These minutes have not been approved by the commission.

Nebraska Medical Cannabis Commission

Open Meeting
October 19, 2026, at 1:00 p.m.
301 Centennial Mall South, 301 Centennial Mall South - 1st Floor
Hearing Room, Lincoln, NE 68509

Agenda/Script

Call to Order/Open Meetings Act Notification

Chair Mueting called the meeting to order at 1:00 p.m. on October 19, 2026. Chair Mueting stated that the meeting was subject to the Nebraska Open Meetings Act and that a copy of the Act was available for public review at the back of the room. She further stated that the meeting agenda and documents to be discussed were available for public review.

Record Roll Call

Roll call was conducted with Commissioners Synhorst, Elworth, Mueting, and Coffey present. A quorum was present, and the Commission proceeded with the meeting.

Approval of September 14 Meeting Minutes

The Commission considered approval of the minutes from the September 14, 2026, meeting. Chair Mueting asked whether there were any corrections or additions to the minutes. None were presented.

Commissioner Elworth moved to approve the September 14, 2026, meeting minutes. Commissioner Coffey seconded the motion.

There was no further discussion. The motion was adopted with Commissioners Mueting, Coffey, and Elworth voting in favor. Commissioner Synhorst abstained.

Public Comment Period

Below is a summary of the public comments received during the meeting. The minutes are not intended to be a verbatim transcript or to include every statement made. The summary is intended to capture each speaker's primary personal experiences, policy recommendations,

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implementation issues, industry concerns, and other matters relevant to cannabis and the Commission's work.

Chair Mueting opened the public comment period and reminded participants that public comment is an opportunity for members of the public to address the Commission and is not a question-and-answer session. Speakers were asked to identify themselves for the record and were limited to three minutes.

Dominic Gillen expressed concern about delays in implementation, potential conflicts between Commission regulations and voter-approved Initiative 437, and underutilization of Nebraska's existing hemp industry expertise. He cautioned that regulations that contradict or improperly narrow the initiative could require additional rulemaking and prolong delays. He specifically cited restrictions on raw plant material, smoking, vaping, and edible cannabis products, as well as the five-gram total THC limit over 90 days, in contrast to the initiative's five-ounce allowable amount. He also urged Commissioners not to let public criticism influence their willingness to carry out their responsibilities, emphasizing that criticism is part of public service and that patients and citizens have a right to question how the process is being handled.

Shannon Coryell identified key elements of a successful medical cannabis program, including allowing healthcare professionals to exercise clinical judgment rather than limiting treatment to a narrow list of options. Restrictive product options like reusable products, can severely limit clinical utility. She also emphasized establishing realistic possession limits that align with actual therapeutic dosing needs without restrictive THC caps. Coryell also identified adequate dispensary density as essential to avoid overly restrictive location requirements that force sick patients to travel long distances to obtain their medicine. She emphasized the need for sufficient cultivation capacity, with cultivation caps set high enough to meet patient demand, avoid shortages, and prevent high patient costs. Additional elements included patient protections and transparent regulatory oversight.

Georganna Schroeder Stanley expressed frustration with delays in establishing the medical cannabis program and emphasized the impact on patients experiencing pain, seizures, cancer, and other serious conditions. She stated that many Nebraskans currently use marijuana legally for its perceived medical benefits outside the medical cannabis program and may not intend to enroll in the program but want the option of accessing safe treatment tailored to their individual medical conditions.

Jason Petik, CEO of Sidney Regional Medical Center, discussed the medical center's interest in developing a certified pharmacy model for medical cannabis distribution. He acknowledged that his appearance before the Commission might be premature but wanted to introduce the concept and provide the Commission with a letter outlining the proposal. He explained that the medical

center already has safety measures and infrastructure that could support this approach. Petik also encouraged reconsideration of the 1,000-foot restriction on dispensaries near medical facilities, particularly given the challenges of providing access in rural communities. He noted that reclassifying cannabis to Schedule III could create opportunities for medical professionals to prescribe it and use pharmaceutical services to dispense it, which is not currently permitted under its Schedule I classification.

In response to questions from Commissioner Elworth, Petik confirmed that he had reviewed the proposed rules and regulations and described his outreach to the Nebraska Hospital Association, Nebraska Medical Association, and Nebraska Pharmacy Association. He reported that the Hospital Association had not raised concerns about the concept, the Medical Association was interested in the approach and its controls, and the Pharmacy Association supported the proposed model.

