



Massachusetts Health Officers Association Meeting

May 28, 2026

Andrew Carter, Chief of Staff
Massachusetts Cannabis Control Commission



The mission of the Cannabis Control Commission is to honor the will of Massachusetts voters by safely, equitably, and effectively implementing and administering the laws enabling access to medical and adult use marijuana in the Commonwealth.

Meet the Commission



Chris Harding
Chair
Appointed 2026




Xiomara DeLobato
Commissioner
Appointed 2026



Anthony Wilson
Commissioner
Appointed 2026

History of Legal Cannabis in the Commonwealth

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- November 4, 2008** ● Voter initiative decriminalizing the possession of small amounts of marijuana approved (63%-34%)
 - November 6, 2012** ● Voter initiative legalizing marijuana for medical purposes approved (63%-37%)
 - June 25, 2015** ● First Medical Marijuana Treatment Center (now Medical Marijuana Establishment) opens under Department of Public Health oversight
 - November 8, 2016** ● Question 4 (adult-use legalization) approved by voters (53%-47%)
 - July 28, 2017** ● Governor Baker signs Chapter 55 of the Acts of 2017
 - September 1, 2017** ● Inaugural Cannabis Control Commissioners appointed
 - March 7, 2018** ● Initial regulations approved by the Commission
 - April 17, 2018** ● First license applications accepted
 - November 20, 2018** ● First adult-use retail stores open East of the Mississippi
 - May 28, 2021** ● First adult-use delivery business opens in Massachusetts; equity exclusivity in place until 2029
 - August 11, 2022** ● Governor Baker signs Chapter 180 of the Acts of 2022: An Act Relative to Equity in the Cannabis Industry
 - December 11, 2025** ● Commission approved social consumption regulations for three new license types
 - April 19, 2026** ● Governor Healey signs Chapter 65 of the Acts of 2026: An Act Modernizing the Commonwealth's Cannabis Law



Operational Adult-use Markets in New England



Hemp vs. Marijuana

- **Hemp** is defined as a cannabis plant that contains 0.3 percent or less THC, while marijuana is a cannabis plant that contains more than 0.3 percent THC.
- The 2018 Farm Bill legalized the production of hemp and removed hemp and hemp seeds from the DEA's schedule of Controlled Substances.
- Updates to federal hemp laws enacted in November 2025 are set to take effect in November 2026.
 - These changes redefine hemp to close the "loophole" that allowed the widespread sale of intoxicating products like delta-8 THC and THCA.



Hemp vs. Marijuana (Continued)

- The Massachusetts Department of Agricultural Resources (MDAR) regulates hemp.
- The Commission regulates licensed Marijuana Establishments and Medical Marijuana Establishments in the Commonwealth.
- The Commission does not regulate or require testing for Delta-9 THC under 0.3% or Delta-8 THC for products not originating from licensed Marijuana Establishments or Medical Marijuana Establishments.
 - With coordination from MDAR, hemp-derived products may be sold to Marijuana Establishments and Medical Marijuana Establishments for incorporation in marijuana products. These products would fall under the Commission's jurisdiction and would be subject to Commission testing requirements.



HEMP VS MARIJUANA: COMPARISON AND USES

Cannabis is a flowering plant with three primary species: Cannabis sativa, Cannabis indica, and Cannabis ruderalis. Hemp and marijuana are both Cannabis sativa

Hemp



CBD oil and Hemp oil



Non-psychoactive



0.3% or less of THC



Requires little care

VS

Marijuana



THC oil, marijuana oil



Psychoactive “high”



