

**Title 19 – DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 95 – Medical Marijuana**

PROPOSED RULE

19 CSR 30-95.025 Generally Applicable Provisions

PURPOSE: The Department of Health and Senior Services has the authority to promulgate rules for the enforcement of Article XIV. This rule explains what general provisions are necessary for the enforcement of the Article.

*EMERGENCY STATEMENT: This emergency rule informs the public of what general provisions are necessary for the enforcement of Article XIV. This rule is necessary to comply with Article XIV, Section 1 of the Missouri Constitution, which became effective on December 6, 2018. Article XIV requires that the Department make available to the public application forms and instructions for qualifying patient, primary caregiver, and patient cultivation identification cards, as well as for medical marijuana cultivation, testing, dispensary, and infused products manufacturing facilities. In order to make available the forms and instructions for all of these types of applications, it is necessary to promulgate rules for the processes and regulatory functions related to these applications. Without such rules, the department will be unable to efficiently regulate and control the cultivation, manufacturing, and sale of marijuana for medical use or provide a mechanism and regulatory structure through which qualified patients and their caregivers may access medical marijuana. As a result, the department finds a compelling governmental interest in promoting the health and safety of Missouri residents who wish to use marijuana for medical purposes, requiring this emergency action. A proposed rule, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The Department believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed DATE, becomes effective DATE, and expires DATE.*

(1) Patient Registry Access. Qualifying patient and primary caregiver information collected by the department shall not be released to anyone outside the department except for purposes authorized by federal law or Article XIV of the Missouri Constitution, including:

(A) Upon request and for purposes of verifying whether a particular individual is lawfully in possession of a qualifying patient, primary caregiver, or patient cultivation identification card or lawfully in possession of a particular amount of marijuana, state and local law enforcement personnel shall have access to patient and caregiver information such as names, addresses, dates of birth, and purchase limitations.

(B) For the purposes of verifying whether a particular qualifying patient or primary caregiver may purchase an amount of medical marijuana or medical marijuana seeds or plants, dispensary facilities shall have access to patient and primary caregiver names and purchase limitations.

(2) Variances.

(A) The department may waive, for good cause, provisions of this chapter on its own initiative or by request.

(B) Requests for variance from the requirements of any provision of this chapter shall be made in writing and will be granted or denied by the director of the department's medical marijuana program. Requests shall include—

1. A list of each requirement for which a variance is requested, with citation to the specific rule in which the requirement can be found; and

2. An explanation for why the requirement cannot be met or why meeting the requirement would impose an undue burden on the applicant.

(C) Denial of variance requests shall be issued by the department in writing and shall include the specific reasons for the denial.

(3) Complaints. All complaints against licensed or certificated medical marijuana facilities must be submitted through a department-provided format. Complaints shall include the name and address of the facility against which the complaint is made and a clear description of what violation the complainant believes the facility has committed.

(A) Upon complaint against a facility, the department will determine whether an inspection is warranted to investigate the allegations in the complaint.

(B) If the department conducts an inspection, the facility will receive a copy of the complaint.

(C) Employees of a facility who report potential violations by a facility to the department may not be subjected to retaliation of any kind, including termination, because of their report.

(4) Facility Evaluation Criteria. All applicants for cultivation, dispensary, manufacturing, testing, or transportation licenses or certifications will be evaluated for whether they meet minimum standards as described in subsection (A) of this section. During application time periods where more qualified applicants apply for cultivation, dispensary, manufacturing, or testing licenses or certifications than there are licenses or certificates available in that category, the department will use a system of numerically scoring ten additional evaluation criteria to rank the applications in each such license or certification category against each other.

(A) The minimum standards for licenses and certifications can be met by providing all material required by 19 CSR 30-95.040(2) in order to show, as applicable:

1. Authorization to operate as a business in Missouri;

2. That the entity is majority owned by natural persons who have been residents of Missouri for at least one (1) year;

3. That the entity is not under substantially common control as another entity or a combination of other entities in violation of 19 CSR 20-95.040(3)(C-D);

4. That the entity is not within one thousand (1000) feet of an existing elementary or secondary school, daycare, or church, or, if a local government allows for closer proximity to schools, daycares, and churches, that the entity complies with the local government's requirements;

5. Eligibility to operate in a local jurisdiction; and

6. That the entity will not be owned, in whole or in part, or have as an officer, director, board member, or manager, any individual with a disqualifying felony offense.

(B) The additional evaluation criteria, which will be numerically scored, are:

1. The character, veracity, background, qualifications, and relevant experience of principal officers or managers;
2. The business plan proposed by the applicant, which in the case of cultivation facilities and dispensaries shall include the ability to maintain an adequate supply of medical marijuana, plans to ensure safety and security of qualifying patients and the community, procedures to be used to prevent diversion, and any plan for making medical marijuana available to low-income qualifying patients;
3. Site security;
4. Experience in a legal cannabis market;
5. In the case of testing facilities, the experience of the facility's personnel with the health care industry and with testing marijuana, food, or drugs for toxins and/or potency;
6. The potential for the facility to have a positive economic impact in the site community;
7. In the case of cultivation facilities, capacity or experience with agriculture, horticulture, and health care;
8. In the case of dispensary facilities, capacity or experience with health care, the suitability of the proposed location, and its accessibility for patients;
9. In the case of infused products manufacturing facilities, capacity or experience with food and beverage manufacturing; and
10. Maintaining competitiveness in the medical marijuana marketplace.

