36 that explains the percentages.

6. Also in response to Question E.36, it is also not clear the amount of free marijuana the applicant intends to provide to patients who are under the age of 18, over the age of 65, or veterans. Please resubmit a completed response to Question E.36 that includes this information.

If the applicant has been requested to resubmit their response to a question, please do so using the page on the application form for that particular question, and include an initialed attestation at the bottom of the page. The applicant need not resubmit the entire application and may submit only the page for the particular question that needs to be submitted.

Please remember to type all responses in the information or materials resubmitted to the Department, other than any required signatures, as well as include the name of the Applicant Non-Profit Corporation and the number of the application (e.g., Application 1 of 1) at the top of each page of the resubmitted information or materials.

Please resubmit the additional or revised information as outlined above, via U.S. mail or hand-delivery, to:

Department of Public Health
Medical Use of Marijuana Program
RMD Applications
99 Chauncy Street, 11th Floor
Boston, MA 02111

Upon receipt, the Department will review the information and will notify the applicant if it is invited to submit a Siting Profile or if further information is required before the applicant may proceed.

If you have questions or need assistance, you may contact the Department at 617-660-5370 or RMDapplication@state.ma.us.

Sincerely,

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