



**ANNUAL REPORT BY
THE CANNABIS PUBLIC HEALTH
ADVISORY COUNCIL**

November 27, 2023

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OVERVIEW

Section 4.1-603 of the Code of Virginia (Code) established the Cannabis Public Health Advisory Council (CPHAC, or Advisory Council) as an advisory council to the Virginia Cannabis Control Authority (CCA). This report details the work of the Advisory Council in fulfilling its statutory purpose “to assess and monitor public health issues, trends, and impacts related to marijuana and marijuana legalization and make recommendations regarding health warnings, retail marijuana and retail marijuana products safety and product composition, and public health awareness, programming, and related resource needs.” Va. Code § 4.1-603. This report covers CPHAC activity from January 1, 2023 through November 15, 2023.

STATUTORY DUTIES OF THE CPHAC

As noted above, the Cannabis Control Act established the CPHAC as an advisory council to the Cannabis Control Authority Board of Directors (the Board). Specifically, the Advisory Council shall have the following duties, as described in Virginia Code section 4.1-603:

1. Review multi-agency efforts to support collaboration and a unified approach on public health responses related to marijuana and marijuana legalization in the Commonwealth and to develop recommendations, as necessary.
2. Monitor changes in drug use data related to marijuana and marijuana legalization in Virginia and the science and medical information relevant to the potential health risks associated with such drug use and make appropriate recommendations to the Department of Health and the Board.
3. Submit an annual report to the Governor and General Assembly for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports.

MEMBERS OF THE CPHAC

As stated in Virginia Code section 4.1-603, the Advisory Council shall consist of a total membership of 21 members: 14 non-legislative citizen members and seven ex officio members.¹

The Senate Committee on Rules shall appoint four non-legislative members of the Advisory Council:

- one shall represent the Virginia Foundation for Healthy Youth;
- one shall represent the Virginia Chapter of the American Academy of Pediatrics;
- one shall represent the Medical Society of Virginia; and
- one shall represent the Virginia Pharmacists Association.

The Speaker of the House of Delegates shall appoint six non-legislative members:

- one shall be a representative of a community services board;
- one shall be a person with expertise in substance use disorder treatment and recovery;
- one shall be a person with expertise in substance use disorder prevention;
- one shall be a person with experiences in disability rights advocacy;
- one shall be a person with experience in veterans' health care; and
- one shall be a person with a social or health equity background.

The Governor shall appoint four non-legislative members, subject to confirmation by the General Assembly:

- one shall represent a local health district;
- one shall be an academic researcher knowledgeable about cannabis;
- one shall be a part of the cannabis industry; and
- one shall be a registered medical cannabis patient.

The ex officio members of the Advisory Council include:

- the Secretary of Health and Human Resources;
- the Commissioner of Health;
- the Commissioner of Behavioral Health and Developmental Services;
- the Commissioner of Agriculture and Consumer Services;
- the Director of the Department of Health Professions;

¹ After initial staggering of terms, non-legislative members shall be appointed for a four-year term.

- the Director of the Department of Forensic Science; and
- the Chief Executive Officer of the Virginia Cannabis Control Authority, or their designees.²

As of November 15, 2023, the CPHAC consists of the following members:³

- Secretary of Health and Human Resources, John Littel, Chair
- Ngiste Abebe, Vice Chair
- Joseph Guthrie, Commissioner of the Virginia Department of Agriculture and Consumer Sciences
- Linda C. Jackson, Director of the Virginia Department of Forensic Science
- Arne Owens, Director of the Virginia Department of Health Professions
- Jeremy Preiss, Acting Head and Chief Officer of Regulatory, Policy, and External Affairs, Virginia Cannabis Control Authority
- Dr. Karen Shelton, State Health Commissioner, Virginia Department of Health
- Nelson Smith, Commissioner of the Virginia Department of Behavioral Health and Developmental Services
- Jimmy Christmas
- Dr. Michael Gillette
- Dr. Cynthia Morrow
- Marcus Treiber
- Karin Addison
- Larry Keen
- Michael Krawitz
- Dr. John Whyte
- Rev. Dr. Jerome Barber
- Dr. Kyzwana Caves
- Teresa Elder

² Ex officio members shall serve terms that coincide with their terms of office, and they can send designees to attend CPHAC meetings.

³ Biographies of each CPHAC member can be found in Appendix A of this Report.

There are two vacancies on the Advisory Council:

- A non-legislative citizen member representing a community services board (to be appointed by the Speaker of the House of Delegates); and
- A representative of the Virginia Pharmacists Association (to be appointed by the Senate Committee on Rules).