(C) When applicable, numerical scoring of evaluation criteria will be conducted as follows:

1. Applications will be separated from their identifying information, including facility business names, and names, addresses, and Social Security numbers of individuals, and assigned a numerical identifier for use during scoring.
2. Applications will be scored based on responses to evaluation criteria questions. Responses may take the form of written answers or written answers with attachments.
 - A. Each type of facility or certification application will be scored and ranked against the other applications of the same type. For dispensaries, applications will be scored and ranked against other dispensary applications in the same congressional district.
 - B. Applications will be scored without reference to the identities of the facilities or of individuals named in an application. Written responses to evaluation criteria questions must not refer to facility business names, either legal or fictitious, and must refer to individuals by title and initials only, e.g. "Owner A.E.M." or "Principal Officer R.W.M." Any attachments to evaluation criteria question responses shall be redacted so as to obscure the facility business names and the names, addresses, and Social Security numbers of any individuals mentioned in the application. Unredacted versions of those same documents will be submitted separately in a section of the application designated for this purpose.
 - C. Responses to evaluation criteria questions in which a business or individual is identified by name will not be scored.
3. Evaluation criteria questions and initial scoring shall be as delineated in the Evaluation Criteria Scoring table and the Evaluation Criteria Point System table, included herein.
4. The same evaluation criteria question in each application will be scored by the same individual, if possible, and scores that vary significantly from other scores for the same questions may be rescored. If rescored, the first score will be discarded, and the second score will stand.
5. Once all applications have been assigned an initial rank and score, the department will reconnect the applications with their identifying information.

6. After evaluation criteria questions have been initially scored, and in order to award points to applicants that seek to locate in economically distressed areas, thereby supporting a potential for positive economic impact in the site community, the rankings of such facilities will be further adjusted by awarding additional points as follows:

A. Any facility seeking a license to locate within a zip code area that has an employment rate of eighty-five (85.0) percent to eighty-nine point nine (89.9) percent will receive a scoring increase of thirty (30) percent of the average initial score of all applicants of the same facility type within the evaluation criteria topic regarding potential for positive economic impact in the site community; and

B. Any facility seeking a license to locate within a zip code area that has an employment rate of zero (0) to eighty-four point nine (84.9) percent will receive a scoring increase of forty (40) percent of the average initial score of all applicants of the same facility type within the evaluation criteria topic regarding potential for positive economic impact in the site community.

C. For the purposes of this paragraph, zip code employment data was obtained from the “U.S. Census Bureau, American Community Survey 2013-2017, Employment Status, Population 16 years and over,” published by the Missouri Census Data Center. The applicable zip codes are listed in the table, included herein.

7. For cultivation, manufacturing, and testing facilities, the score following any adjustments under paragraph 6 of this subsection is the final score.

8. For dispensary facilities, after evaluation criteria questions have been initially scored and adjusted as applicable under paragraph 7 of this subsection, and in order to facilitate patient access to medical marijuana, the rankings of dispensary facilities will be further adjusted by awarding additional points due to geographic location as follows:

A. First, the highest scoring dispensary facility in each of the one hundred sixty-three (163) Missouri House of Representatives districts as drawn and in effect on December 6, 2018, will receive an increase to its score pursuant to subparagraph C. of this paragraph, and all dispensary facility applicants’ rankings will then be reordered. A map of the state of Missouri showing the applicable boundary lines of Missouri’s house districts is available on the department’s website; and

B. Finally, any dispensary facility applicant with a location more than twenty-five (25) miles, measured in a straight line, from any other dispensary facility applicant or existing dispensary facility will receive an additional increase to its score pursuant to subparagraph C. of this paragraph, and all dispensary facility applicants’ rankings will again be reordered. The resulting rank and score will be each dispensary facility’s final rank and score.

C. Scoring increases due to geographic location will be equal to five (5) percent of the average initial score of the top twenty-four (24) ranked facilities in each congressional district that has at least twenty-four (24) dispensary facility applicants.

D. In cases where a house district is segmented by the boundary lines of two or more congressional districts, for purposes of the adjustments in this paragraph, only the segment of that house district with the highest population, as of the 2010 United States Population Census, will be utilized.

10. In the case of a tie for the last available license or certification in any category, the license or certification will go to:

A. The facility with the highest score in the topic specifically relating to that facility type;

B. If a tie remains, then the facility with the highest score in the business plan topic;

C. If a tie remains, then the facility with the highest score in the character topic;

- D. If a tie remains, then the facility with the highest score in the site security topic;
- E. If a tie remains, then the facility with the highest score in the economic impact topic;
- F. If a tie remains, then the facility with the highest score in the legal cannabis market

experience;

G. If a tie remains, then the facility will be chosen by lottery.

(D) Licenses and certifications will be issued as follows:

1. When the numerical scoring system is used, the highest ranked facilities for each type of facility and, for dispensaries, in each congressional district, will receive licenses or certifications, except in cases where an entity under substantially common control, ownership, or management has applied for more than three (3) cultivation, three (3) manufacturing, or five (5) dispensary licenses. In those cases, the department will only issue licenses to the highest ranked facilities associated with that entity, up to the maximum number allowable in each category of license.

2. When the numerical scoring system is not used, all facilities that meet the minimum standards for licenses or certifications will be issued licenses or certifications, except in cases where an entity under substantially common control, ownership, or management has applied for more than five (5) dispensary licenses and some of those dispensaries are located in congressional districts that were numerically scored. In those cases, the department will first issue licenses to the dispensaries associated with that entity in congressional districts that were not numerically scored. Any remaining dispensaries associated with that entity will be issued licenses according to that dispensary's rank and score.

