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# Medical Marijuana Control Program cultivator licensing scoring recalculation – Level 1 applications

State of Ohio Department of Commerce

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## **Limitations and report restrictions**

This report is not an assurance report or audit opinion, as those terms are defined by applicable standards. Further, EY’s services do not constitute an audit, review, examination, or other form of attestation as those terms are defined by applicable professional standards. Additionally, the procedures do not address the effectiveness of internal controls over financial reporting under Section 404 of the Sarbanes-Oxley Act.

Our work has been limited in scope and time, and we note that additional procedures may have identified additional findings. Our work cannot be relied upon to have identified all information or issues that may be of relevance or to have uncovered all potential errors, mistakes or omissions. EY is a public accounting firm and does not provide legal advice. With regard to findings relating to the Medical Marijuana Control Program (“MMCP”) cultivator licensing process assessment, the State of Ohio Department of Commerce (“DOC”) should rely on its legal advisors to review these findings from a legal perspective.

As noted in our engagement agreement, this report is intended solely for the information and use of the State of Ohio DOC and its legal counsel, should not be relied upon by any other parties, and its distribution is subject to certain conditions.

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## Introduction and scope

### EY's retention

EY was engaged by Squire Patton Boggs (“SPB”) to (1) perform an analysis of the scoring process relating to applications to receive licenses to cultivate medical marijuana under the State of Ohio’s newly legalized program for medical marijuana and (2) if appropriate, recalculate the score received by individual applicants. Our engagement agreement, dated April 19, 2018, sets forth the terms of our engagement and the anticipated reporting of the results of our procedures. This report details our procedures performed and the associated findings from our work.

### Background

Effective on September 8, 2016, House Bill 523 legalized medical marijuana in Ohio. This bill established the basic framework for Ohio’s MMCP. The DOC, the State Medical Board of Ohio and the State of Ohio Board of Pharmacy are the three state government agencies responsible for the operation of this program. The DOC is responsible for overseeing cultivators, processors and testing laboratories. As part of this responsibility, the DOC implemented a process to award cultivator licenses, including 12 Level 1 licenses and 12 Level 2 licenses. Level 1 licenses would authorize cultivators up to 25,000 square feet of cultivation area while Level 2 would authorize cultivators up to 3,000 square feet of cultivation area.<sup>1</sup> The MMCP required Level 1 applicants to certify they have at least \$500,000 in liquid assets, which are unencumbered and can be converted within 30 days and Level 2 applicants to certify they have at least \$50,000 in liquid assets, which are unencumbered and can be converted within 30 days.<sup>2</sup>

In April 2017, the DOC released application forms to the public so that qualified entities could apply for a cultivation license. In June 2017, the DOC accepted cultivator applications (Level 2 applications from June 5 – 16, 2017 and Level 1 applications from June 19 – 30, 2017). In total, the DOC received 109 Level 1 applications and 76 Level 2 applications.

In order to review and score the application contents, the DOC identified specialists with applicable experience to conduct the application review and scoring. The DOC engaged external consultants with technical expertise in the medical marijuana industry who assisted the DOC with the development of the cultivation application program and assisted in the scoring of applications received. Three external consultants were selected specifically to assist with the cultivation and quality assurance aspects of the program and to serve as part of the scoring teams to analyze and score the quality assurance and operations portions of the applications. The DOC also identified certain State of Ohio employees with experience and expertise in each of the five

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<sup>1</sup> [https://www.com.ohio.gov/documents/mmcp\\_CultivatorScoringOverview.pdf](https://www.com.ohio.gov/documents/mmcp_CultivatorScoringOverview.pdf)

<sup>2</sup> MMCP 1B Liquid Assets Form – OAC 3796:2-1-03(A)(1), 3796:2-1-03(B)(5)(c)

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plan areas to assist in scoring the applications. In total, 25 individuals were involved in the application scoring process, 22 of whom were State of Ohio employees.<sup>3</sup>

The method used to review and score applications was created by the DOC based on the Ohio statute<sup>4</sup> and input and feedback from both external consultants and benchmarking discussions held with other states and regulators. During June and July, 2017, the DOC and its external consultants updated and finalized the scoring approach and the associated documents to be used in the scoring process.

On November 30, 2017, the DOC announced 12 recipients of the Level 1 provisional licenses based on the scoring process designed by the DOC and its external consultants, as further outlined below. The qualified applicants with the ten highest total scores and the top two qualified applicants from economically disadvantaged groups, in accordance with the DOC’s obligation under ORC 3796.09(C), were awarded provisional licenses. The following listing includes 12 entities who were originally awarded provisional licenses by the DOC:

Application #	Entity Name	Score After Qualifiers	Rank
MMCP-C-201706-0110	Buckeye Relief LLC	179.28	1
MMCP-C-201706-0085	Grow Ohio Pharmaceuticals Inc.	173.44	2
MMCP-C-201706-0124	OPC Cultivation LLC	173.28	3
MMCP-C-201706-0082	Riviera Creek Holdings LLC	172.72	4
MMCP-C-201706-0114	Pure Ohio Wellness LLC	167.64	5
MMCP-C-201706-0129	Columbia Care OH LLC	167.08	6
MMCP-C-201706-0147	Terradiol Ohio LLC	165.48	7
MMCP-C-201706-0099	AT-CPC of Ohio LLC	161.28	8
MMCP-C-201706-0107	Standard Wellness Company LLC	161.28	9
MMCP-C-201706-0089	Cresco Labs Ohio LLC	159.80	10
MMCP-C-201706-0144	Parma Wellness Center LLC (Parma, Cuyahoga County)	153.08	Not in Top 12 <sup>5</sup>
MMCP-C-201706-0095	Harvest Grows LLC (Lawrence County)	142.04	Not in Top 12 <sup>5</sup>
MMCP-C-201706-0096	Harvest Grows LLC (Cleveland)	142.04	Not in Top 12 <sup>5</sup>

## Disputes/legal proceedings

A Notice of Intent to Deny Application for Medical Marijuana Cultivator Provisional License and Notice of Opportunity for Hearing was sent to every applicant that was not awarded a provisional license notifying the applicant that it was entitled to an administrative hearing under the Ohio Revised Code Chapter 119 Administrative Procedure process (“119 Hearings”) to review and challenge the DOC’s scoring of its application. Any applicant not awarded a

<sup>3</sup> <https://www.com.ohio.gov/mmcp.aspx>

<sup>4</sup> Ohio Administrative Code 3796

<sup>5</sup> This applicant did not rank in the top 12 scores for Level I applicants but received a provisional license in accordance with ORC 3796.09(C), as the applicant was from an economically disadvantaged group.

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provisional license had 30 days to request a hearing through the 119 Hearings process. In total, 67 applicants requested a 119 Hearing.

## **DOC's process for evaluating Level 1 applications**

### **Intake**

The DOC accepted applications for the provisional cultivator licenses, each application requiring the submission of two electronic copies on standard CD-R or DVR-R and one printed hardcopy, which was required to be identical to the electronic version. All applications were required to be hand-delivered to the DOC's MMCP. An electronic copy of each application was downloaded to the DOC's Tumbleweed system, a secured document repository, and a secure copy of the application was maintained by the DOC in a locked, access restricted storage room. Any access to the secure copies of applications was tracked.

To facilitate an anonymous and impartial review of the applications, the DOC assigned each application a unique numerical ID so that reviewers would not have access to the entity names associated with any application. Each application was then separated into Sections 1 and 2, with the individual plans required to be submitted in Section 2 being further separated to facilitate the independent review process.