ADVISORY COUNCIL MEETINGS

Virginia Code requires the CPHAC to meet at least two times each year. The Advisory Council also “shall meet at the call of the chairman or whenever the majority of the members so request.” Va. Code § 4.1-603(B). These meetings allow the CPHAC to conduct its business and allow for comments from members of the public who choose to attend. Advisory Council meetings often feature outside speakers with varied expertise in public health, cannabis, and data.

The Advisory Council met virtually on June 26, 2023.⁴ The meeting included presentations about legislative updates and new public health research. Erin Williams from the Virginia Department of Agriculture and Consumer Services (VDACS) highlighted legislative updates from the 2023 General Assembly session related to the regulation of consumable hemp products. Dr. Michelle Peace, a professor in the Department of Forensic Science at Virginia Commonwealth University, presented on gaps that exist in regulation addressing cannabis vaping. She highlighted dangers found in unregulated products Virginians, especially young adults, are using to vape cannabis. Due to a weather-related emergency closing of Executive Branch agencies, Dr. Peace’s presentation was cut short.

The CPHAC plans to hold a second meeting in-person on November 27, 2023 after the drafting of this report.⁵ Dr. Peace will continue her presentation at this meeting. The November meeting also includes a presentation from the Alabama Department of Forensic Sciences on cannabis testing systems in other states.

⁴ Draft minutes for the June 2023 CPHAC meeting can be found in Appendix B of this Report.

⁵ A draft agenda for the November 2023 CPHAC meeting can be found in Appendix C of this Report.

CONCLUSION

The Advisory Council plays an important role in monitoring key public health data, trends, and considerations related to cannabis. The CPHAC looks forward to continuing collaboration with the Governor, General Assembly, CCA and other state agencies, public health experts, and the public to ensure public health remains a top priority in the regulation of cannabis.

APPENDIX A: BIOGRAPHIES OF CPHAC MEMBERS

Secretary of Health and Human Resources, John Littel, serves as Chair of the Council. He brings 30 years of public policy experience to the Administration, including developing private sector solutions for Medicaid, advocating for independent living for seniors and people with disabilities, and leading mental health and substance use disorder programs. Twenty-six years ago, Secretary Littel was the Deputy Secretary of Health and Human Resources. Since then, the Secretary has held senior roles at Magellan Health, Anthem, and Amerigroup, as well as at both the federal and state government levels. He has taught government, politics, and communications at the graduate level, and has also served as a member of the William & Mary Public Policy Board of Advisors. Secretary Littel earned his bachelor's degree in Philosophy and Political Science from the University of Scranton and J.D. from The Columbus School of Law at Catholic University.

Ms. Ngiste Abebe* serves as Vice Chair of the Council. Ms. Abebe is Vice President of Public Policy at Columbia Care, one of the nation's leading medical cannabis companies. She serves as the President of the New York Medical Cannabis Industry Association and on the board of the District of Columbia Cannabis Trade Association. Prior to that, she was co-founder of Undaunted Ventures, a political consulting firm which specializes in innovative narrative, training, and leadership coaching services, and which grew out of her work training progressive organizations and working on campaigns across Virginia. She is the co-founder and co-director emerita of New Leaders Council Virginia, a progressive leadership institute. Ms. Abebe holds a BA in Public Policy from the University of Chicago and a Master's in Public Policy and Management from Carnegie Mellon University.

Commissioner Joseph Guthrie serves as lead of the Virginia Department of Agriculture and Consumer Sciences. Commissioner Guthrie is a sixth generation Virginia farmer. He owns and operates a beef cattle and hay farm in Pulaski County on farmland that has been in his family since 1795. Since 2007, he served as a Senior Instructor at Virginia Tech and taught courses in business management, finance, communications, and leadership in the Agricultural Technology Program. Prior to his appointment, he served the residents of Pulaski County on the Board of Supervisors since 2015 and was elected Board Chair in 2020 and 2021. He was also elected to a four-year term on the Pulaski County School Board in 2011. Commissioner Guthrie has served as the president of Virginia Tech's College of Agriculture and Life Sciences Faculty Association, president of Pulaski County Farm Bureau, and president of the Virginia Cattlemen's Association. He was appointed by USDA Secretary Tom Vilsack to the National Cattlemen's Beef Promotion and Research Board and was appointed by former Governor Bob McDonnell to the Virginia Cattle Industry Board.