(5) The department will impose penalties as follows:

(A) For possessing marijuana in amounts between the possessor's legal limit and twice the legal limit, in addition to revocation of identification card(s) pursuant to 19 CSR 30-95.030(3)(B)1.D, the possessor will incur a penalty of two hundred (200) dollars.

(B) For failure to package medical marijuana consistent with 19 CSR 30-95.040(4)(K), a facility will incur a penalty of five thousand (5,000) dollars for each category of improperly packaged product, and the improperly packaged medical marijuana will be recalled for repackaging or disposal, at the department's discretion.

(C) Any person or facility that extracts resins from marijuana using combustible gases or other dangerous materials without a manufacturing facility license, shall incur a penalty.

1. In addition to revocation of identification cards pursuant to 19 CSR 30-95.030(3)(B)1.I, any patients or primary caregivers who extract resins in this manner will incur a penalty of two hundred (200) dollars.

2. In addition to suspension of license pursuant to 19 CSR 30-95.040(1)(E)7, facilities that extract resins in this manner will incur a penalty of ten thousand (10,000) dollars.

(6) Appeals.

(A) The following department decisions shall be appealable to the administrative hearing commission:

- 1. Denial, revocation, or suspension of licenses or certifications; and
- 2. Denial or revocation of patient, primary caregiver, patient cultivation, or facility agent identification cards.

(B) Any person or entity entitled to appeal to the administrative hearing commission under this rule must file a petition with the administrative hearing commission within thirty (30) days after

the date the department decision is sent to the person or entity. An untimely appeal will not be considered.

(7) Statewide Track and Trace System.

(A) No entity holding a contract with the state of Missouri for a statewide track and trace system or any affiliates of that entity may sell seed-to-sale services or services related to compliance with seed-to-sale tracking regulations to a licensed or certified facility.

(B) No entity holding a contract with the state of Missouri for a statewide track and trace system may charge any licensed or certified facility price or otherwise cause to be incurred a cost for plant/product tracking labels of more than twenty (20) percent above the per unit production cost of that label, not to include personnel costs.

Evaluation Criteria Questions and Points

Topic I: Character, veracity, background, qualifications, and relevant experience of principal officers or managers.

Topic Weight: 0.12

| Question | Applies to: | Scoring Scale | Weight Within Topic |
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| Submit evidence (including but not limited to, letters of recommendation) of the character and veracity (truthfulness) of all principal officers and managers. (Maximum of 3 documents per officer or manager.) | All Applicants | 0-10 Point Scale | 3 |
| Submit evidence (including, but not limited to, a resume or curriculum vitae) of the qualifications, background, and relevant experience of all principal officers and managers. (Maximum of 3 documents per officer or manager.) | All Applicants | 0-10 Point Scale | 7 |
| Describe how your previous business experience will contribute to the success of your medical marijuana business. List the legal business name and address of each business you operated or managed. | All Applicants | 0-10 Point Scale | 9 |
| Describe how the background of the principal officers and managers will positively reflect or align with the community in which your business will be located. | All Applicants | 0-10 Point Scale | 3 |
| Does any principal officer or manager have any delinquency in the filing or payment of any state income tax, sales tax, personal property tax, municipal tax, or real property tax, either individually or for a business in which the principal officer or manager has an ownership interest? If yes, explain. | All Applicants | No/Yes | 6 |
| Has any principal officer or manager ever been, or has such person been a principal officer or manager of any business entity when such entity has been, the subject of an action resulting in suspension or revocation of a registration, license, provisional license, or any other authorization to cultivate, process, or dispense medical marijuana in any state? If "Yes", provide the following: Respondent / Defendant, Name of Case and Docket Number, Nature of Charge or Complaint, Date of Charge or Complaint, Disposition, and Name and Address of the Administrative Agency or Court (Specify Federal, State and/or Local Jurisdictions). | All Applicants | No/Yes | 9 |
| Has any principal officer or manager ever been convicted of, or plead guilty or nolo contendere to, any felony offense under state or federal law, whether or not a sentence has been imposed, relating to the principal officer's or manager's practice of any profession or occupation? If yes, provide the following: Defendant, Name of Case and Docket Number, Nature of Charge or Complaint, Date of Charge or Complaint, Disposition, and Jurisdictional Court (Specify Federal, State and/or Local Jurisdictions). | All Applicants | 0-10 Point Scale | 7 |

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| <p>Has any principal officer or manager ever been convicted of, or plead guilty or nolo contendere to, any felony offense (not including any offense related to the practice of their profession or occupation) under state or federal law, whether or not a sentence has been imposed? If yes, please provide the following: Defendant, Name of Case and Docket Number, Nature of Charge or Complaint, Date of Charge or Complaint, Disposition, and Jurisdictional Court (Specify Federal, State and/or Local Jurisdictions).</p> | All Applicants | 0-10 Point Scale | 4 |
| <p>Has any principal officer or manager ever been, or has such person been a principal officer or manager of any business entity when such entity has been, denied a license or registration by the Drug Enforcement Administration, the Missouri Bureau of Narcotics and Dangerous Drugs, or other appropriate controlled substance licensing/registration body of any state? If yes, provide the name of the controlled substance licensing/registration body, the date and the reason for the denial.</p> | All Applicants | No/Yes | 8 |
| <p>Has any principal officer or manager ever been, or has such person been a principal officer or manager of any business entity when such entity has been, the subject of an investigation or a disciplinary action by the Drug Enforcement Administration, the Missouri Bureau of Narcotics and Dangerous Drugs, or other appropriate controlled substance licensing/registration body of any state that resulted in the suspension or revocation of a license or registration? If yes, provide the name of the controlled substance licensing/registration body, the date and the reason for the disciplinary action.</p> | All Applicants | No/Yes | 5 |
| <p>Has any principal officer or manager ever had, or has such person been a principal officer or manager of any business entity when such entity had, a license, permit, or registration to practice any profession or occupation, disciplined, revoked or denied by any state or federal licensing body? If yes, state the date, the name of the licensing body and the reason for the action taken.</p> | All Applicants | No/Yes | 2 |
| <p>Has any principal officer or manager ever had, or has such person been a principal officer or manager of any business entity when such entity had, any final adverse or disciplinary action taken against them by the United States Food and Drug Administration in relation to the production or distribution of any food, drug, medication or dietary/herbal supplement? If yes, state the date and the reasons for the adverse or disciplinary action.</p> | All Applicants | No/Yes | 4 |