### **Section 1 overview**

Section 1 included business entity and ownership data, which contained applicant identifiable information. Section 1 of the application was not scored as an individual section; however, select redacted Section 1 information was needed and communicated to the Business Plan and Financial Plan review teams in the form of a summary sheet to be scored as part of Section 2. The Section 1 review teams labeled the Business and Financial Plan summary sheets with the corresponding application ID number and indicated if the applicants submitted (Yes) or did not submit (No) the required Section 1 information. The Section 1 information considered in unidentifiable summary form as part of the Section 2 evaluation included: (1) Owners and Officers Roster Form, (2) Liquid Assets Form, (3) Financial Responsibility Insurance and Escrow/Surety, (4) Tax Payment Records Cover Page, (5) Business Entity and Contact Information Form – Secretary of State, (6) Property Owner Approval for Use Form, (7) Notice of Proper Zoning Form and (8) Organizational Chart Cover Page.

### **Redaction**

Prior to the distribution of Section 2 materials to the independent review teams, a redaction team reviewed Section 2 of all applications to confirm that any identifiable information was either omitted or redacted, as the application instructions indicated identifiable information should not be included in Section 2. After the redaction verification process was complete, a redacted copy of each portion of the Section 2 applications was uploaded by the one of the MMCP Program Administrators to the DOC's secure document repository, Tumbleweed, for the Section 2 review teams to analyze.

## Section 2 overview

Section 2 of the cultivator application required submission of five distinct plan documents:

- Business Plan
- Financial Plan
- Operations Plan
- Quality Assurance Plan
- Security Plan

The Business and Financial Plans were reviewed by the same Section 2 review team. Each Section 2 review team consisted of three reviewers per team and included a mix of external consultants and State employees, depending on the level of industry expertise necessary to analyze the plan. The following summarizes the composition of the Section 2 review teams:

- Business/Financial Plans - 3 State employees
- Operations Plan – 2 external consultants, 1 State employee
- Quality Assurance Plan – 1 external consultant, 2 State employees
- Security Plan – 3 State employees

Each review team received only those sections of the applications applicable to their review topic through uniquely assigned folders set up in Tumbleweed. The Tumbleweed folders had access restrictions assigned to them, and review teams were not provided access to any plans other than those which they were responsible for reviewing. The review teams were also instructed to not perform additional research outside of the documentation that was provided to them. The review teams worked in batches of 10 applications at a time in order to manage the volume of applications to be reviewed.

The DOC with feedback from review teams, which included external consultants, developed scoring sheets for each plan based on the requirements of the plan and the consultants' industry knowledge. A score sheet was created for each sub-section within each plan with specific criteria for that sub-section. The lower portion of the scoring sheet contained a scoring rubric, which was used to calculate the points to be awarded based on the number of plan features demonstrated for that sub-section.

For every plan, each individual member of the review team independently reviewed the respective sub-section of the application and reached a determination as to which criteria were demonstrated in the plan. Once independent assessments were completed, a consensus call occurred among the members of the review team. During this consensus call, the team members reached a joint conclusion as to how many criteria were demonstrated within the plan and how many points should be awarded based upon the scoring rubric for each plan. The Team Leader recorded whether criteria were met, along with the corresponding points to be awarded based



upon the scoring rubric for each plan, on a consensus score sheet and saved the consensus score sheets in the Tumbleweed system.

### **Original DOC Score Workbook**

The MMCP Project Manager downloaded the completed consensus score sheets from the secured portal and manually input the points awarded per sub-section, per applicant into a Microsoft Excel spreadsheet (“Original DOC Score Workbook”) that was maintained by the MMCP Project Manager. The Original DOC Score Workbook was the file that was used to calculate the final scores for each application.

### **Step 1 scoring**

The application scores were calculated in a two-step process. In Step 1, the application was required to meet minimum score thresholds (qualifiers) for each plan and overall. In total, and prior to applicable weighting, there were 100 potential points available. Applicants that were not awarded at least 60% of the available points (60 total points) were disqualified. Within the five plans of the application, the applicants were also required to reach 60% of the available points per plan. The amount of points available per plan ranged from 10 to 30 points. If an application did not reach 60% of the available points for any of the five plans, the application was disqualified.

Application instructions required that sub-sections of Part 2 of the application not contain any identifiable information. A redaction adjustment was applied for each instance where the DOC had to redact identifiable information included in those sub-sections. For each instance where the DOC had to redact such information, two (2) points were deducted from the final score of the application. In the event that the information was deemed to be identifiable, but the nature of the identifiable information was not included in the DOC’s application instructions, the redaction team redacted the information; these instances did not result in a point deducted. The impact of any applicable point adjustment for redaction was included in the calculation to determine if an application reached the required 60 point minimum.

### **Record keeping adjustment**

Within the Original DOC Score Workbook, a record keeping adjustment was also performed. Based on differing guidance in the administrative rules and instructions, some applicants included the record keeping content in the Quality Assurance Plan portion of the application and others included the content in the Security Plan portion of the application. In order to handle this circumstance, the DOC applied a scoring adjustment for record keeping that awarded points to applicants in both sections, if the applicant received points in either of the two plans. The DOC’s mathematical adjustment was considered in the raw score of the application, which was used

when determining if the application had reached the 60% minimum threshold in each of the five plans.

## Step 2 scoring

In Step 2, the DOC applied specific weights to each of the five plans. The following table outlines the possible scores per Plan as well as the conversion factors (or weights) used by the DOC:

Category	Minimum Score per Plan (Step 1)	Maximum Score per Plan	Conversion Factor (Step 2)	Final Weighted Maximum Score
Business Plan	6	10	1.46	14.6
Operations Plan	18	30	2.36	70.8
Quality Assurance Plan	18	30	1.64	49.2
Security Plan	12	20	2.00	40.0
Financial Plan	6	10	2.54	25.4
<b>Total Possible Points</b>	<b>60</b>	<b>100</b>		<b>200</b>

## Redaction adjustment

After the conversion factor was applied to the raw score to calculate the weighted score, the DOC performed a final adjustment to reflect the weighted impact of the redaction adjustment. The impact of the redaction adjustment was 2 points for Step 1, when considering if the minimum score of 60 points was reached. A conversion factor of 2.00 was applied to the initial redaction adjustment in Step 2 to determine the final weighted score. This additional conversion factor resulted in each redaction impacting the final weighted score by 4 points.

## Score after qualifiers and due diligence checks

At the end of Step 2, all applications that had not been disqualified in Step 1, were ranked based upon the score after qualifiers. Once the Scores After Qualifiers were compiled, the DOC reviewed numerous requirements under statute for the top scoring applicants. The MMCP Chief Operating Officer commissioned due diligence checks on the entities, which included:

- A. Tax Compliance – For all individuals with a 1% ownership interest or above, confirm if the individual had an outstanding tax liability
- B. Disqualifying Offense – Reviewed background checks provided by the FBI and Attorney General's Office's Bureau of Criminal Identification and Investigation (BCI)
- C. Moratorium Confirmation – Evaluation that there was not a moratorium in place in the location of the proposed facility at the time of application, based on application contents
- D. Liquid Capital Requirement – Evaluation that the applicant had at least \$500,000 in liquid assets, which are unencumbered and can be converted within 30 days after a request to liquidate such assets, based on application contents

- E. Financial Responsibility Requirement - Confirmation that the applicant had the intent to purchase insurance and had the ability to maintain an escrow account or surety bond in the amount of \$750,000
- F. Compliance with 500 foot rule – Evaluation of neighboring structures or property that were considered “prohibited facilities” and the distance of such prohibited facilities from the applicant’s proposed location, based on application contents
- G. 3796 Compliance - The applicant meets the requirements to be considered a member of an economically disadvantaged group<sup>6</sup> based on application contents

In limited situations, the DOC followed up with applicants to provide them with the opportunity to resolve certain due diligence findings. We understand that these limited situations included Tax Compliance, a Disqualifying Offense (background check), and 3796 Compliance. The DOC did not accept any additional information to adjust the final scores of the applications.