15-20% of THC



Growth carefully monitored



Medical Use of Marijuana Program

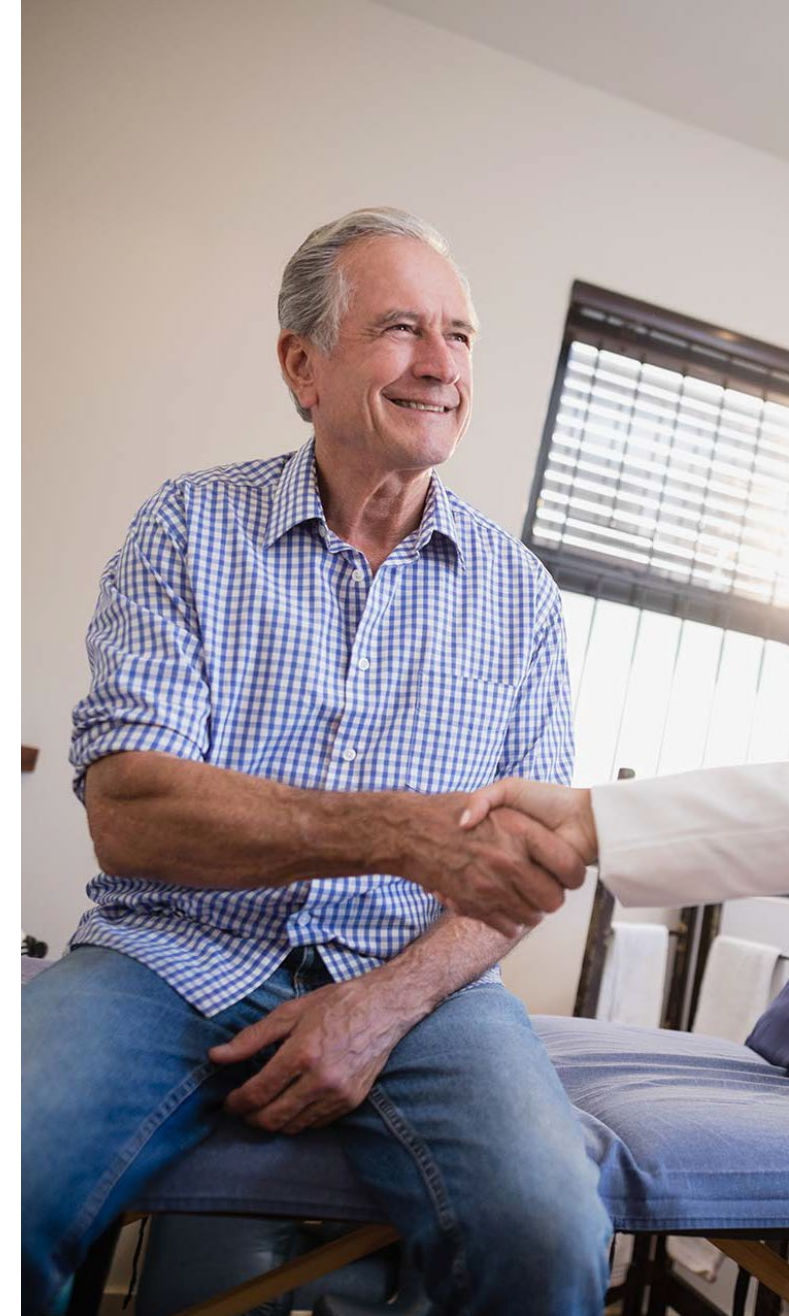
Qualifying Patients

- Qualifying Patients who are 18 years of age or older must be approved by a Certifying Healthcare Provider and certified by the state before being legally allowed to possess up to a 60-day supply of marijuana (no more than 10 ounces of cannabis or cannabis-infused products)
 - Pediatric Patients require certification from two Certifying Healthcare Providers
- Patients may designate up to two Personal Caregivers
- Patients must renew their status in the Program annually (certification and registration)



Certifying Healthcare Providers

- Must be a Massachusetts-licensed Physician, Certified Nurse Practitioner (CNP), or Physician Assistant (PA)
- There is no fee for a Qualifying Patient to receive a Program registration card from the Commission
- Certifying Healthcare Providers charge for annual certification visits