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| Has any principal officer or manager ever been, or has such person been a principal officer or manager of any business entity when such entity has been, excluded from participation in any state or federally funded health care program such as Medicare, Medicaid, or MO HealthNet for fraud, abuse, or submission of any false or fraudulent claim, payment, or reimbursement request? If yes, state the date and the reasons for the exclusion. | All Applicants | No/Yes | 3 |
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include the ability to maintain an adequate supply of marijuana, plans to ensure safety and security of Qualifying Patients and the community, procedures to be used to prevent diversion, and any plan for making Marijuana available to low-income Qualifying Patients.

Topic Weight: 0.20

| Question | Applies to: | Scoring Scale | Weight Within Topic |
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| <p>Provide adequate documentation of sources of capitalization to demonstrate that you have sufficient liquid capital to successfully carry out the activities described in the application. Any capitalization claimed may not be committed for another facility license application or any other purpose. Without evidence showing a lower amount of capitalization is adequate for your facility, the following amounts shall be considered satisfactory:</p> <p>For cultivation facility applicants - \$300,000 For dispensary applicants - \$150,000 For infused product manufacturing facility applicants - \$150,000 For transportation applicants - \$150,000 For testing applicants - \$200,000</p> <p>Examples of adequate documentation of liquid capital include stocks and marketable securities, government bonds, mutual funds, money-market</p> | All Applicants | Satisfactory / Unsatisfactory | 10 |
| Will the business have professional liability insurance for its principal officers? If yes, provide documentation of the anticipated insurer, policy terms, and limits. | All Applicants | Yes/No | 3 |
| Will the business have product liability insurance? If yes, provide documentation of the anticipated insurer, policy terms, and limits. | All Applicants | Yes/No | 4 |
| Will the business have business interruption insurance? If yes, provide documentation of the anticipated insurer, policy terms, and limits. | All Applicants | Yes/No | 2 |
| Will the business have property insurance, not including insurance to cover marijuana loss? If yes, provide documentation of the anticipated insurer, policy terms, and limits. | All Applicants | Yes/No | 2 |

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| Will the business have property insurance to cover marijuana loss? If yes, provide documentation of the anticipated insurer, policy terms, and limits. | All Applicants | Yes/No | 2 |
| If a license is granted, does the business have a legal right (own, option to buy, lease, contingent agreement, etc.) to occupy the premise at the proposed location? If yes, describe and provide evidence. Include the length of time you have secured the business location and submit acknowledgement from the building owner if you do not own the premise. | All Applicants | Yes/No | 8 |
| Describe your plan to address diversity, such as individuals belonging to a racial minority group as defined in section 37.013(5) RSMo, women, and/or veterans in ownership and/or staffing. | All Applicants | 0-10 Point Scale | 4 |
| Describe your plan to maintain an adequate supply of marijuana? | | 0-10 Point Scale | 10 |
| Describe your plan to ensure safety and security of Qualifying Patients | | 0-10 Point Scale | 8 |
| Describe your procedures to prevent diversion of medical marijuana into | | 0-10 Point Scale | 10 |
| Describe your plan for making medical marijuana available to low income Qualifying Patients (<i>only answer if applying for a Dispensary or Cultivation License</i>). | Dispensary and Cultivation facilities | 0-10 Point Scale | 5 |
| Will anyone in ownership or management have, or are you retaining a contractor or consultant with, work experience in pharmacology? If yes, list all and describe. | All Applicants | 0-10 Point Scale | 3 |
| Will anyone in ownership or management have, or are you retaining a contractor or consultant with, work experience in medicinal products? If yes, list all and describe. | All Applicants | 0-10 Point Scale | 3 |
| Will anyone in ownership or management have, or are you retaining a contractor or consultant with, work experience in community (retail) pharmacy (<i>only answer if applying for a Dispensary License</i>)? If yes, list all and describe. | Dispensary Facilities | 0-10 Point Scale | 5 |
| Will anyone in ownership or management have, or are you retaining a contractor or consultant with, sales experience in the pharmaceutical or other highly regulated industry? If yes, list all and describe. | All Applicants | 0-10 Point Scale | 4 |
| Will anyone in ownership or management have, or are you retaining a contractor or consultant with, work experience in regulatory compliance? If yes, list all and describe. | All Applicants | 0-10 Point Scale | 4 |
| How will the business recruit qualified employees? | All Applicants | 0-10 Point Scale | 4 |
| How will the business train employees on diversity and cultural awareness? | All Applicants | 0-10 Point Scale | 2 |
| How will the business train employees on sexual harassment? | All Applicants | 0-10 Point Scale | 2 |
| How will the business train employees on workplace violence? | All Applicants | 0-10 Point Scale | 1 |
| How will the business train employees on security and safety? | All Applicants | 0-10 Point Scale | 5 |
| How will the business train employees on company policies and applicable laws? | All Applicants | 0-10 Point Scale | 2 |
| How will the business become operational within 1 year of the license being awarded? | All Applicants | 0-10 Point Scale | 9 |