Please refer to **Appendix H.1** for a listing of the 109 Level 1 applicants and their corresponding scores after redactions, scores after qualifiers and original ranking according to the DOC. See also **Appendix H.2** for a listing of the non-disqualified Level 1 applicants and their corresponding scores and ranks according to the recalculation.

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<sup>6</sup> Chapter 3796 of the Ohio Revised Code

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## Summary of procedures performed

In connection with our engagement, EY performed procedures in order to gain an understanding of the application and scoring process deployed by the DOC and to analyze the Section 2 scoring and recalculate the Total Converted Scores After Redaction awarded to applicants. Specifically, we performed the following:

- Conducted interviews with key individuals at the DOC with a role in the MMCP, including, but not limited to:
  1. Deputy Chief Legal Counsel – Nate Mealy;
  2. Senior Attorney – Brian Peters;
  3. Program administrators – Kathy Frato, MMCP Project Manager and Diana Wynkoop, Administrative Professional;
  4. Chief Operating Officer – Justin Hunt;
  5. Chief Information Officer – Mark Edwards; and
  6. Team Lead of the Section 2 Security scoring team – Steve Regoli, Architect Administrator, Ohio Board of Building Standards
- Confirmed EY’s understanding of the Section 2 scoring process from application intake to population of Section 2 scoring matrix (please refer to **Appendix A** for a flowchart documenting EY’s understanding of this process)
- Collected and reviewed key documents and files used throughout the scoring process from four custodian laptops (Architect Administrator, Administrative Professional, Business Analyst and MMCP Project Manager) and the MMCP Tumbleweed server. Please refer to **Appendix B** for a listing of documents collected and reviewed
- Identified consensus score sheets within the imaged Tumbleweed server used to record scores in the Level 1 and Level 2 Original DOC Score Workbook. These PDF files were the DOC’s ultimate source of scoring results for the MMCP and captured the point values awarded for each plan and sub-section. The DOC used these scores in the Original DOC Score Workbook to rank and identify the provisional license awardees
- Recalculated the points awarded for each Section 2 consensus score sheet. EY reviewers analyzed each of the consensus score sheets using EY’s secure document review platform and recorded the results of this review in a customized review pane linked to each unique consensus score sheet. This is described in the **Summary of Procedures Performed - EY’s Section 2 Scoring Analysis**
- Identified any scoring differences based on the recalculation procedures and provided a summary of the recalculated scores
- Performed select quality control analyses of scoring data within the Original DOC Score Workbook for Level 1 applicants, including:
  1. Score comparison for entities that submitted multiple applications
  2. Sample comparison of five redacted individual application plans (Business, Financial, Quality Assurance, Operations and Security) to the full Section 2

application (prior to the splitting of the application into the above referenced five plans) to confirm the separated application plans agreed to the same, full Section 2 applications

3. Assessed all five plans of five consecutive (Section 2) applications to identify if each individual document was labeled with the correct applicant ID number and identify if any individual sections appeared to have been duplicated

### **EY's Section 2 scoring analysis**

#### **Consensus scoring sheets**

The consensus score sheets are the final score sheets that contained the point values the DOC scoring teams agreed upon for each applicant. Each of the Team Leaders uploaded the consensus score sheets to Tumbleweed for the five application plans: Business, Financial, Quality Assurance, Operations and Security. Each of the five plans have sub-sections, which can be awarded a point value of 0, 1, 3 or 5 according to the scoring rubric based upon the number of plan features demonstrated in that sub-section.

Tumbleweed housed the consensus score sheets for the 185 MMCP cultivator applications. The DOC assigned unique IDs from 0001-0076 to Level 2 applicants and unique IDs 0077-0185 to Level 1 applicants.

#### **Data collection**

In order to obtain the relevant application and scoring documents, EY obtained a copy of the entire Tumbleweed server data. The EY forensic technology team, assisted by a DOC IT representative, reviewed the procedures that DOC IT used to create the DOC's backup copy and compared each file's electronic hash value with the 'live' Tumbleweed server data. The EY technology team determined the backup copy was a complete and accurate copy of the 'live' Tumbleweed server, and this copy was used to obtain the relevant application and scoring documents.

#### **Scoring analysis**

EY and the MMCP Program Administrators reviewed the listing of files from the DOC's backup copy of the Tumbleweed server to identify the 185 consensus score sheets for each of the five plans. The EY technology team uploaded the identified consensus score sheets for each of the five plans into the review platform.

Within the review platform, EY analyzed the scoring sheets and documented specific data points for additional analysis. For each sub-section of each plan, EY recorded the responses assigned by the DOC scoring teams according to their review of the MMCP applications. These 'Yes' and

‘No’ responses indicated whether the DOC scoring teams determined the application did or did not meet pre-determined, specific criteria for each sub-section. Each sub-section had one or more required elements, which were denoted on the score sheets in bold, italic letters. If the application did not meet a required element, the sub-section was assigned a point value of zero for that sub-section according to the scoring rubric, irrespective of the results for the other criteria. In addition to recording the responses for each criterion, EY recorded the sub-section point values assigned by the DOC scoring teams as indicated on the consensus score sheets.

Based upon the total number of plan features, as demonstrated in the ‘Yes’ and ‘No’ responses recorded by the DOC scoring teams, EY recalculated the point value for the sub-section according to the scoring rubric guidelines. As part of this analysis, EY identified sub-sections that did not meet the required element(s) and should have been awarded zero points.

EY identified sub-sections where the decision to award a point value of 3 or 5 was subjective. In these instances, the number of criteria met fell into the overlap between the point value of 3 and 5 and the DOC scoring team had to determine if there were additional features that materially improved the quality of the application. This consideration was one of the elements requiring consensus of the scoring teams. EY also identified one incomplete Security consensus scoring sheet, which did not indicate if one of the eight criterion was met (Yes) or not met (No). The scoring team indicated the application did not meet two of the required elements and awarded a sub-section score of 0.

### **Original DOC Score Workbook**

EY analyzed the formulas in the Original DOC Score Workbook and noted that the formulas appeared to be correct and consistently applied across the entire population of applications.

### **Export from review platform and additional analysis**

The EY technology team exported the responses recorded by EY from the review platform for all 185 applicants by each application to five Excel files (Business, Financial, Operations, Quality Assurance and Security) for analysis.

EY performed procedures on the exported data, in conjunction with the Original DOC Score Workbook, to identify differences between the consensus scoring sheets and the Original DOC Score Workbook that required additional analysis, as well as differences between the consensus scoring sheets and the point value that EY recalculated according to the scoring rubric and guidelines and number of criteria met according to the number of ‘Yes’ and ‘No’ decision assignments by the DOC scoring teams.

EY compiled a summary of the nature and numeric impact of the differences between the Original DOC Score Workbook point values and the DOC consensus score sheets by plan and

sub-section, as well as the nature and numeric impact of differences between the DOC consensus score sheet point values and the EY recalculated point values by plan and sub-section. Please refer to **Appendices D and E**.

### **Re-review**

EY facilitated and monitored a re-review of four applicants' Security sub-sections affected by the differences identified between the DOC consensus score sheets and the EY recalculation; please refer to **Category 2 difference** section below.