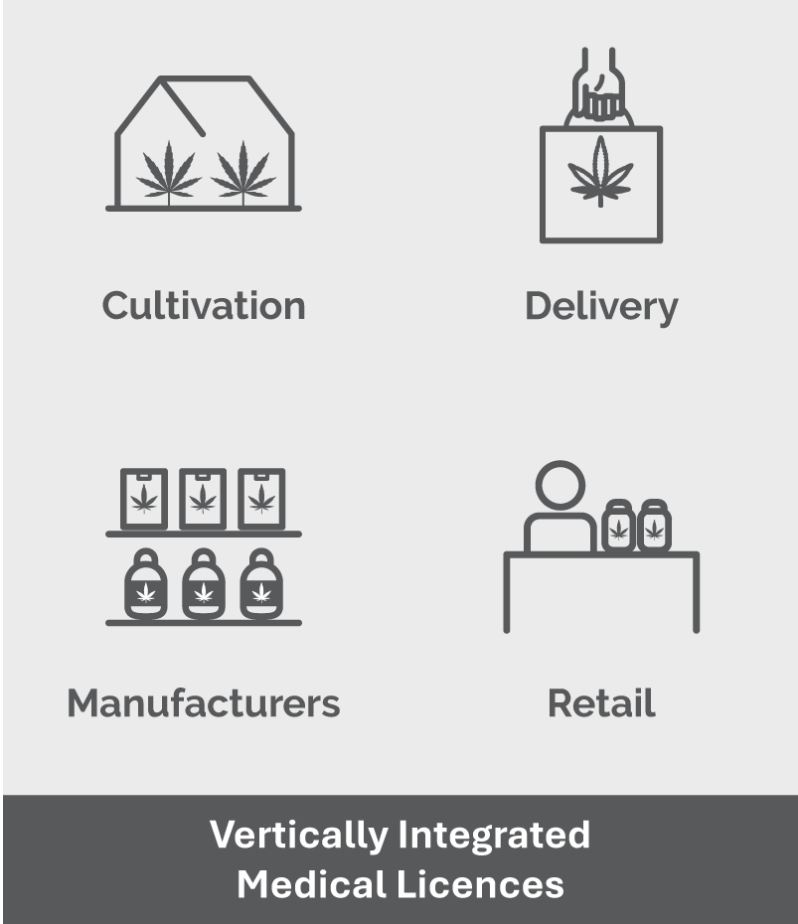


Personal Caregivers

- Must be 21 years of age or older, can live out of state
- Allowed to possess and obtain marijuana for a Qualifying Patient in their care, so long as the Personal Caregiver possesses no more than a 60-day supply
- May not receive payment or other compensation from the Qualifying Patient for services related to medical marijuana
- May not sell, divert, use, or consume cannabis or cannabis-infused products that are designated for the Qualifying Patient