Director Linda C. Jackson was initially appointed as the Director of the Virginia Department of Forensic Science by Governor McDonnell on February 25, 2013, to fulfill an unexpired term. She was re-appointed by Governor McAuliffe effective December 26, 2017, for a six-year term. Ms. Jackson has a B.S. degree in Chemistry from Wake Forest University and an M.S. in Chemistry from the University of North Carolina at Charlotte. As Director, she has worked to increase laboratory transparency by making all Breath Alcohol instrument records and test results available online and offering scientific training to criminal attorneys and judges. She has worked with the Department of Criminal Justice Services to publish annual seized drug statistics for use by Virginia public safety and public health agencies.

Director Arne Owens was appointed to serve as Director of the Department of Health Professions in

November 2022. Mr. Owens previously served as Deputy Assistant Secretary for Planning and Evaluation in the Office of the Secretary, U.S. Department of Health and Human Services (HHS) and, prior to that, as Deputy Assistant Secretary with the Substance Abuse and Mental Health Services Administration (SAMHSA) at HHS. He has also served on the staff of the U.S. Senate as Health Care Policy Advisor for former Senator Bob Corker, Global Health Policy Advisor for the Senate Committee on Foreign Relations, and Health Care Policy Advisor for the Senate Committee on Small Business and Entrepreneurship and its chairman, former Senator David Vitter. Mr. Owens is a graduate of the U.S. Military Academy at West Point and holds a Master of Science Degree from the University of Southern California.

Jeremy Preiss joined the Virginia Cannabis Control Authority (“CCA” or “Authority”) as its second employee in January 2022. He serves as the Authority’s Chief Officer for Regulatory, Policy, and External Affairs, leading the Authority’s work on policy, legislation, regulation, and public affairs. He also serves as the Acting Head of the CCA, a role he has played since the spring of 2022. Before joining the CCA, Mr. Preiss worked as an executive attorney on ethics, compliance, and international business matters for over 20 years for two aerospace and defense companies, United Technologies, and Raytheon Technologies (now RTX). Prior to that corporate experience, Mr. Preiss was international trade counsel for the U.S. Senate Finance Committee and an attorney with the firm Sidley Austin. Mr. Preiss has bachelor’s and master’s degrees, respectively, from Johns Hopkins University (JHU) and JHU's School of Advanced International Studies, and a law degree (Magna Cum Laude) from the University of Pennsylvania's School of Law.

Dr. Karen Shelton MD, MPH, was appointed as the State Health Commissioner of the Virginia Department of Health on May 1, 2023. Dr. Shelton graduated from Wake Forest University (Bachelor’s) and the University of Virginia (MD), and she trained in obstetrics and gynecology at Eastern Virginia Medical School. She first joined the Virginia Department of Health in 2016 to lead the Mount Rogers Health District. As health district director, Dr. Shelton led the health district during the opioid overdose crisis and through the COVID-19 pandemic. Dr. Shelton also served as acting director for the LENOWISCO and Cumberland Plateau health districts from January to August of 2021. Dr. Shelton accepted a position with Ballad Health in 2021 as vice president and chief medical officer for Bristol Regional Medical Center and Smyth County Community Hospital.

Commissioner Nelson Smith comes to the Youngkin administration with a wide variety of experience. He will bring to his role of Commissioner of the Department of Behavioral Health and Developmental Services leadership as a CEO at several hospitals, as a US Army Special Forces Combat Dive Team Leader, and most recently, his experience overseeing Tucker Pavilion at Chippenham Hospital. His responsibilities included coordinating and implementing initiatives that improve access, quality, and efficiency in both the inpatient and outpatient settings. Commissioner Smith has a passion for team building and a proven track record of employee engagement and empowerment.

Mr. Jimmy Christmas has expertise in substance use disorder treatment and recovery. Mr. Christmas is an accomplished leader with experience in program development, clinical services, state and federal compliance, risk management, strategic planning, operations, talent management, and fiscal management. He is currently the Founder and CEO of a family of behavioral health organizations that include River City Comprehensive Counseling Services, River City Integrative Counseling, and Staunton Treatment Center. Founded in 2008, River City’s programs and services include Crisis Stabilization, Intensive In-Home Services, Mental Health Skill Building, and Veteran’s Employment Program. Mr. Christmas is a licensed clinical social worker and certified substance abuse counselor.

He served as adjunct faculty and field instructor for VCU's School of Social Work for 15 years.

Dr. Michael Gillette has expertise in substance use disorder prevention. Dr. Gillette is an ethics expert who has presented numerous keynotes and workshops nationally and internationally for over 25 years. Additionally, he contracts with dozens of healthcare organizations and other agencies to provide ethics case consultations and policy work. Dr. Gillette established Bioethical Services of Virginia, Inc., which provides applied ethics programs and services, including educational programming, case consultation, and policy development and review. He has presented on topics such as ethics case studies in addiction services and ethics and dual diagnosis.