### **Key assumptions**

In conducting EY's analysis, we relied on the following key assumptions:

- EY relied on the consensus scoring sheets that were saved within Tumbleweed in the account of the respective Team Leads for each plan and represented the final consensus scoring sheet for each application sub-section.
- EY relied on the accuracy of the 'Yes' and 'No' responses determined by the consensus scoring teams as reflected on the consensus scoring sheets. As more fully described below in the **Level 1 scoring differences summary**, EY initially identified four differences in the score awarded on the consensus scoring sheets versus the score indicated based on the 'Yes' and 'No' responses on the consensus scoring sheets. For these items, EY organized a process to re-review those sections of these four applications. EY compared the revised 'Yes' and 'No' responses from this re-review and traced the identified content into the applicable application to further corroborate the revised 'Yes' and 'No' determinations made during the re-review of the four identified differences of these four applications.
- In the case when the number of criteria met or not met as marked by the DOC scoring team permitted either 3 points or 5 points to be awarded, based on the scoring rubric, EY relied on the judgement of the specialists on the original consensus scoring teams and therefore selected the same point value as originally awarded by these scoring teams and as indicated on the DOC consensus score sheet for that sub-section.
- As a result of EY's review platform procedures, EY re-ranked the applicants according to their total score after redactions and applied the same method of ranking as the DOC. EY applied the tie breaker provision as required by the Ohio Administrative Code, when applicable. The entity with the highest score in the Operations plan would be ranked higher. If one entity submitted more than one application, EY assigned the same rank to each applicant according to the total score after redactions. We understand applicant ID's were unique to an individual location. While entities could submit applications for more than one location, we understand the DOC could only award one provisional license per entity.



## Summary of findings

### Level 1 scoring differences summary

In performing the Section 2 scoring analysis for the Level 1 applications, EY identified two categories of differences that initially affected 14 applications as follows (with four of these differences subsequently being resolved):

- A. Scoring difference in the Business Plan portion of the application between the score reported on the consensus score sheets in comparison to the score recorded on the Original DOC Score Workbook. This difference affected 10 applications. **See Appendix E.** We refer to this difference as the “**Category 1 difference.**”
- B. Scoring difference between the score indicated by the number of ‘Yes’ and ‘No’ responses from the consensus score sheets in comparison to the actual score awarded based on the applicable scoring rubric. This difference affected 4 applications; however, as described more fully below, based on a re-review of the applicable applications, the originally awarded score was ultimately determined to have been correct. **See Appendix F.** We refer to this difference as the “**Category 2 difference.**”

### Category 1 difference

In comparing the scores indicated for each subsection of each application as reported on the consensus score sheets to the scores recorded in the DOC Original Score Workbook, we noted instances in which these point values differed. These differences were noted in the Business Plan section and affected ten consecutively numbered applications. In these instances, we noted that the scores reported in the two subsections of the Financial Plan were duplicated in the two subsections of the Business Plan for each of these ten applications, all of which were a part of the same batch. It would appear that a clerical error resulted in the recording of the Financial Plan scores in the Business Plan section of these applications. The applications we noted were impacted by this error were MMCP-C-201706-0080 through 0089.

EY has recalculated the indicated scoring for these applications, correcting the scores for the Business Plan subsections so that they match the indicated scores contained on the consensus score sheets. This recalculation has also applied the applicable weighting multiple to the revised score in order to determine the recalculated score for each of these ten applications. The Scores After Redaction for each of these ten applicants and the revised rank is detailed in **Appendix E.**

One of the applications in the Category 1 differences was PharmaCann Ohio LLC (“PharmaCann”). We identified two instances where the point value on the consensus score sheet did not match the point value for the corresponding sub-sections in the Original DOC Score Workbook. Both differences were found within the Business Plan portion of the PharmaCann application. In these two instances, the consensus score sheet showed a point value of 5 and the

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Original DOC Score Workbook showed a point value of 3 for both of these portions of the Business Plan. **Refer to Appendix C.** EY recalculated the Total Score After Redaction for PharmaCann after correcting the score from the Original DOC Score Workbook so that the scores in the Business Plan subsections properly matched the scoring determination of the consensus scorers as indicated on the consensus score sheets.

After recalculating the scores and applying the applicable scoring multiple, PharmaCann would have ranked 8<sup>th</sup> among the Level 1 applicants (as opposed to its 13<sup>th</sup> original ranking<sup>7</sup>), assuming no changes to the scores of any other applicants. The Business Plan raw score was increased by four points and after applying the 1.46 weighting multiple, the total increase in the Business Plan score was 5.84 points. The recalculated total score for PharmaCann was 164.40 in comparison to the original total score of 158.56. **Refer to Appendix D.**

### **Category 2 difference**

As noted above in the procedures performed section, EY analyzed each of the Level 1 consensus scoresheets and evaluated the indicated score based on the ‘Yes’ and ‘No’ determinations within each consensus scoresheet, applying the scoring values indicated in the scoring rubric. We noted four instances in which the number of ‘Yes’ and ‘No’ responses to the various criteria indicated on the consensus score sheet indicated a different score than was reported on the consensus score sheet based on the scoring rubric. In each case, the difference was contained in a subsection of the Security Plan portion of the application.<sup>8</sup>

In an effort to evaluate whether the originally awarded score was correct or if the ‘Yes’ and ‘No’ determinations on the consensus scoresheets were correct for these four application subsections, EY organized a re-review of these four application subsections. EY organized the same three DOC Security section scorers to re-review these four applications where category 2 differences were noted in EY’s offices in Grandview Heights, Ohio. The scorers were provided with the redacted content from the Security Plan portion of the application along with blank consensus score sheets. None of the applicant names were identifiable to the scorers and the application number was also anonymized by EY. Each scorer provided the ‘Yes’ and ‘No’ responses to each of the criteria included in the subsection, together with their reasoned basis for the determination. The three scorers then met to conduct a consensus discussion on each of their determinations, as was done during the original scoring review, and reach a consensus ‘Yes’ or ‘No’ determination for each criteria within the subsection. EY compared the revised ‘Yes’ and ‘No’ responses from this re-review and traced the identified content into the applicable application to further

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<sup>7</sup> PharmaCann was originally ranked 13. When Growth Orchard Partners LLC, originally ranked 12, was subsequently disqualified during the due diligence checks, PharmaCann moved into the 12 ranked spot.

<sup>8</sup> Applicants with a category 2 difference and the applicable Security Plan subsections are: MMCP-C-201706-0125 (Surveillance Technology), MMCP-C-201706-0140 (Physical Security), MMCP-C-201706-0166 (Transportation) and MMCP-C-201706-0168 (Transportation).

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corroborate the revised ‘Yes’ and ‘No’ determinations made during the re-review of these four subsections of the Security Plan portion of these applications.

Based on the slightly revised ‘Yes’ and ‘No’ determinations to these applications and applying the scoring rubric in order to award a point value, EY determined that the score indicated from the re-review matched the score originally awarded on the consensus score sheets and recorded in the Original DOC Score Workbook. Therefore, the category 2 differences initially noted from EY’s review were resolved and no longer result in differences to the indicated score for these four applications. **See Appendix F.**

Neither of these four applications fell into the top 12 rank in either the original or recalculated scoring.

### **Record keeping adjustment**

We found that the record keeping adjustment was consistently applied to all applications.

### **Scoring rubric creation**

According to the Security Team Lead, subject-matter experts, comprised of several individuals, including the scoring team members for the corresponding plan, developed the criteria contained in each of the subsection consensus score sheets (the “upper portion” of the consensus score sheets). The DOC cultivator program administrators and members of the MMCP team developed the scoring rubric and point values contained in each of the subsection consensus score sheets (the “lower portion” of the consensus score sheets). The same scoring rubric was applied to each of the five plans.