Crista Eggers stated that she wanted to take a different approach to her appearance before the Commission, shifting from identifying concerns with the proposed rules and regulations to providing constructive feedback on how the program could be improved.

Eggers requested consideration of exemptions allowing patients to receive recommendations from out-of-state physicians, exceed THC limits when medically justified, and access edible products when capsules are unsuitable. She emphasized that edible products could be regulated and packaged to avoid appealing to children. She offered to provide proposed regulatory changes, specific citations identifying the provisions she believes should be changed, amended, or removed, supporting documentation, and examples and links to other states where similar exemptions have been implemented. She emphasized that she wanted to help the Commission build a better program, even if they did not agree on every issue, and called for collaboration and common ground so that the resulting system could be built together with patients' needs as the priority, describing this as a potential "win-win" outcome.

She asked that experienced advocates who have worked in the medical cannabis space throughout the development of the program be given the opportunity to serve as a resource to the Commission. As a leader of a nonprofit organization involved in advocacy and the development of medical cannabis legislation, she offered to share historical context, documentation, statutory references, and other resources to help the Commission understand how the law and related proposals have evolved. She specifically referenced statutory language included in a 2025 bill concerning recommendations from out-of-state physicians and noted that substantial groundwork had already been completed in this area.

During the discussion, Commissioners asked whether Eggers had a written list of the specific regulations she wanted changed and requested citations identifying the relevant provisions, along with links to other states' laws and regulations addressing similar exemptions. Eggers confirmed

that she had this information and agreed to provide it. She also asked whether she could follow up with Commissioners after the meeting to clarify exactly which materials they wanted, and they agreed.

Garrett Elting requested guidance on laboratory testing pathways and anticipated timelines, noting that MahāMotā Cultivation expected to have a harvest within approximately seven weeks and was concerned about potential product degradation and delayed revenue if testing and other components of the medical cannabis program were not yet available. He questioned the feasibility and cost of storing harvested product for extended periods while awaiting the development of the remaining program infrastructure. Elting raised concerns about the possibility of storage periods extending to 12, 18, or 24 months and questioned whether manufacturers would be willing to accept product stored for that length of time.

Chair Lorelle Mueting explained that the Commission's primary focus had been advancing the regulations and other components necessary to move the program forward. She also clarified that the Commission had previously discussed storage capabilities with every cultivator because everyone was aware harvested product might not be ready for distribution immediately. According to Mueting, cultivators had assured the Commission that they could store their harvested product and that storage would not be a problem. She recalled that, during a prior Commission meeting, a cultivator had specifically indicated that it could store product for up to two years without difficulty and that there was therefore no reason to delay planting because storage was a viable option.

Elting responded that his understanding was that the timeframe originally discussed was shorter, possibly three to six months. He clarified that this was the timeframe the company had assumed or anticipated based on the pace of licensing approvals, rather than a timeframe provided by the Commission. Chair Mueting clarified that the Commission have not given cultivators a timeframe.

In response to questions from Commissioner Elworth about the proposed storage process, Elting described MahāMotā's anticipated method of preserving harvested cannabis. He explained that the company would dry the cannabis to below 7% moisture content, vacuum-seal it, and store it in a climate-controlled environment maintained below 65°F, ideally between 40°F and 45°F. He noted that a cold-storage area or walk-in refrigerator would be suitable for maintaining the product.

Angie Cornett criticized delays in implementing the medical cannabis program and t Governor Pillens appointments to the Commission. She expressed concern that the Commission had repeatedly delayed implementation and created barriers for manufacturers and patients, restricting Nebraskans' ability to access the whole-plant medicine they approved through the voter initiative. She argued that the Commission's restrictive regulations do not provide the

whole-plant access contemplated by the initiative and emphasized that patients respond differently to cannabis depending on the strains used, routes of administration, dosages, symptoms being treated, and individual biology. She stated that treatment cannot follow a one-size-fits-all approach and that physicians and patients should be trusted to work together to determine appropriate therapeutic dosages and methods of administration.

Cornett also discussed research she attributed to the Centers for Disease Control and Prevention, stating that teen cannabis use had reached an all-time low even as recreational cannabis use expanded in other states. She criticized what she characterized as a disparity between the acceptance of expensive pharmaceutical cannabis-based medications, including seizure medications that can cost thousands of dollars per month, and restrictions on patients' access to cannabis as a plant-based treatment. She questioned the financial interests influencing these policies, referencing pharmaceutical industry contributions to political figures, and argued that patients should have access to the plant medicine they voted to approve.

