

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Joseph A. Ladapo, MD, PhD
State Surgeon General

Vision: To be the Healthiest State in the Nation

Sent via Electronic Delivery

May 25, 2023

Niraam LLC
c/o Jigar Patel
12112 Luftburrow Lane
Hudson, Florida 34669
jigarp@jbrothersinvestments.com

Re: Application for MMTC Licensure – Errors and Omissions Letter

Dear Niraam LLC,

On April 26, 2023, the Florida Department of Health received your application for MMTC licensure (the "Application"). The Department has identified the following apparent errors or omissions in your Application.

1. Subsection 4.3.3, Level 2 Background Screening

Subsection 4.3.3 of the Medical Marijuana Treatment Center License Application Instructions, Requirements and Forms (the "Application Instructions") requires an applicant's owners and managers to submit a full set of fingerprints to a Livescan Service Provider for purposes of level 2 background screening. The Department has not yet received an FDLE background report for the following individual, who is identified as an owner or manager in Subsection 4.3.3 of your Application:

435.09

Please ensure that this individual has successfully submitted a full set of fingerprints to a Livescan Service Provider for purposes of level 2 background screening. Once that is accomplished, the Department will be provided the background report by FDLE.

2. Subsection 4.8.4. Prior Enforcement Action

Subsection 4.8.4 of the Application Instructions requests that the applicant disclose and describe prior enforcement actions taken against the applicant's owners or managers. The applicant must first state whether each of its owners and managers has served as an owner or manager of a Florida-licensed dispensing organization or MMTC that has been subject to enforcement action by the Department. The applicant must then describe any such enforcement action.

In your Application, you indicated that individuals who are listed as owners or managers in Subsection 4.3.3 of your Application have **119.0715**

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3. Subsection 4.13.3, Capitalization Tables, Change of Control, and Related Entities

Section 381.986(8)(e)2., Florida Statutes, prohibits an MMTC, and any individual or entity who directly or indirectly owns, controls, or holds the power to vote 5 percent or more of the voting shares of an MMTC, from acquiring direct or indirect control of any voting shares or other form of ownership of any other MMTC.

For purposes of ownership attribution, please provide the nature of the familial relationship, if any, among and between the individuals listed in Subsection 4.13.3 of the Application, 119.0715

Additionally, if any natural person meets the definition of "owner" or "manager," even if by familial attribution of ownership (as provide by Department rule), such natural persons must submit a completed Form 2 to the Department and a full set of fingerprints to a Livescan Service Provider for purposes of level 2 background screening. Those natural persons must also be added to an updated list of owners and managers in Subsection 4.3.3 of your Application and submitted to the Department.

Lastly, your Application identifies certain related entities, 119.0715. However, your Application does not contain any documents or agreements of 119.0715. Please provide any such documents or agreements, as required by paragraph d. of Subsection 4.13.3 of the Application Instructions

Deadline to Respond

The Department must receive the above-requested documentation and information within twenty-one (21) calendar days of the date on which the Department emails this letter to you. See Section 5.1 of the Application Instructions for the submission address and requirements. Failure to supply the requested documentation and information identified above may result in denial of your Application.

If any materials submitted to the Department in response to this letter contain confidential information, you must comply with the requirements of Section 2.4 of the Application Instructions when submitting such information.

Sincerely,

Christopher Kimball

Christopher Kimball
Director
Office of Medical Marijuana Use