Some of the elements within the scoring rubrics do not correspond with the criteria for certain sub-sections. For example, the Physical Security sub-section of the Security plan includes five required elements that applicants must meet or they receive a point value of 0. The scoring rubric for a point value of 1 reads: “Plan addresses all of the required elements established in rule and adequately demonstrates 2 – 3 of the elements above, inclusive of the required elements.” In order to earn a point value greater than zero, the application must meet all required criteria, which is five elements in this case, and not “2 – 3”. In addition, the scenario described above was also applicable to sub-sections within the Business plan (Business Model), Financial plan (Funding Analysis), Operations plan (Product Timeline and Production Schedule), Quality Assurance plan (Adverse Events and Recall Procedures) and Security plan (Transportation Policies) for a total of six sub-sections. EY did not identify that there were scoring inconsistencies in the consensus scoring sheets for the Level 1 applicants as a result of these specific instances.

Also, according to the scoring rubric, the scoring teams could award point values of 0, 1, 3, or 5, depending on the number of ‘Yes’ and ‘No’ determinations. However, in many cases the number of ‘Yes’ responses allows the scorer the opportunity to award either 3 points or 5 points, depending on their judgement of whether or not the “Plan ... contains additional features that materially improve the quality of the applicant's security plan.” The scorers did not consistently document within the consensus score sheets their reasoning for awarding either 3 points or 5 points.

### **Program and control observations**

We have provided the following control observations to assist the DOC in further improving its processes going forward. Although there were few scoring differences in the Level 1 applications, these observations below provide opportunities for automation in the process and could enhance the timeliness and accuracy of processing and analyzing application contents. For example, we noted the following:

- The DOC process to review the cultivator applications and the associated scoring was largely a manual process with limited IT system controls to prevent unauthorized access and ensure data security and integrity.
- The DOC did not conduct MMCP cultivator application intake and scoring in a controlled tool or review environment, limiting the opportunities for audit trail or reporting functionality.
- The DOC uploaded final documents to Tumbleweed that were editable, which were considered the “safe source” for the final scoring (e.g., consensus score sheets).
- The DOC scoring teams did not always apply a consistent approach to filling out the consensus score sheets; for example, we noted the scoring teams frequently did not fill out the box “Total number of plan features demonstrated” in the consensus score sheets.
- According to the MMCP program administrators, we understand that the Administrative Professional used to maintain a list of MMCP Tumbleweed users, including passwords, at the instruction of a DOC IT representative. The Team Lead from the Security Plan portion of the application, did not properly upload the Security consensus score sheets to the Security batch folders within Tumbleweed and therefore, were not viewable by the program administrators so that they could complete the Original DOC Score Workbook. In order to gain access to those documents, the MMCP program administrators logged into Tumbleweed using the Security Team Lead's credentials, obtained from the Administrative Professional.

### **Conclusion**

EY reviewed the DOC’s scoring process to calculate the original rankings, which were used to issue provisional cultivator licenses. Based upon this review, EY noted various observations around the process and identified Category 1 and Category 2 Differences. After the re-review of

the Category 2 Differences, it was determined that these differences were no longer true differences in the Original DOC Score Workbook. The Category 1 Differences did result in actual differences between the scores awarded per the consensus score sheets and Score After Qualifiers, which impacted the ranks of those applications. The Category 1 Differences were the only differences identified by EY that impacted the Score After Qualifiers and the rankings of the Level 1 applications. Application MMCP-C-201706-0084 (PharmaCann) was the only entity of the ten Category 1 Differences to move into the top 10 rankings as a result of the Recalculation performed. The remaining nine applications, MMCP-C-201706-0080-0083 and MMCP-C-201706-0085-0089, remained under the top 10 threshold.<sup>9</sup> On May 15, 2018, the DOC awarded PharmaCann a provisional cultivator license.<sup>10</sup>

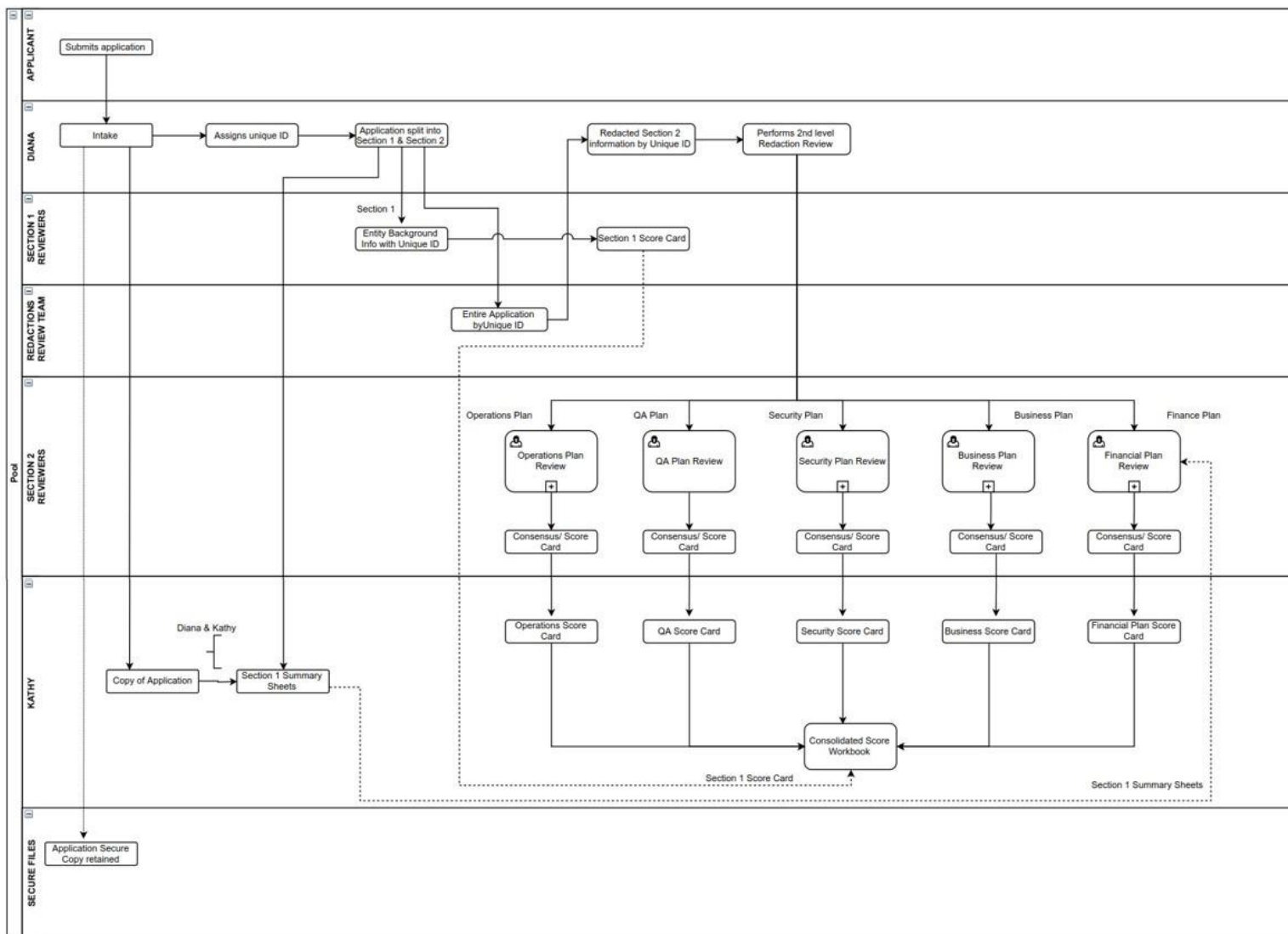
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<sup>9</sup> Since none of the identified Category 1 Differences involved entities that were part of an economically disadvantaged group, none of their rankings relative to one another changed in the Recalculation.

