

INITIAL RULE IMPACT STATEMENT

TITLE 442. OKLAHOMA MEDICAL MARIJUANA AUTHORITY

CHAPTER 1. ADMINISTRATIVE OPERATIONS

1. DESCRIPTION:

The amendments establish administrative rules governing proceedings before the agency, including provisions regarding proper notice, pleadings, disclosure requirements, and appearance by parties. The amendments establish administrative rules required for the implementation of SB 1704 governing proceedings before the agency, including provisions regarding appeal of adverse credential determinations. The rules are intended to ensure consistent process is afforded to both the Agency as well as commercial licensees subject to administrative actions, penalties, fines, and adverse agency orders affecting licenses. In exigent circumstances that require emergency action, the Executive Director of the Authority may summarily suspend a license, while providing a hearing right to the licensee. In exigent circumstances that require emergency action, the Executive Director of the Authority or assigned administrative law judge may summarily order for destruction any marijuana or marijuana product, and licensees that own or possess the marijuana or marijuana product are afforded a hearing.

2. DESCRIPTION OF PERSONS AFFECTED AND COST IMPACT RESPONSE:

Persons affected will be individuals and entities holding licenses issued by the Agency and subject to administrative actions instituted by the Agency. There is no expected impact on these licensees.

3. DESCRIPTION OF PERSONS BENEFITING, VALUE OF BENEFIT AND EXPECTED HEALTH OUTCOMES:

There are no classes of persons that will benefit from the proposed rules.

4. ECONOMIC IMPACT, COST OF COMPLIANCE AND FEE CHANGES:

The proposed permanent rules are not expected to have an economic impact, cost of compliance, or fee changes.

5. COST AND BENEFITS OF IMPLEMENTATION AND ENFORCEMENT TO THE AGENCY.

The benefits to the Agency are primarily that the Agency will have administrative rules governing individual proceedings before the Agency in place.

6. IMPACT ON POLITICAL SUBDIVISIONS:

There is not expected to be an impact on political subdivisions.

7. ADVERSE EFFECT ON SMALL BUSINESS:

There are no expected adverse effects on small businesses.

8. EFFORTS TO MINIMIZE COSTS OF RULE:

The agency has made efforts to ensure these rules governing proceedings before the Agency are

congruent to the provisions of the Administrative Procedure Act, and as such will not notably deviate from standard practice in Oklahoma.

9. EFFECT ON PUBLIC HEALTH AND SAFETY:

There is no expected effect on public health and safety.

10. DETRIMENTAL EFFECTS ON PUBLIC HEALTH AND SAFETY WITHOUT ADOPTION:

There are no identifiable detrimental effects on public health and safety.

11. PREPARATION AND MODIFICATION DATES:

This rule impact statement was prepared on December 20, 2023.