



Missouri Department of Health and Senior Services

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Randall W. Williams, MD, FACOG
Director



Michael L. Parson
Governor

January 17, 2020

Andrew Mullins
Executive Director, MoCannTrade
131 West High Street, #164
Jefferson City, Missouri 65102

Mr. Mullins,

The Department of Health and Senior Services takes all claims of scoring irregularities within the medical marijuana licensure process seriously. We have gone to great lengths to design and implement a process to ensure the legitimacy and security of the blind scoring process. Each scorer has a professional background qualifying them to score the questions assigned to them; many have higher education degrees, including masters, JDs, and PhDs; each scorer went through a training process; no scorer knew the identity of any applicant or owner; and each question within a facility type was scored by a single person. After reviewing initial complaints, we continue to have every reason to believe the scoring was completed by the blind scoring vendor and its team in a way that is both highly professionally competent and legally valid. Due to pending and anticipated litigation concerning scoring, the Department will not respond to any specific inquiries regarding scoring details of particular applicants.

However, in the interest of transparency and to put to rest one particular repeated scoring inquiry, which was also the subject of your recent letter, we have investigated the scoring of the application question "What is your marketing plan, including to whom, method of delivery and costs?" We have verified that, for consistency, the same person scored this question on all 578 cultivation applications. According to the evaluation criteria established by the Department, an applicant should receive a 0/Unsatisfactory on a 0-10 point question if the 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." In order to receive a 4, a response should "meet minimum expectations," should have no "significant weaknesses," and there should be "reasonable confidence in the proposed approach or ability to fulfill claims."

Upon investigation, we have learned that in the professional judgment of the scorer, a marketing plan fails to meet minimum qualifications and has a significant weakness if it fails to sufficiently address its costs. Accordingly, an applicant that failed to sufficiently address the subject of costs, as applicants were asked to do, likely would have received a zero on that question. The scorer would not have confidence in a plan's ability to fulfill its claims if costs were not sufficiently addressed. This same professional judgment was applied consistently across all cultivation applications.

We hope this information addresses your concerns. As noted above, we will not be responding to applicant-specific inquiries. In addition to that, we do not anticipate providing this type of information again in regards to any other general scoring inquiries.

Thank you,

Lyndall Fraker

Director, Section for Medical Marijuana Regulation
Missouri Department of Health and Senior Services

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