<sup>10</sup> PharmaCann Provisional License

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# Appendix A



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## Appendix B

### *Listing of documents provided by the DOC*

#	Description of document
1	Cultivator application instructions
2	Cultivator application intake log
3	Letter from the Auditor of State to DOC dated April 20, 2018
4	Cultivator application consolidated score workbooks (Original DOC Score Workbook)
5	Cultivator application review checklist
6	Recommendation grid (Due diligence workbooks)
7	Cultivator application issue review list
8	Redaction summary sheets
9	Cultivator review teams
10	Round 1 Subcommittee application template – subcommittees 1, 2 and 3 (Section 1 summary sheet template)
11	Redaction application results template
12	Scoring rubrics – Business, Financial, Quality Assurance, Operations and Security
13	Completed scoring rubrics
14	Criteria breakdown sheets (Word) for scoring - Business, Financial, Quality Assurance, Operations and Security
15	Quality Assurance scoring criteria breakdown (PPT)
16	Scoring guidance memo – dated July 6, 2017
17	Section 1 summary sheets
18	Listing of Tumbleweed account systems users
19	Consensus score sheets (collected from the Tumbleweed server)
20	Section 2 applications (collected from the Tumbleweed server)
21	PharmaCann Provisional License

## Appendix C

### PharmaCann Ohio LLC consensus score sheet scores and Original DOC Score Workbook Consensus score sheet sub-section 1: Experience in Business

APPLICATION CODE: MMCP-C-201706-0084		LICENSE LEVEL: LEVEL I <input checked="" type="radio"/> LEVEL II <input type="radio"/>		
REVIEW COMPLETED DATE: 9/15/2017		REVIEWER TEAM NAMES: Finn, Johnson, Kaiser		
Criteria		Demonstrated (Yes/No)	Reviewer Comments	
Exp	Experience, which includes information on business licenses held by any person affiliated with the applicant, regardless if said license is active, revoked, suspended, or expired	Y	Previous business and ownership experience.	
	Applicant demonstrates detailed management attributes and experience sufficient for proposed facility operation	Y	Prior executive and ownership experience. Parent company employs over 160 people.	
	Prior operation and ownership of a business	Y	Multiple marijuana facilities are owned and operated.	
	Prior experience in a regulated business/controlled business environment	Y	Medical marijuana, law, and medical research.	
	Experience in business consistent with size of proposed operation (i.e., small/medium/large)	Y	Sufficient backgrounds and experience in the industry.	
	Specific experience in management of marijuana businesses	Y	The company owns other cultivation centers and dispensaries in other states.	
	<b>Total number of plan features demonstrated</b>	6		
		<b>Possible Points</b>	<b>Points Awarded</b>	<b>Reviewer Comments</b>
Plan addresses all of the elements above, or the plan adequately demonstrates 5 of the 6 elements, inclusive of the required elements, and also contains additional features that materially improve the quality of the applicant's business plan	5	5	Met 6 of 6 elements.	

### Consensus score sheet sub-section 2: Business Model

APPLICATION CODE: MMCP-C-201706-0084		LICENSE LEVEL: LEVEL I <input checked="" type="radio"/> LEVEL II <input type="radio"/>	
REVIEW COMPLETED DATE: 9/15/2017		REVIEWER TEAM NAMES: Finn, Johnson, Kaiser	
Criteria		Demonstrated (Yes/No)	Reviewer Comments
Busi	Applicant demonstrates ability to operate and conduct business in the State of Ohio at the time of application, which includes requirements in 3796:2-1-02(B)(2)	Y	An Ohio subsidiary was formed specifically for the purpose of cultivating marijuana in Ohio. Also, Section 1, Form 1A
	A proposed business model demonstrating a likelihood of success and a sufficient business ability	Y	Sufficient industry experience, prior success, and detailed plan.
	Evidence that the applicant owns the property on which the proposed cultivator will be located, has executed a lease for the property that does not contain any use restrictions, or has secured the ability to purchase or lease the property	Y	The property is specifically discussed. Also, Section 1, Form 1E
	Documentation that the applicant is in compliance with any local ordinance, rules or regulations in effect at the time of application	Y	Local zoning is specifically mentioned. Also, Section 1, Form 1G
	Detail some consideration of market or demand analysis (research from other states, supporting projections for Ohio, etc.)	Y	Detailed demand and market analysis is provided.
	Applicant demonstrates clear lines of authority and accountability for the applicant's business	Y	Reporting lines are specifically discussed.
	Business model demonstrates a formal operational structure	Y	Section 1, Form 1J
	Applicant identified how the application will be implemented, including which individuals are responsible for different aspects of cultivation	Y	Roles and responsibilities are detailed in the plan.
<b>Total number of plan features demonstrated</b>	8		
	<b>Possible Points</b>	<b>Points Awarded</b>	<b>Reviewer Comments</b>
Plan addresses all of the elements above, or the plan adequately demonstrates 7 of the 8 elements, inclusive of the required elements, and also contains additional features that materially improve the quality of the applicant's business plan	5	5	Met 8 of 8 elements and included Ohio based jobs and economic plan.

### Original DOC Score Workbook

Round 2 Business/ Financial						
Application #	Bat	Lev	Business - Exp in Business (pg1) Raw Score	Business - Bus Model (pg2) Raw Score	Financial - Funding Analysis (pg1) Raw Score	Financial - Op Expense (pg2) Raw Score
MMCP-C-201706-0084	9	1	3	3	3	3

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## Appendix D

### Comparison of DOC's top 12

Application #	Entity Name	Original DOC Score Workbook		DOC Consensus Score Sheets		Recalculation	
		Score After Redaction	Rank	Score After Redaction	Rank	Score After Redaction	Rank
MMCP-C-201706-0110	Buckeye Relief LLC	179.28	1	179.28	1	179.28	1
MMCP-C-201706-0085	Grow Ohio Pharmaceuticals Inc.	173.44	2	176.36	2	176.36	2
MMCP-C-201706-0124	OPC Cultivation LLC	173.28	3	173.28	4	173.28	4
MMCP-C-201706-0082	Riviera Creek Holdings LLC	172.72	4	175.64	3	175.64	3
MMCP-C-201706-0114	Pure Ohio Wellness LLC	167.64	5	167.64	5	167.64	5
MMCP-C-201706-0129	Columbia Care OH LLC	167.08	6	167.08	6	167.08	6
MMCP-C-201706-0147	Terradiol Ohio LLC	165.48	7	165.48	7	165.48	7
MMCP-C-201706-0099	AT-CPC of Ohio LLC <sup>11</sup>	161.28	8/9	161.28	10	161.28	10
MMCP-C-201706-0107	Standard Wellness Company LLC <sup>12</sup>	161.28	8/9	161.28	11	161.28	11
MMCP-C-201706-0089	Cresco Labs Ohio LLC	159.80	10	162.72	9	162.72	9
MMCP-C-201706-0104	Greenleaf Gardens LLC (Willoughby)	159.64	11	159.64	12	159.64	12
MMCP-C-201706-0105	Greenleaf Gardens LLC (Middlefield)	159.64	11	159.64	12	159.64	12
MMCP-C-201706-0106	Greenleaf Gardens LLC (Akron)	159.64	11	159.64	12	159.64	12
MMCP-C-201706-0084	PharmaCann Ohio LLC	158.56	13 <sup>13</sup>	164.40	8	164.40	8

<sup>11</sup> In accordance with Ohio Administrative Code, the tiebreaker is to be based on the score in the Operations Plan. OAC 3796:2-1-04(B).