Angelica Marsaglia stated that she arrived late to the meeting and missed the first half of public comment but heard the preceding speaker discuss storing harvested cannabis for up to two years. She interpreted the discussion as a proposal to wait at least two years for plant medicine, which she characterized as wasteful of both product and time for patients. She stated that no one in the medical cannabis industry would store plant medicine for more than two years. Marsaglia argued that the Commission had stripped Nebraskans of the whole-plant access they voted for, questioned the Commission's legal authority to impose restrictions that she believes conflict with the voter-approved initiatives, and asked the Commission to identify the legislation authorizing it to change what voters had approved.

Lia Post submitted written testimony while recovering from surgery. She questioned Commissioner Synhorst's appointment to the Commission in light of his previous role as executive director of the Nebraska Republican Party and his podcast interviews with political figures opposed to medical cannabis. She also referenced Synhorst receiving an award for one of three podcast episodes discussing his personal cancer journey. She noted that he shared receiving his cancer diagnosis on October 13, 2025, approximately one month before Governor Pillen appointed him to the Nebraska Alcohol Commission and Nebraska Medical Cannabis Commission.

Post highlighted Synhorst's descriptions of advocating for himself as a patient, asking questions, maintaining open communication with his physicians, and having a medical team he considered like family. She contrasted those experiences with what she described as a lack of communication from the Nebraska Medical Cannabis Commission, Nebraska Department of Health and Human Services, and Nebraska Attorney General's Office regarding the legality of medical cannabis in Nebraska. She argued that the lack of clarity prevents patients and

caregivers from having open, informed conversations with their own healthcare providers about medical cannabis and potential treatment options, hindering their ability to advocate for their health and recovery.

She also questioned Synhorst's attendance at previous Commission meetings, referencing his absences from the July 20 and September 14 meetings, his anticipated late arrival at the August 17 meeting, and his absence from the October 15 open meeting. She highlighted his past interactions with Attorney General Mike Hilgers and questioned the Commission's ability to claim it was unaware of potential influence or interactions involving Hilgers, whom she described as soon to be leaving the Attorney General's Office.

Public Hearing Update

The Commission held a public hearing on October 15, 2026, to receive public comment on the proposed amendments to 238 NAC 1.

MCC staff is compiling comments received in person and by email and allowing sufficient time for receipt of mailed comments and preparation of the hearing transcript. Staff will present the comments to the Commission for review as soon as practicable.

Depending on the comments received and any revisions to the proposed regulations, additional rulemaking steps or another public hearing may be necessary.

The Commission is scheduled to consider the rulemaking package at its November 16, 2026, public meeting. If the Commission votes to adopt the regulations, the rulemaking package will be submitted to the Attorney General's Office for review and, following the Attorney General's approval, to the Governor for approval. If approved by the Governor, the regulations will become effective five days after approval, as provided by law.

The public hearing is an important step in continuing to establish a regulatory framework for Nebraska's medical cannabis program. While the rulemaking process continues, the Commission will operate under the existing regulations, including six-month, fee-free license renewals.

Following the update, Chair Mueting thanked Commissioner Elworth for attending the public hearing and thanked the public who participated in the process. Commission Elworth discussed the anticipated schedule for reviewing public comments and finalizing proposed regulatory changes. Staff indicated that the goal was to have the comments and proposed changes ready by the November meeting. The discussion also addressed the subsequent review process, including submission to the Attorney General and Governor, with early 2027 discussed as the anticipated timeframe for those approval steps.

Program Implementation and Operations Update

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The Commission discussed the next steps for manufacturer licensing following approval of the updated regulations. Once the new regulations take effect, the Commission will open a new manufacturer application period using a revised application and updated requirements. Existing applicants may amend and resubmit their current applications or submit new applications, and new applicants will also be eligible to apply. All applications submitted or resubmitted under the new requirements will be evaluated using the selection criteria established in the updated regulations. The Commission will publish instructions outlining the amendment and application process, required documentation, and applicable deadlines before the new application period opens.

The current manufacturer application period will remain open through December 14, 2026, at 11:59 p.m. Central Time. Applications submitted during this period will remain active but must be updated and resubmitted once the new regulations take effect. The current application and related information remain available on the Commission's website. The Commission will also communicate with licensees regarding when licensing fees will begin and how fee collection will be administered.

Public Education and Outreach

MCC staff will participate in the December annual member meeting of the Cannabis Regulators Association (CANNRA), a national organization supporting education and collaboration among cannabis regulators. Participation will provide opportunities to learn from established regulatory programs, engage with experienced regulators and legislators, and receive education on emerging regulatory issues, medical cannabis science, the endocannabinoid system, and laboratory testing.