Dr. Cynthia Morrow,* MD, MPH is the Director of Virginia Department of Health's Roanoke City and Alleghany health districts. She graduated from Tufts University in 1992. She is an internal medicine physician in Roanoke, VA and has over 30 years of experience in the medical field. She is also an assistant professor at Virginia Tech Carilion School of Medicine.

Mr. Marcus Treiber* is the Chief Executive Officer of EMT Holdings LLC and a certified medical cannabis patient. Marcus is also a member of the U.S. Marine Corp. EMT Holdings is a service-disabled, veteran-owned small business and HUBZone business focused on providing customers with highly qualified and motivated support and solutions.

Ms. Karin Addison serves as the Virginia Foundation for Healthy Youth Board Chair. She is also the Director of State Affairs at Troutman Pepper Strategies. Ms. Addison has 19 years of experience lobbying the Virginia General Assembly and Executive Branch offices. She has an array of expertise at the state level in the areas of healthcare, human services, procurement, and appropriations. Ms. Addison currently assists clients with understanding and identifying health and human service-related procurement opportunities and understanding the impact of Medicaid program changes.

Dr. Larry Keen* is an associate professor at Virginia State University. Dr. Keen received his B.A. in Psychology from North Carolina Agricultural and Technical State University. He received both his M.S. and Ph.D. in Neuropsychology & Personality from Howard University. Dr. Keen's research interests include examining the psychoneuroimmunological influences of cannabis use and neurocognitive performance in community-based and young adult samples. Dr. Keen also has research interests in substance use patterns in young adults and their associations with psychological and autonomic nervous system markers.

Mr. Michael Krawitz is experienced in veterans' health care. He is a U.S. Air Force veteran, Executive Director of the non-profit Veterans for Medical Cannabis Access, researcher on the history of medical cannabis, and international advocate for Cannabis policy reform with FAAAT think & do tank (non-profit).

Dr. John Whyte represents the Medical Society of Virginia. Dr. John Whyte is an internal medicine physician in Washington D.C. and corporate executive with a unique combination of government and private sector work that provides him with an exceptional perspective on wellness, clinical trials, information technology, innovation, and health care services.

Dr. Kyzwana Caves represents the Virginia Chapter of the American Academy of Pediatrics. Dr. Caves moved to the Tidewater area after completing her fellowship in adolescent medicine at Children's National Medical Center in Washington, DC. Dr. Caves has specialized expertise in

managing diverse issues unique to the adolescent population; this includes being credentialed as an HIV Specialist by the American Academy of HIV Medicine. She enjoys working as a multidisciplinary team member to offer optimal care for each of her patients and their families.

Rev. Dr. Jerome Barber has a background in social and health equity. Rev. Barber is the Senior Pastor of Sixth Mount Zion Baptist Temple a strong growing congregation in Hampton, Virginia and he is the Executive Director, President and Co-Founder of Six House, Inc., a faith-based community organization. He earned his Bachelor of Arts degree in Biology from Hampton Institute (Hampton VA) in 1981, graduating with high honors as a Distinguished Military Graduate and commissioned as 2nd Lieutenant in the US Army. He was conferred as a Doctor of Divinity by the Eastern Theological Seminary during its 2001 commencement ceremony. Since July 2000, he has mobilized teams from the United States of pastors, medical professionals, educators, and youth to conduct revivals, crusades, bible seminars, youth and women's conferences, training workshops, and medical clinics throughout the Nairobi area of Kenya, West Africa, and Salvador, Brazil.

Ms. Teresa Elder has experience in disability rights advocacy. Ms. Elder is from Springfield, VA and has a son who suffers from epilepsy. She has spoken in front of the Senate Education and Health committee in support of bills that advocate for disability rights, such as SB1235, which allowed the possession of oils derived from marijuana to medicate epilepsy.

*Denotes Governor Appointee

APPENDIX B: DRAFT MINUTES FROM JUNE 26, 2023 CPHAC MEETING



**Cannabis Control Authority
Cannabis Public Health Advisory Council Meeting
As Required by 2021 Acts of Assembly, Chapter 551
June 26, 2023**

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**Virtual – Microsoft Teams Meeting
DRAFT MEETING MINUTES**

MEMBERS PRESENT: James Williams (on behalf of Secretary John Little, Chair)
Ngiste Abebe, Vice Chair
Michael Krawitz
Dr. Michael Gillette
Joseph Guthrie
Ellen Harrison (on behalf of Nelson Smith)
Larry Keen
Linda Jackson
Brianna Bonnet (on behalf of Jeremy Preiss)
Marcus Trieber
Dr. John Whyte
Rev. Dr. Jerome Barber Jimmy Christmas
Dr. Cynthia Morrow

LEGAL COUNCIL: James Flaherty, Office of the Attorney General

PRESENTERS: Erin Williams, Department of Agriculture and Consumer Services
Dr. Michelle Peace, Virginia Commonwealth University

1. Introductory Remarks & Roll Call

James Williams called the meeting to order at 2:00 PM. Mr. Williams informed the Advisory Council that the meeting would be held for only an hour instead of the scheduled two-hour time period due to an Emergency Office Closing of Executive Branch agencies. Executive Branch agencies were scheduled to close at 3:00 pm EST in the Richmond Metro area because of severe weather.