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| What is the plan for inventory management and tracking orders? | All Applicants | 0-10 Point Scale | 10 |
| What is the plan for storage of marijuana? | All Applicants | 0-10 Point Scale | 10 |
| What is the plan for accounting, including but not limited to, fiscal controls? | All Applicants | 0-10 Point Scale | 6 |
| Provide an analysis of the strengths, weaknesses, opportunities, and threats associated with the proposed business and explain how you intend for the business to become successful. | All Applicants | 0-10 Point Scale | 5 |
| Has a market analysis been completed for the business? If yes, provide. | All Applicants | Yes/No | 2 |
| Describe your estimated monthly revenues and expenses for the business in the first 2 years of operation. What are the estimates based on? | All Applicants | 0-10 Point Scale | 5 |
| Including a timeline, what is your staffing plan for the business in the first 2 years of operation? | All Applicants | 0-10 Point Scale | 3 |
| How will the business source non-marijuana products and equipment necessary for the business? | All Applicants | 0-10 Point Scale | 3 |
| How will the business fulfill orders? | All Applicants | Satisfactory / Unsatisfactory | 3 |
| What is your marketing plan, including to whom, method of delivery, and costs? | All Applicants | 0-10 Point Scale | 3 |
| How will the business set pricing, initially and thereafter, based on supply and demand? | All Applicants | 0-10 Point Scale | 3 |
| What are the necessary steps that will need to occur for the business to succeed? | All Applicants | 0-10 point Scale | 4 |
| Describe the financial plan for the business. Specifically address financing if FDIC banks and NCUA insured credit unions currently do not provide loans or financing to the legal cannabis industry and how you will complete financial transactions. | All Applicants | 0-10 point Scale | 8 |
| Describe the odor control plan, including why a plan may not be needed for your type of business or location. | All Applicants | 0-10 Point Scale | 3 |
| Describe the plan to prevent minors from illegally obtaining your product. | All Applicants | 0-10 Point Scale | 9 |
| Will the business offer health insurance for your employees? | All Applicants | Yes/No | 1 |

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| Topic III: Site security. | | | |
| Topic Weight: 0.20 | | | |
| Question | Applies to: | Scoring Scale | Weight Within Topic |
| Describe your security plan, including staffing, at the facility. | All Applicants | 0-10 Point Scale | 8 |
| Will your security exceed the minimum requirements established by Rule in regard to parking lots and building exterior, if so how? | All Applicants | 0-10 Point Scale | 2 |

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| Will your security exceed the minimum requirements established by Rule in regard to interior public spaces where an agent identification card is not required for access, if so how? | All Applicants | 0-10 Point Scale | 3 |
| Will your security exceed the minimum requirements established by Rule in regard to interior non-public spaces where an agent identification card is required for access, if so how? | All Applicants | 0-10 Point Scale | 3 |
| Will your security exceed the minimum requirements established by Rule in regard to marijuana containment, if so how? | All Applicants | 0-10 Point Scale | 3 |
| Will your security exceed the minimum requirements established by Rule in regard to surveillance, if so how? | All Applicants | 0-10 Point Scale | 3 |
| Describe the methods of screening and monitoring employees. | All Applicants | 0-10 Point Scale | 8 |
| Describe the methods of maintaining chain of custody, including training. | All Applicants | 0-10 Point Scale | 10 |
| Will the facility utilize security signage to warn of trespassing and badge requirements? | All Applicants | Yes/No | 1 |
| Will the facility have a procedure for notification of lost access cards, termination of lost card access and subsequent reissuance? | All Applicants | Yes/No | 1 |

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| Topic IV: Experience in a legal cannabis market. | | | |
| Topic Weight: 0.08 | | | |
| Question | Applies to: | Scoring Scale | Weight Within Topic |
| Describe the experience, including the number of years, each principal officer or manager has in a legal cannabis market. | All Applicants | 0-10 Point Scale | 7 |

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| Topic VI: The potential for positive impact in the site community. | | | |
| Topic Weight: 0.16 | | | |
| Question | Applies to: | Scoring Scale | Weight Within Topic |
| Because a 'site community' is dependent upon the location of the business, describe what you believe the community will be for the proposed location of the business (city, town, neighborhood, etc.), and describe how the business will have a positive economic impact in that community. | All Applicants | 0-10 Point Scale | 6 |
| How many full-time equivalent jobs will the business have created within 1 year of being authorized to sell or process medical marijuana? Provide a breakdown of part-time and full-time positions. | All Applicants | 0-10 Point Scale | 6 |

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| What will be the average hourly wage of employees (excluding principal officers and owners) in the first year the business is authorized to sell or process medical marijuana? (if an employee is salaried, divide salary by 2080 to calculate hourly wage). | All Applicants | 0-10 Point Scale | 6 |
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Topic X: Maintaining competitiveness in marijuana for medical use marketplace.

Topic Weight: 0.04

| Question | Applies to: | Scoring Scale | Weight Within Topic |
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| Describe how the facility will contribute to maintaining competitiveness in the marijuana for medical use marketplace. | All Applicants | Satisfactory / Unsatisfactory | 5 |

Topic V: In the case of Medical Marijuana Testing Facilities, the experience of their personnel with testing marijuana, food or drugs for toxins and/or potency and health care industry experience.