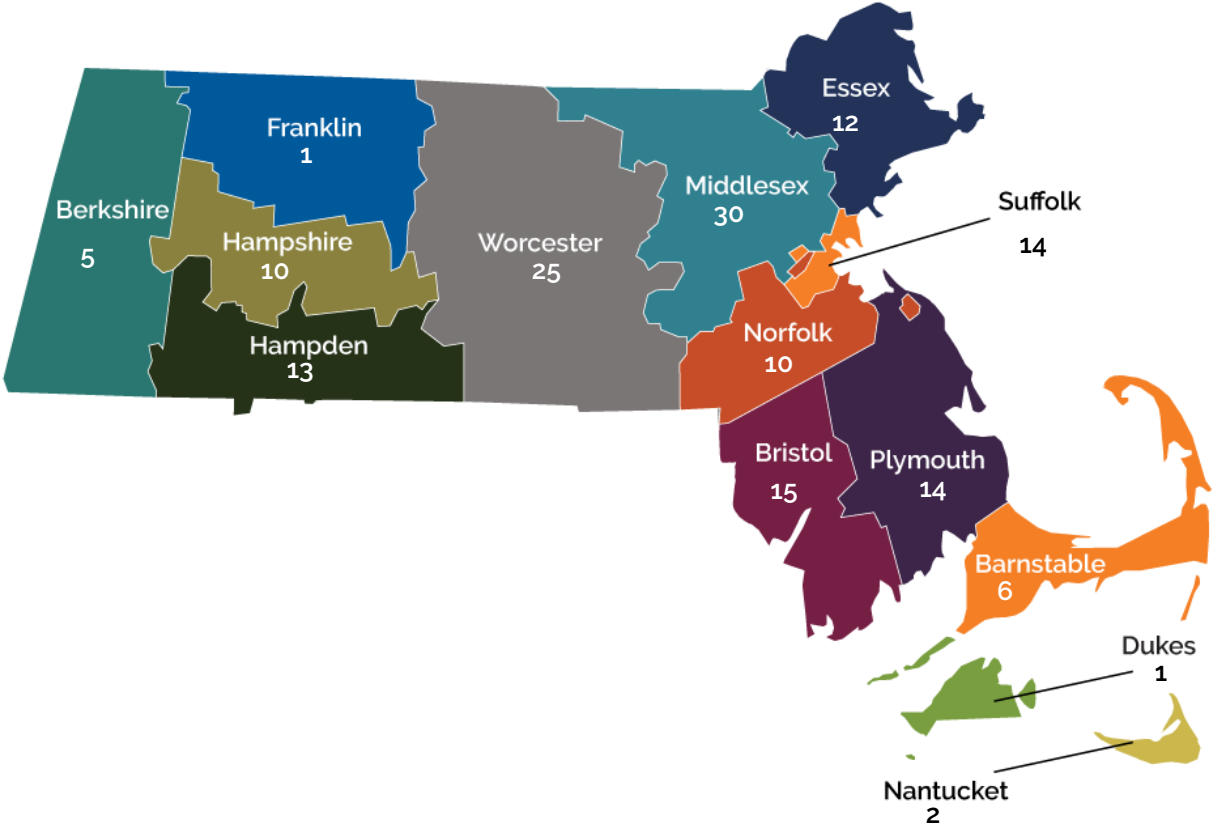
Medical Marijuana Establishment Licenses



Medical Marijuana Establishments (Dispensing) April 16, 2026

The totals below are the total number of MTC (Dispensing) licenses by county.

County	#
Barnstable	6
Berkshire	5
Bristol	15
Dukes	1
Essex	12
Franklin	1
Hampden	13
Hampshire	10
Middlesex	30
Nantucket	2
Norfolk	10
Plymouth	14
Suffolk	14
Worcester	25
Total	158





Adult-use Cannabis

Consumer Information

- Consumers must be 21 years or older to purchase or grow adult-use marijuana.
- It is illegal to:
 - Use cannabis in any form—including smoking, vaping, or eating—in public places or on federal land;
 - Drive while under the influence of cannabis;
 - Drive across state lines with cannabis or transport it through federal airspace or waterways or using other modes of transportation outside of Massachusetts.



Consumer Information (Continued)

- Marijuana Retailers may not sell more than two ounces of marijuana or its combined dry weight equivalent in marijuana concentrate or edibles to a customer per day.
- Adult-use consumers may possess up to 10 ounces in their homes.
- Employers, landlords, cities, and towns may have their own policies governing the use of marijuana.
 - Note: It is illegal to consume cannabis, including for medical use, in federal housing, regardless of state laws.
- Adult-use consumers can grow up to six cannabis plants in their homes for personal use, or up to 12 plants for two or more adults.