2. Determination of Quorum

Mr. Williams determined that the Advisory Council had a quorum for its meeting given that 15 members were virtually present

3. Approval of Previous Meeting's Minutes

Mr. Williams proposed a grammar correction on page three of the previous meeting's minutes and the proposed change was approved. Council members approved the draft minutes from the December 21, 2022 meeting.

4. Council Organization Structure

At 2:08 pm, the Council voted to re-nominate Ngiste Abebe for the role of Vice Chair, motioned by Dr. Gillette and seconded by Dr. Morrow. The motion was carried, and Ms. Abebe was reinstated as Vice Chair. Due to the emergency closing of the Executive Branch agencies, the Council postponed the optional vote for Secretary until the next Advisory Council meeting.

5. Presentation: Hemp Product Legislation

Erin Williams, Policy Analyst & Industrial Hemp Program Manager for the Virginia Department of Agriculture and Consumer Services (VDACS), provided an update on hemp product legislation from the 2023 General Assembly session. Ms. Williams reiterated that VDACS regulates and inspects food manufacturers, distributors, and retail establishments (excluding restaurants) where food or dietary supplements are sold. As a result, VDACS has been implementing all hemp legislation based on the Food and Drink Law. However, inhaled or smoked products do not meet the definition of food under the law, so inhalant hemp products do not fall under the purview of VDACS.

Ms. Williams shared that SB 903, HB 2294, and the Governor's recommendations provide further guidance on what is lawful and unlawful to the hemp industry and VDACS regulators. In addition, she reported VDACS has received additional funding for hemp enforcement activities under the current budget from the General Assembly; it will submit a report to the General Assembly by December 1, 2023, on the enforcement actions it has taken on industrial hemp extracts pursuant to the Food and Drink law. Likewise, the Cannabis Control Authority (CCA) will submit a report to the General Assembly by December 1, 2023 on how other states approach the regulation of hemp products

6. Presentation: VCU Department of Forensic Science Research

Dr. Michelle Peace, Professor from the Department of Forensic Science at Virginia Commonwealth University, presented on the gaps that exist in regulation that addresses the vaping of cannabis. She highlighted the dangers found in unregulated products that Virginians, especially young adults, are using to vape cannabis. Her lab regularly tests cannabis product samples found in retail outlets and has found that many inhalant cannabinoid products contained contamination from bacteria, hair, fungus, and chemicals not meant to be inhaled. Dr. Peace's lab also found that many of these products either lacked CBD and THC, as advertised, or included concentrations of CBD and THC that were higher than the advertised amounts.

Due to the weather-related emergency closing of the Executive Branch agencies at 3:00 pm, Dr. Peace's presentation was cut short. She was invited to continue her presentation at the next Advisory Council meeting.

7. Next Steps

Although no date has been established yet for the next Council meeting, the Advisory Council plans to meet in the fall.

8. Public Comment

There were no public comments at this meeting.

9. Adjournment

The Advisory Council adjourned at 3:09pm

APPENDIX C: DRAFT AGENDA FROM NOVEMBER 27, 2023 CPHAC MEETING



Cannabis Public Health Advisory Council
As Required by 2021 Acts of Assembly, Chapter 551
November 27th, 2023
2:00 PM – 5:00 PM

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East Reading Room – Patrick Henry Building
AGENDA

- 1. Introductory Remarks & Roll Call**
Office of the Secretary of Health and Human Resources
- 2. Determination of Quorum**
Office of the Secretary of Health and Human Resources
- 3. Approval of Previous Meeting's Minutes**
Office of the Secretary of Health and Human Resources
- 4. Vote to Approve the CPHAC 2023 Annual Report**
Office of the Secretary of Health and Human Resources
- 5. Presentation: Testing Systems in Other States**
Alabama Department of Forensic Sciences
- 6. Presentation: VCU Department of Forensic Science Research**
Dr. Michelle Peace, VCU Department of Forensic Science
- 7. Next Steps**
Office of the Secretary of Health and Human Resources
- 8. Public Comment**