Topic Weight: 0.20

| Question | Applies to: | Scoring Scale | Weight Within Topic |
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| Describe your experience testing marijuana, food, or drugs for toxins and/or potency. | Testing Facilities | 0-10 Point Scale | 10 |
| Describe your experience testing food or drugs in the healthcare industry | Testing Facilities | 0-10 Point Scale | 8 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to impartiality (4.1) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to confidentiality (4.2) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to structural Requirements (5.0) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to resource requirements (6.0) | Testing Facilities | Satisfactory / Unsatisfactory | 8 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to personnel (6.2) | Testing Facilities | Satisfactory / Unsatisfactory | 8 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to facilities and environmental conditions (6.3) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |

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|--|--------------------|-------------------------------|---|
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to equipment (6.4) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to metrological traceability (6.5) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to externally provided products and services (6.6) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to review of requests, tenders and contracts (7.1) | Testing Facilities | Satisfactory / Unsatisfactory | 3 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to selection, verification and validation of methods (7.2) | Testing Facilities | Satisfactory / Unsatisfactory | 8 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to sampling (7.3) | Testing Facilities | Satisfactory / Unsatisfactory | 8 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to handling of test or calibration items (7.4) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to technical records (7.5) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to evaluation of measurement uncertainty (7.6) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to ensuring the validity of results (7.7) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to reporting of results (7.8) | Testing Facilities | Satisfactory / Unsatisfactory | 5 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to complaints (7.9) | Testing Facilities | Satisfactory / Unsatisfactory | 3 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to nonconforming work (7.10) | Testing Facilities | Satisfactory / Unsatisfactory | 8 |
| Provide your proposed policy and/or documentation as it relates to the standards defined in ISO 17025:2017 relating to control of data and information management (7.11) | Testing Facilities | Satisfactory / Unsatisfactory | 8 |

Topic VII: In the case of Medical Marijuana Cultivation Facilities, capacity or experience with agriculture,
Topic Weight: 0.20

| Question | Applies to: | Scoring Scale | Weight Within Topic |
|--|------------------------|------------------|---------------------|
| Describe your experience with agriculture and/or horticulture. | Cultivation Facilities | 0-10 Point Scale | 8 |
| Do you have professional experience with healthcare as it relates to growing substances for medicinal or therapeutic purposes? | Cultivation Facilities | Yes/No | 3 |
| Describe your experience with maintaining a sanitary product, from seed/clone through packaging. | Cultivation Facilities | 0-10 Point Scale | 10 |
| Describe your experience with product coding/traceability. | Cultivation Facilities | 0-10 Point Scale | 8 |
| Describe the system you plan to implement to ensure unacceptable products released into the market are recalled. | Cultivation Facilities | 0-10 Point Scale | 4 |
| Describe any existing or future plans for utility (electric and water) provider agreements. | Cultivation Facilities | 0-10 Point Scale | 4 |
| Describe the design and size/capacity of your proposed cultivation facility. | Cultivation Facilities | 0-10 Point Scale | 3 |
| Describe the technology to be used in growing medical marijuana in your proposed cultivation facility. | Cultivation Facilities | 0-10 Point Scale | 8 |
| Describe your plan for good agricultural practices (GAP), including any certifications. | Cultivation Facilities | 0-10 Point Scale | 5 |
| Describe the quality control plan for the proposed cultivation facility. | Cultivation Facilities | 0-10 Point Scale | 7 |
| Describe your plans for waste storage, waste management, waste nutrient recycling and destruction. | Cultivation Facilities | 0-10 Point Scale | 7 |

Topic VIII: In the case of Medical Marijuana Dispensary Facilities, capacity or experience with health care, the suitability of the proposed location, and its accessibility for patients.

Topic Weight: 0.20

| Question | Applies to: | Scoring Scale | Weight Within Topic |
|--|-----------------------|------------------|---------------------|
| Describe how the proposed location will be suitable for the facility. | Dispensary Facilities | 0-10 Point Scale | 6 |
| Will you have an employee training program for providing education and/or counseling on how your product(s) may interact with a qualified patient's condition? If yes, describe. | Dispensary Facilities | 0-10 Point Scale | 8 |
| Describe how the dispensary will be accessible to patients, including but not limited to, patient access to parking and public transportation. | Dispensary Facilities | 0-10 Point Scale | 5 |
| Describe any plans you have to deliver medical marijuana to patients offsite. | Dispensary Facilities | 0-10 Point Scale | 4 |
| Will the business be open to patients at least 40 hours a week? | Dispensary Facilities | Yes/No | 2 |

| | | | |
|--|-----------------------|------------------|---|
| Do you have experience in healthcare as it relates to selling or providing advice regarding medicinal or therapeutic products? | Dispensary Facilities | Yes/No | 7 |
| Will the facility have a licensed physician or pharmacist to provide patient consultation? | Dispensary Facilities | Yes/No | 5 |
| Describe the system you plan to implement to ensure unacceptable products released into the market are recalled. | Dispensary Facilities | 0-10 Point Scale | 4 |

Topic IX: In the case of Medical Marijuana-Infused Products Manufacturing Facilities, capacity or experience with food and beverage manufacturing.