Adult-use Marijuana License Types in Massachusetts



Cultivation



**Craft
Cooperatives**



Microbusinesses



Manufacturers



Retail



Research



Transporter



**Independent
Testing Labs**



Delivery

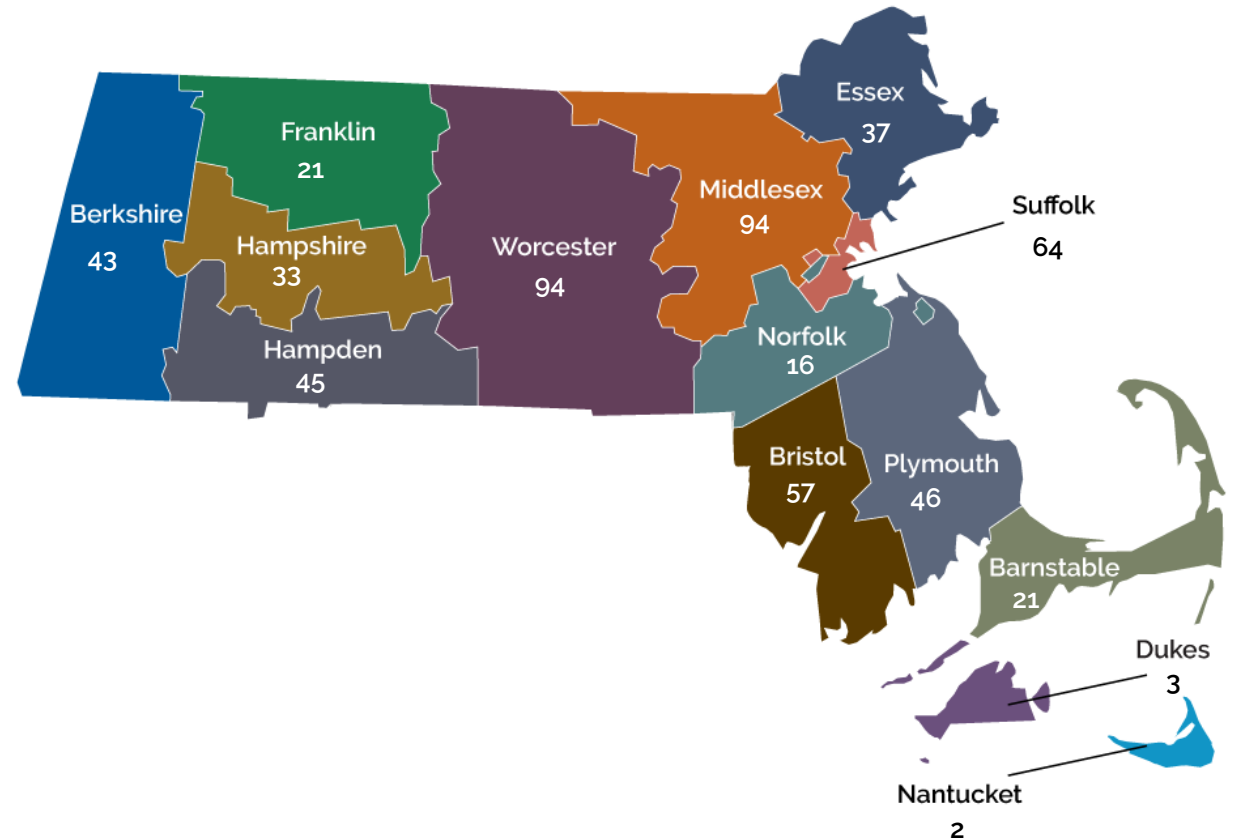


**Social
Consumption**

Marijuana Retailer Licenses | April 16, 2026

The totals below are the total number of retail licenses by county.

County	#	+/-
Barnstable	21	0
Berkshire	43	1
Bristol	57	0
Dukes	3	0
Essex	37	0
Franklin	21	0
Hampden	45	0
Hampshire	33	0
Middlesex	94	0
Nantucket	2	0
Norfolk	16	1
Plymouth	46	0
Suffolk	64	0
Worcester	94	1
Total	576	3



Local Boards of Health

- Safe and Sanitary Conditions (e.g., Mold)
 - See bulletin: [“Safe and Sanitary Requirements for the Processing of Marijuana”](#)
 - Upon receipt of complaints related to mold within a facility, or if investigators observe mold within a facility, host communities are notified
 - Collaboration with OSHA/DPH on joint inspections when jurisdictions intersect (e.g., Air quality and worker safety)
- Odor, Noise, and Light
 - Commission does not dictate specific odor mitigation equipment or approve such plans; they are reviewed as part of the Architectural Review
 - Under the Commission’s [Guidance on Host Community Agreements](#):

“Generally, a municipality can adopt a by-law or ordinance imposing “reasonable safeguards,” on licensing activities. This can include restrictions on the time, place, and manner of operations within its borders. However, the by-law or ordinance must not: conflict with the Commission’s laws, including the delivery regulations; qualify as unreasonable; or be “unreasonably impracticable”.
 - Social consumption regulations may be more prescriptive





