

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

FSCC of Florida, LLC
c/o David Alport
4312 N. Williams Ave.
Portland, Oregon 97217

Re: Application for MMTC Licensure – Errors and Omissions Letter

Dear FSCC of Florida, 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 4.8.4, Prior Enforcement Action

Subsection 4.8.4 the Medical Marijuana Treatment Center License Application Instructions, Requirements, and Forms (the “Application Instructions”) requests that the applicant disclose and describe prior enforcement actions taken against the applicant’s owners and managers. The applicant must first state whether each of its owners and managers has previously 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 an owner or manager listed in Subsection 4.3.3 of the Application previously served as [REDACTED] 119.0715. While you stated that

119.0715 [REDACTED]

Please describe [REDACTED] 119.0715

2. 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, [REDACTED] 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

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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.

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