Staff will also present at the Nebraska Association of County Officials (NACO) conference in December to provide county officials statewide with information about Nebraska's medical cannabis program and establish relationships as licensees begin operating.

Public Communication and Information

The Commission has established its own communication channels, and inquiries no longer need to be directed to the Nebraska Liquor Control Commission. Members of the public are encouraged to contact MCC by phone or email at MCC.contact@nebraska.gov. Staff reviews incoming emails and shares them with Commissioners.

The Commission acknowledged public interest in patient registration, medical provider requirements, dispensary licensing, and other program details. Information will be shared as those program components are developed and confirmed to be consistent with applicable statutes, regulations, and Commission decisions. The public is encouraged to follow the

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Commission's website for official updates, meeting agendas, minutes, and other publicly available information.

The Commission also clarified that it cannot provide legal advice. Applicants, licensees, prospective patients, and medical providers are responsible for understanding and complying with applicable laws, regulations, and licensing requirements. Individuals with questions about their specific legal obligations may wish to consult an attorney.

License Renewals and Licensing Updates

The Commission considered and approved the license renewals for MahāMotā Cultivation, Midwest Cultivator, and Meadowlark Medicinals. MahāMotā received additional time for legal review, while Midwest Cultivator and Meadowlark Medicinals cooperated with additional residency reviews. Staff recommended approval of all three renewals. Each motion was made by Commissioner Synhorst, seconded by Commissioner Elworth, and approved unanimously.

The Commission continues to work with KRL Med regarding outstanding zoning concerns.

Budget and Expenditures

Jessica Sodeke, MCC Program Manager, reviewed September 2026 expenses, which totaled $48,725.73, including two charges on the Nebraska Liquor Control Commission’s P-card. She identified two expenses that were higher than the prior month and confirmed the reasons with DAS. SOS Temp Services totaled $37,453.98, which DAS attributed in part to delayed billing. Commissioner salaries totaled $5,769.24, reflecting three biweekly pay periods rather than two. Year-to-date expenditures were $63,165.18, or 4.09% of the budget.

The Commission reviewed the proposed five-year Westlaw subscription, priced at $449.40 per month for the first year, with annual increases of 5% and a 60-month minimum commitment. The estimated total cost was approximately $29,798.40, before additional charges. During discussion, Commissioner Coffey asked about the need for the subscription. Jarrod Boitnott, MCC Attorney, explained that Westlaw is a legal research platform providing access to state and federal statutes, regulations, court decisions, and legal analysis. He noted that he had previously relied on access to Westlaw through the Attorney General’s Office but believed it would be preferable for the Commission to conduct its own legal research rather than rely on another state agency. He recommended the subscription as being in the Commission’s best interest.

Commissioner Coffey moved to approve the Westlaw subscription, Commissioner Elworth seconded, and the motion carried unanimously.

Commissioner Elworth also asked whether the invoice for previous consulting work had been paid. Sodeke confirmed that payment had been made.

Next Regularly Scheduled Commission Meeting

The Chair announced that the next regularly scheduled Commission meeting would be held on November 16, 2026, at 1:00 p.m. in the same location.

Closed Executive Session

The Commission entered closed executive session at 1:46 p.m. to discuss matters permitted under the Nebraska Open Meetings Act, including matters necessary for the protection of the public interest, the prevention of needless injury to an individual's reputation, or the consideration of imminent litigation. The motion was made by Judge and seconded by Commissioner Elworth. All Commissioners voted in favor.

The executive session ended at 2:43 p.m.

Following the executive session, Commissioner Synhorst moved to direct staff to work with MahāMotā Cultivation to conduct the inspection it had offered and report back to the Commission. Staff requested that the motion be amended to refer to the activity as a site visit rather than an inspection with a culitvator. Commissioner Bud agreed to the amendment, and Commissioner Coffey seconded the amended motion.

Commissioner Synhorst moved to adjourn. Commissioner Coffey seconded the motion. All voted in favor and the meeting adjourned at 2:45 p.m.

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AMERICANS WITH DISABILITIES ACT NOTICE The State of Nebraska wants to ensure that State meetings are accessible to persons with disabilities. If any individual needs special assistance or accommodations in order to participate in this meeting, please contact the Medical Cannabis Commission at 402-471-2571 or mcc.contact@nebraska.gov in advance so accommodations can be made.

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