Topic Weight: 0.20

| Question | Applies to: | Scoring Scale | Weight Within Topic |
|---|---|------------------|---------------------|
| Describe your experience, including the experience of any retained contractor, consultant, or employee, in food, beverage, and nutraceutical manufacturing, including any relevant experience with medical marijuana. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 10 |
| Will the facility consult with or hire a qualified chemist, pharmacist (with manufacturing or compounding experience), food scientist, or chemical engineer for consultation to establish their processes? If yes and the individual(s) are known, provide the education and relevant experience of each individual. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 5 |
| Will the facility consult with or hire a qualified chemist, pharmacist (with manufacturing or compounding experience), food scientist, or chemical engineer for consultation after the processes are established? If yes and the individual(s) are known, provide the education and relevant experience of each individual. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 5 |
| Describe your experience, including the experience of any retained contractor, consultant, or employee, with extraction of chemicals from plant materials. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 8 |
| Describe in detail the air-handling systems to ensure worker safety. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 6 |
| In addition to testing, describe the systems you have implemented, or plan to implement, to ensure the consistency of the ingredients in the product, to ensure that a) all the ingredients listed on the label are present, and b) any percentages of ingredients listed on the label are accurate. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 10 |
| Describe the system you plan to implement to ensure unacceptable products released into the market are recalled. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 7 |

| | | | |
|--|---|------------------|---|
| Describe your plans for waste storage, waste management, waste nutrient recycling and destruction. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 7 |
| Describe the system you plan to implement for handling flammable materials, explosive materials, and asphyxiates (such as carbon dioxide) to ensure worker safety and protection of the environment. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 8 |
| Describe your experience, including the experience of any retained contractor, consultant, or employee, and plans for quality control and quality assurance of products. | Infused Products Manufacturing Facilities | 0-10 Point Scale | 9 |

Evaluation Criteria Scoring Table

| Answer | Points |
|--------|--------|
|--------|--------|

Question on 0-10 Point Scale

| | |
|--|----|
| Unsatisfactory - Response fails to meet minimum expectations; has significant weaknesses and lacks detail and/or clarity; little or no confidence in the proposed approach or ability to fulfill claims. | 0 |
| Satisfactory - Response meets minimum expectations; offers no significant benefits beyond the minimum expectations; no significant weaknesses exist; reasonable confidence in the proposed approach or ability to fulfill claims. | 4 |
| Superior - Response offers some benefits beyond the minimum expectations; no material weaknesses exist; confidence in the proposed approach or ability to fulfill claims. | 7 |
| Distinctive - Response promises significant benefits beyond the minimum expectations; answer presents innovative, and/or best-in-class solutions; high confidence in the proposed approach or ability to fulfill claims. | 10 |

Satisfactory / Unsatisfactory

| | |
|---|----|
| Satisfactory - Response meets minimum expectations; no significant weaknesses exist; reasonable confidence in the proposed approach or ability to fulfill claims. | 10 |
| Unsatisfactory - Response fails to meet minimum expectations; has significant weaknesses and lacks detail and/or clarity; little or no confidence in the proposed approach or ability to fulfill claims. | 0 |

Yes / No

| | |
|---|----|
| Yes (when a preferred response) - Response indicates assent or agreement. | 10 |
| No (when an undesirable response) - Response indicates negation, dissent, or denial. | 0 |

No / Yes

| | |
|--|----|
| No (when a preferred response) - Response indicates negation, dissent, or denial. | 10 |
| Yes (when an undesirable response) - Response indicates assent or agreement. | 0 |

| Evaluation Criteria Topics and Values | | | | | | |
|--|---|-------------------|-----------------------|--------------|--------------------------------|--------|
| Topic | Maximum Points Per Topic | Conversion Factor | Total Points Possible | Topic Weight | Total Weighted Points Possible | |
| (i) Character, veracity, background, qualifications, and relevant experience of principal officers of managers. | 700 | 2.7142850 | 1900.000 | 0.12 | 228.00 | |
| (ii) Business plan proposed by the applicant, which in the case of cultivation facilities and dispensaries shall include the ability to maintain an adequate supply of marijuana, plans to ensure safety and security of Qualifying Patients and the community, procedures to be used to prevent diversion, and any plan for making Marijuana available to low-income Qualifying Patients. | 1900 | 1.0000000 | 1900.000 | 0.20 | 380.00 | |
| (iii) Site Security. | 420 | 4.5238100 | 1900.000 | 0.20 | 380.00 | |
| (iv) Experience in a legal cannabis market. | 70 | 27.1428500 | 1900.000 | 0.08 | 152.00 | |
| (vi) The potential for positive economic impact in the site community. | 180 | 10.5555570 | 1900.000 | 0.16 | 304.00 | |
| (x) Maintaining competitiveness in the marijuana for medical use marketplace. | 50 | 38.0000000 | 1900.000 | 0.04 | 76.00 | |
| Topics (v), (vii), (viii), and (ix) are only asked of applicants seeking such specific license or certification. Each said topic will be given the same topic weight. | (v) In the case of Medical Marijuana Testing Facilities, the experience of their personnel with testing marijuana, food or drugs for toxins and/or potency and health care industry experience. | 1320 | 1.4393940 | 1900.000 | 0.20 | 380.00 |
| | (vii) In the case of Medical Marijuana Cultivation Facilities, capacity or experience with agriculture, horticulture, and health care. | 670 | 2.8358210 | 1900.000 | 0.20 | 380.00 |
| | (viii) In the case of Medical Marijuana Dispensary Facilities, capacity or experience with health care, the suitability of the proposed location, and its accessibility for patients. | 410 | 4.6341460 | 1900.000 | 0.20 | 380.00 |
| | (ix) In the case of Medical Marijuana-Infused Products Manufacturing Facilities, capacity or experience with food and beverage manufacturing. | 750 | 2.5333330 | 1900.000 | 0.20 | 380.00 |