Social Consumption

On-site Social Consumption License Classes

SUPPLEMENTAL

For: Existing, qualifying MEs, including Cultivators, Product Manufacturers, Retailers, Microbusinesses, Craft Marijuana Cooperatives or Delivery Operators

- On-site Indoor and/or Outdoor Consumption allowed within or attached to an existing ME
- May host social consumption activities within existing facility or adjoining space
- Consumers may consume product purchased on site
- Examples: ME with an On-site Consumption Space attached – Lounge, Café, Tasting Room, etc.

HOSPITALITY

For: Qualifying Consumption Licensee in a new or existing non-cannabis commercial business space

- On-site Indoor and/or Outdoor Consumption allowed within a new cannabis business, or attached to an existing non-cannabis business
- Mixed-use space allowed as a partnership with a non-cannabis business
- Examples: Lounge, Café, Entertainment/Recreational Space, Yoga Studio, Theater, Lodging Space

EVENT ORGANIZER

For: Qualifying Entities may organize and host Temporary Consumption Events.

- Only ME Licensees authorized to sell to consumers can participate in the Event
- Temporary On-site Indoor and/or Outdoor Consumption Permit allowed at single or multiple locations
- May store/purchase cannabis at Principal Place of Business (PPB)
- HCA required at PPB, local permitting and approval needed for Temporary Consumption Events
- Events no more than 30 days per municipality per year



Types of Consumption Areas

Municipalities may choose to allow one, two, three or all four types of consumption areas in their bylaws.

Indoor Smoking Consumption Area

- Enclosed Space where Consumers may consume Marijuana or Marijuana Products through combustion, heat, vaporization, or aerosolization, in addition to Edibles, MIPs, and Beverages.
- Secure non-smoking viewing area for employees
- Ventilation system required
- No smoking in public view

Indoor Non-smoking Consumption Area

- Enclosed Space where Consumers may consume Marijuana or Marijuana Products in the form of Edibles, MIPs, and Beverages through methods other than combustion, heat, vaporization, or aerosolization.
- Example: Paint & Sip Night

Outdoor Smoking Consumption Area

- Outdoor space where Consumers may consume Marijuana or Marijuana Products through combustion smoke, heat, vaporization, or aerosolization, in addition to Edibles, MIPs, and Beverages.
- No smoking in public view
- Need free flow of outside air
- Regulations further define barriers for outdoor consumption spaces

Outdoor Non-smoking Consumption Area

- Outdoor space where Consumers may consume Marijuana or Marijuana Products in the form of Edibles, MIPs, and Beverages through methods other than combustion, heat, vaporization, or aerosolization.
- Need free flow of outside air
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What the Regulations Require

Local Approval Process:

- Municipality can enact their own approval process for permitting
- Licensee must work with Host Community and local law enforcement to develop procedures for assisting impaired consumers with transportation and other services
- A municipality may give permission to licensee to sell non-infused food and drink and other items not expressly authorized
- A municipality can set its own time limitations for sales of marijuana or marijuana products

Public Health and Public Safety:

- No intersection of alcohol or tobacco and tobacco products within licensed spaces/ premises
- No cannabis products to be brought into a Social Consumption Establishment

Employee Safety:

- Employees must be provided with PPE and have the right to be shifted to other job responsibilities at their request
- Employees must have smoke-free observation space to monitor consumption area
- Special Responsible Vendor Training (RVT) requirements for all registered agents working at a Social Consumption Establishment with focus on Drug and Alcohol Impairment Recognition

Air Quality:

- Air handling system requirement dependent on consumption activities; relies on municipality building department sign-off
- Alternative ventilation/filtration plans allowed if engineer-stamped and meet equivalent performance standards to allow for development of new technology



What the Regulations Require

Product Safety:

- Product menu information to include projected times for onset to be provided by licensee
- Dosage increase from original Social Consumption regulations

Patron and Public Safety:

- Last call requirements: cut-off 30 minutes before the latest authorized sales time
- Transportation strategy with local public safety input required for all licensees to assist impaired consumers
- Consumers may take unused product home in an opaque child-resistant sealed exit bag to avoid overconsumption on-site

Food:

- Food required to be available at all licensed Social Consumption Establishments
- Licensees must sell shelf-stable pre-packaged food items
- Food and any infused cannabis products must be served to Consumer separately
- Additional food service training to be required for employees at establishments where food is prepared on site
- Options also include delivery services or partnerships with existing and possibly adjacent restaurants or food establishments



Implementation

Internal Implementation

- Commission internal impact assessment and implementation procedures*
- Application development
- Guidance materials
- Licensing updates
- RVT curricula updates and training
- Creation of Implementation Working Groups
- Inspections and Enforcement SOP developments
- Social Equity Program Curriculum Update - Social Consumption Track
- Outside vendor updates (e.g., MassCIP, Metrc)
- Community outreach and resource initiatives
- Development and funding of public education campaign
- Secure funding for additional personnel

**Note: 4 Working Groups are moving deliverables forward*

External Implementation

- Municipal decisions
 - Opt-in by Ordinance, By-law or Petition
 - Revisions to zoning codes
 - Development of social equity strategies
 - HCAs
 - Local permitting processes
- Licensee business decisions
 - Infrastructure
 - Compliance
 - Partnerships
 - Capital Access
- RVT Trainers
 - Create course based on curriculum requirements
 - Secure RVT License
- Outside vendor updates (e.g., MassCIP, Metrc)



How Municipalities Can Prepare for Social Consumption

- Allow Social Consumption Licenses by:
 - Ordinance or By-law; or
 - Local Voter Initiative Petition
- Revise Zoning Codes
 - Municipal Zoning Tracker
- Amend Host Community Agreements to include Social Consumption Establishments.
- Create awareness of new license types
- Create a local permitting process for the new businesses.
- Adjust Municipal Equity Materials to include new license type





What's Ahead

Chapter 65: An Act Modernizing the Commonwealth's Cannabis Laws

- Next board will have all three Commissioners appointed by the Governor
- Daily purchase limits increased from 1 oz. to 2 oz. of marijuana flower
- Adult-use cannabis delivery is authorized across all 351 cities/towns
 - Municipalities may opt-out (vs. opt-in) to delivery to their residents with a 2-year waiver
 - Our online Municipal Zoning Tracker otherwise denotes permitted deliveries statewide
- Medical Marijuana Treatment Centers are now Medical Marijuana Establishments
- Vertical integration no longer required for Medical Marijuana Establishments
- Licensees authorized to begin advertising sales and discounts
- Marijuana Retailer license cap increased from three to six
- The equity threshold that defines a person or entity as having "Direct or Indirect Control" increased from 10% to 20%
- The Commission is establishing an online portal to receive anonymous complaints



Federal Rescheduling

- On April 23, the Acting Attorney General issued a final order rescheduling medical marijuana to schedule III of the Controlled Substances Act
- Adult-use cannabis remains a Schedule I substance
- Massachusetts Medical Marijuana Establishments who want to participate and benefit from federal provisions will have to be licensed by the US Drug Enforcement Administration (DEA)
- The DEA portal opened to medical licensees April 29
- A June 29 hearing is planned to start the rescheduling review process for adult-use cannabis



Regulatory Review and Updates

- **Petitions:** Constituents—including consumers, patients, caregivers, healthcare providers, agents, and licensees—may submit a petition for changes to Commission regulations at any time
 - The petition form can be found on the Contact section of MassCannabisControl.com
- **Public comment:** The Commission regularly hosts listening sessions, public hearings, and public comment periods to receive written and verbal feedback from constituents on its regulations
- **Evaluations:** The Commission routinely conducts evaluations of its programs and policies to assess their success and effectiveness
- **Next Regulatory Review:** Under the new law, the Commission must open its regulations to consider amendments to implement and in accordance with C. 65 before June 19





Questions?

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Thank you!