<sup>12</sup> *Id.*

<sup>13</sup> PharmaCann was originally ranked 13. When Growth Orchard Partners LLC, originally ranked 12, was subsequently disqualified during the due diligence checks, PharmaCann moved into the 12 ranked spot. <https://www.medicalmarijuana.ohio.gov/Documents/Cultivation/Level%20I%20Cultivator%20Application%20Scores.pdf>

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## Appendix E

*Category 1 differences - 10 differences between Original DOC Score Workbook and DOC consensus score sheets*

Application #	Business Entity	Original DOC Score Workbook		DOC score per Consensus Score Sheets		Difference between Original DOC Score Workbook and Consensus Score Sheets	
		Score After Redaction	Rank	Score After Redaction	Rank	Difference	Nature of Difference
MMCP-C-201706-0080	Agrogenius LLC	108.56	DQ	111.48	DQ	2.92	The DOC score team awarded a point value of 5 according to the 'Yes' and 'No's' assigned and the scoring rubric in the Business plan consensus score sheets, sub-section 1 (Experience in Business). The DOC Original Score Workbook shows a point value of 3 for a raw difference of 2.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 2.92.
MMCP-C-201706-0081	Green Investment Partners, LLC	147.08	22	145.62	DQ	(1.46)	The DOC score team awarded point values of 5 (Experience in Business) and 0 (Business Model) according to the 'Yes' and 'No's' assigned and the scoring rubric in the Business plan consensus score sheets. The DOC Original Score Workbook shows point values of 3 for both sub-sections for a raw difference of 1.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 1.46.
MMCP-C-201706-0082	Riviera Creek Holdings LLC	172.72	4	175.64	3	2.92	The DOC score team awarded a point value of 5 according to the 'Yes' and 'No's' assigned and the scoring rubric in the Business plan consensus score sheets, sub-section 1 (Experience in Business). The DOC Original Score Workbook shows a point value of 3 for a raw difference of 2.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 2.92.
MMCP-C-201706-0083	Skee Ohio LLC	111.28	DQ	114.2	DQ	2.92	The DOC score team awarded a point value of 5 according to the 'Yes' and 'No's' assigned and the scoring rubric in the Business plan consensus score sheets, sub-section 1 (Experience in Business). The DOC Original Score Workbook shows a point value of 3 for a raw difference of 2.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 2.92.

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Application #	Business Entity	Original DOC Score Workbook		DOC score per Consensus Score Sheets		Difference between Original DOC Score Workbook and Consensus Score Sheets	
		Score After Redaction	Rank	Score After Redaction	Rank	Difference	Nature of Difference
MMCP-C-201706-0084	PharmaCann Ohio LLC	158.56	13 <sup>14</sup>	164.4	8	5.84	The DOC score team awarded point values of 5 (Experience in Business) and 5 (Business Model) according to the 'Yes' and 'No's' assigned and the scoring rubric in the Business plan consensus score sheets. The DOC Original Score Workbook shows point values of 3 for both sub-sections for a raw difference of 4.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 5.84.
MMCP-C-201706-0085	Grow Ohio Pharmaceuticals Inc.	173.44	2	176.36	2	2.92	The DOC score team awarded a point value of 5 according to the 'Yes' and 'No's' assigned and the scoring rubric in the Business plan consensus score sheets, sub-section 1 (Experience in Business). The DOC Original Score Workbook shows a point value of 3 for a raw difference of 2.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 2.92.
MMCP-C-201706-0086	Alta Luna LP	92.56	DQ	95.48	DQ	2.92	The DOC score team awarded a point value of 5 according to the 'Yes' and 'No's' assigned and the scoring rubric in the Business plan consensus score sheets, sub-section 1 (Experience in Business). The DOC Original Score Workbook shows a point value of 3 for a raw difference of 2.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 2.92.

<sup>14</sup> PharmaCann was originally ranked 13. When Growth Orchard Partners LLC, originally ranked 12, was subsequently disqualified during the due diligence checks, PharmaCann moved into the 12 ranked spot. <https://www.medicalmarijuana.ohio.gov/Documents/Cultivation/Level%20I%20Cultivator%20Application%20Scores.pdf>

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Application #	Business Entity	Original DOC Score Workbook		DOC score per Consensus Score Sheets		Difference between Original DOC Score Workbook and Consensus Score Sheets	
		Score After Redaction	Rank	Score After Redaction	Rank	Difference	Nature of Difference
MMCP-C-201706-0087	Ohio Craft Cultivators LLC	136.4	DQ	139.32	DQ	2.92	The DOC score team awarded a point value of 5 according to the ‘Yes’ and ‘No’s’ assigned and the scoring rubric in the Business plan consensus score sheets, sub-section 1 (Experience in Business). The DOC Original Score Workbook shows a point value of 3 for a raw difference of 2.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 2.92.
MMCP-C-201706-0088	Green Leaf Medical of Ohio LLC	119.12	DQ	126.42	DQ	7.30	The DOC score team awarded point values of 5 (Experience in Business) and 3 (Business Model) according to the ‘Yes’ and ‘No’s’ assigned and the scoring rubric in the Business plan consensus score sheets. The DOC Original Score Workbook shows point values of 3 (Experience in Business) and 0 (Business Model) for a raw difference of 5.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 7.30.
MMCP-C-201706-0089	Cresco Labs Ohio LLC	159.80	10	162.72	9	2.92	The DOC score team awarded a point value of 5 according to the ‘Yes’ and ‘No’s’ assigned and the scoring rubric in the Business plan consensus score sheets, sub-section 1 (Experience in Business). The DOC Original Score Workbook shows a point value of 3 for a raw difference of 2.0. Due to the Business plan having a weighted value of 1.46, the total difference in scores is 2.92.

## Appendix F

*Summary of Security recalculation results – the scores awarded per the DOC Consensus Score Sheets were accurate based on the results of re-review*

Application ID	Business Entity	DOC Score per Consensus Score Sheets After Redaction	Rank based on Original DOC Score Workbook	Recalculation based on DOC Consensus Score Sheets and Security re-review results		Summary of Security Re-review and Recalculation
				Score After Redaction	Rank	
MMCP-C-201706-0125	Goodtree Healthcare LLC	120.54	DQ	120.54	DQ	<p>The DOC Security review team marked criteria 5 (Enhanced Video Surveillance) as 'Yes' during the re-review procedures performed on May 21. This criterion was marked 'No' on the Original DOC Consensus Score Sheet.</p> <p>Based upon the number of compliant features for Surveillance &amp; Technology according to the re-review procedures, 3 points were awarded in this sub-section, which agrees to the points awarded per the Original DOC Consensus Score Sheet.</p>
MMCP-C-201706-0140	Schottenstein Aphria LLC	127.44	DQ	127.44	DQ	<p>The DOC Security team marked criteria 5 (Adequate Emergency Procedures) as 'Yes' during the re-review procedures performed on May 21. This criterion was marked 'No' on the Original DOC Consensus Score Sheet. This criterion was a required element in this sub-section.</p> <p>Based upon the number of compliant features for Physical Security according to the re-review procedures, 3 points were awarded in this sub-section, which agrees to the points awarded per the Original DOC Consensus Score Sheet.</p>
MMCP-C-201706-0166	Silphium Grow LLC	145.28	23	145.28	21	<p>The DOC Security team marked criteria 3 (Policy to ensure registered employees) as 'Yes' during the re-review procedures performed on May 21. This criterion was marked 'No' on the original consensus score sheet. This criterion was a required element in this sub-section, and if 'No' was the appropriate response, a point value of 0 would have been required. In the original consensus score sheet, the comment field indicated "Missing Required Element" for this criterion. The DOC Security team awarded 3 points in the original consensus score sheet.</p> <p>The results of the re-review indicated that criteria 3 should have been marked 'Yes,' resulting in 5 'Yes' responses. Accordingly, either 3 or 5 points could be awarded for Transportation per the scoring rubric. In the recalculation, a point value of 3 was selected which agreed to the original consensus scoring decision of the review team.</p>