US Census Bureau 2013-2017 American Community Survey 5-Year Estimates
 Missouri Employment Data by Zip Code Tabulation Area

| | |
|-------|------|
| 63633 | 89.9 |
| 63937 | 89.9 |
| 63964 | 89.9 |
| 64132 | 89.9 |
| 64620 | 89.9 |
| 63463 | 89.8 |
| 63655 | 89.8 |
| 65622 | 89.8 |
| 65664 | 89.8 |
| 65752 | 89.8 |
| 64847 | 89.7 |
| 65326 | 89.7 |
| 63873 | 89.6 |
| 64650 | 89.6 |
| 65583 | 89.5 |
| 65733 | 89.5 |
| 64053 | 89.4 |
| 64733 | 89.4 |
| 64848 | 89.4 |
| 65462 | 89.4 |
| 63135 | 89.3 |
| 64744 | 89.3 |
| 65629 | 89.3 |
| 64857 | 89.2 |
| 65722 | 89.2 |
| 63770 | 89.1 |
| 65473 | 89.1 |
| 65605 | 89.1 |
| 63673 | 89 |
| 65232 | 89 |
| 65739 | 89 |
| 63071 | 88.9 |
| 63629 | 88.9 |
| 65037 | 88.9 |
| 65017 | 88.8 |
| 63347 | 88.7 |
| 64109 | 88.7 |
| 64633 | 88.7 |
| 65237 | 88.7 |
| 63851 | 88.6 |
| 64126 | 88.6 |

| | |
|-------|------|
| 65243 | 88.5 |
| 65571 | 88.5 |
| 65625 | 88.5 |
| 65626 | 88.5 |
| 64431 | 88.4 |
| 65555 | 88.4 |
| 63382 | 88.3 |
| 63561 | 88.3 |
| 63121 | 88.2 |
| 64639 | 88.2 |
| 64867 | 88.2 |
| 63540 | 88.1 |
| 63653 | 87.9 |
| 65656 | 87.9 |
| 64866 | 87.8 |
| 63041 | 87.7 |
| 65737 | 87.7 |
| 63782 | 87.5 |
| 63343 | 87.4 |
| 64127 | 87.4 |
| 64776 | 87.4 |
| 63665 | 87.3 |
| 65774 | 87.3 |
| 63118 | 87.1 |
| 64740 | 87.1 |
| 65067 | 87.1 |
| 65250 | 87 |
| 65535 | 86.9 |
| 63023 | 86.8 |
| 63137 | 86.8 |
| 63868 | 86.8 |
| 64130 | 86.8 |
| 65464 | 86.8 |
| 63134 | 86.7 |
| 64128 | 86.7 |
| 65453 | 86.7 |
| 63112 | 86.6 |
| 63834 | 86.6 |
| 65785 | 86.6 |
| 63458 | 86.4 |
| 63846 | 86.4 |

US Census Bureau 2013-2017 American Community Survey 5-Year Estimates
 Missouri Employment Data by Zip Code Tabulation Area

| | |
|-------|------|
| 63636 | 86.3 |
| 63869 | 86.3 |
| 63472 | 86.2 |
| 63961 | 86.1 |
| 63443 | 86 |
| 63547 | 86 |
| 63824 | 86 |
| 64090 | 86 |
| 63860 | 85.7 |
| 64499 | 85.7 |
| 65755 | 85.6 |
| 63830 | 85.5 |
| 63138 | 85.4 |
| 63431 | 85.4 |
| 63944 | 85.2 |
| 65667 | 85.2 |
| 65777 | 85.2 |
| 64163 | 85 |
| 63932 | 84.9 |
| 63862 | 84.8 |
| 64136 | 84.7 |
| 63853 | 84.5 |
| 65247 | 84.5 |
| 63147 | 84.4 |
| 65634 | 84.4 |
| 65338 | 84.3 |
| 65760 | 84.3 |
| 63136 | 84.2 |
| 65463 | 84.2 |
| 63952 | 83.8 |
| 63829 | 83.5 |
| 63622 | 83.4 |
| 65674 | 83.4 |
| 65724 | 83.3 |
| 63787 | 83 |
| 65767 | 83 |
| 63087 | 82.8 |
| 63107 | 82.8 |
| 63966 | 82.3 |
| 64743 | 82.2 |
| 64861 | 81.9 |

| | |
|-------|------|
| 63113 | 81.6 |
| 63866 | 81.4 |
| 64125 | 80.9 |
| 63626 | 80.4 |
| 65079 | 80.3 |
| 63133 | 80 |
| 63955 | 79.3 |
| 63115 | 79 |
| 64676 | 78.7 |
| 64433 | 77.9 |
| 65543 | 77.8 |
| 63120 | 76.2 |
| 63663 | 75.9 |
| 63106 | 75.8 |
| 63849 | 75.7 |
| 65618 | 75.6 |
| 64654 | 75 |
| 65623 | 75 |
| 65702 | 75 |
| 65534 | 73.7 |
| 63945 | 73 |
| 63784 | 70.6 |
| 64147 | 70.6 |
| 63878 | 69.2 |
| 65529 | 68.6 |
| 65768 | 67.7 |
| 65456 | 64.2 |
| 63847 | 63.6 |
| 63047 | 53.3 |
| 63774 | 50 |
| 63674 | 44.3 |
| 63962 | 0 |