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Application ID	Business Entity	DOC Score per Consensus Score Sheets After Redaction	Rank based on Original DOC Score Workbook	Recalculation based on DOC Consensus Score Sheets and Security re-review results		Summary of Security Re-review and Recalculation
				Score After Redaction	Rank	
MMCP-C-201706-0168	Mandino Supply LTD	108.76	DQ	108.76	DQ	<p>The DOC Security team marked criteria 3 (Policy to ensure registered employees) as 'Yes' during the re-review procedures performed on May 21. This criterion was marked 'No' on the Original DOC Consensus Score Sheet. This criterion was a required element in this sub-section.</p> <p>In the Original DOC Consensus Score Sheet, the comment field indicated "Missing Required Element" for this criterion.</p> <p>The DOC Security team also marked criteria 6 (Proof of existing vehicle) as 'No' during the re-review procedures performed on May 21. This criterion was marked 'Yes' on the Original DOC Consensus Score Sheet.</p> <p>Based upon the number of compliant features for Transportation according to the re-review procedures, either 3 or 5 points could be awarded per the scoring rubric. The number of compliant features was 5, which fell on the borderline between point values of 3 and 5. In the recalculation, a point value of 3 was selected which agreed to the original consensus scoring decision of the review team.</p>

## Appendix G

### *Interviews conducted*

#	Name	Title
1	Nate Mealy	Deputy Chief Legal Counsel
2	Brian Peters	Senior Attorney
3	Justin Hunt	Chief Operating Officer
4	Mark Edwards	Chief Information Officer
5	Steve Regoli	Architect Administrator, Team Lead of Security plan scoring team
6	Kathy Frato	MMCP Project Manager
7	Diana Wynkoop	Administrative Professional and MMCP Program Administrator

## Appendix H.1

### Original DOC Level 1 rankings and Recalculated Level 1 rankings

#	Application ID	Entity Name	Score After Redactions	Original DOC Score Workbook Rank	Recalculated Score After Redactions	Recalculated Rank
1	MMCP-C-201706-0110	Buckeye Relief LLC	179.28	1	179.28	1
2	MMCP-C-201706-0085	Grow Ohio Pharmaceuticals Inc.	173.44	2	176.36	2
3	MMCP-C-201706-0124	OPC Cultivation LLC	173.28	3	173.28	4
4	MMCP-C-201706-0082	Riviera Creek Holdings LLC	172.72	4	175.64	3
5	MMCP-C-201706-0114	Pure Ohio Wellness LLC	167.64	5	167.64	5
6	MMCP-C-201706-0129	Columbia Care OH LLC	167.08	6	167.08	6
7	MMCP-C-201706-0147	Terradiol Ohio LLC	165.48	7	165.48	7
8	MMCP-C-201706-0099	AT-CPC of Ohio LLC <sup>15</sup>	161.28	8/9	161.28	10
9	MMCP-C-201706-0107	Standard Wellness Company LLC <sup>16</sup>	161.28	8/9	161.28	11
10	MMCP-C-201706-0089	Cresco Labs Ohio LLC	159.80	10	162.72	9
11	MMCP-C-201706-0104	Greenleaf Gardens LLC (Willoughby)	159.64	11	159.64	12
12	MMCP-C-201706-0105	Greenleaf Gardens LLC (Middlefield)	159.64	11	159.64	12
13	MMCP-C-201706-0106	Greenleaf Gardens LLC (Akron)	159.64	11	159.64	12
14	MMCP-C-201706-0078	Growth Orchard Partners LLC <sup>17</sup>	158.76	12/DQ	158.76	DQ
15	MMCP-C-201706-0084	PharmaCann Ohio LLC	158.56	13 <sup>18</sup>	164.40	8
16	MMCP-C-201706-0103	Ohio Grown Therapies LLC	155.44	14	155.44	13
17	MMCP-C-201706-0094	Farmaceutical RX LLC	154.58	DQ	154.58	DQ
18	MMCP-C-201706-0144	Parma Wellness Center LLC	153.08	15	153.08	14
19	MMCP-C-201706-0113	Green Peak Industries Ohio LLC	150.58	DQ	150.58	DQ
20	MMCP-C-201706-0119	HVV Mission Ohio LLC (Coshocton)	150.20	16	150.20	15
21	MMCP-C-201706-0091	GTI Ohio LLC (Toledo)	148.16	DQ	148.16	DQ
22	MMCP-C-201706-0092	GTI Ohio LLC (Lorain)	148.16	DQ	148.16	DQ
23	MMCP-C-201706-0157	Health for Life Ohio LLC	148.04	17	148.04	16
24	MMCP-C-201706-0126	Certified Cultivators LLC	148.00	18	148.00	17
25	MMCP-C-201706-0153	Trillum Holdings, Inc.	147.84	19	147.84	18
26	MMCP-C-201706-0098	Ohio Therapeutics LLC	147.64	20/21	147.64	19
27	MMCP-C-201706-0128	Ohio Medical Holdings LLC	147.64	20/21	147.64	20
28	MMCP-C-201706-0081	Green Investment Partners, LLC	147.08	22	145.62	DQ

<sup>15</sup> In accordance with Ohio Administrative Code, the tiebreaker is to be based on the score in the Operations Plan. OAC 3796:2-1-04(B).

<sup>16</sup> *Id.*

<sup>17</sup> Growth Orchard Partners LLC was disqualified as noted at:

<https://www.medicalmarijuana.ohio.gov/Documents/Cultivation/Level%20I%20Cultivator%20Application%20Scores.pdf>

<sup>18</sup> PharmaCann was originally ranked 13. When Growth Orchard Partners LLC, originally ranked 12, was subsequently disqualified during the due diligence checks, PharmaCann moved into the 12 ranked spot.

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State of Ohio Department of Commerce – Medical Marijuana Control Program cultivator licensing scoring recalculation

#	Application ID	Entity Name	Score After Redactions	Original DOC Score Workbook Rank	Recalculated Score After Redactions	Recalculated Rank
29	MMCP-C-201706-0118	HVV Mission Ohio LLC (Columbus)	145.82	DQ	145.82	DQ
30	MMCP-C-201706-0166	Silphium Grow LLC	145.28	23	145.28	21
31	MMCP-C-201706-0123	Harvest Bloom LLC	142.92	DQ	142.92	DQ
32	MMCP-C-201706-0095	Harvest Grows LLC (Lawrence County)	142.04	24	142.04	22
33	MMCP-C-201706-0096	Harvest Grows LLC (Cleveland)	142.04	24	142.04	22
34	MMCP-C-201706-0169	CannaMed Therapeutics LLC	141.68	25	141.68	23
35	MMCP-C-201706-0115	Ohio Green Grow LLC	141.48	26/27	141.48	24
36	MMCP-C-201706-0146	Ohio Leaf Relief LLC	141.48	26/27	141.48	25
37	MMCP-C-201706-0165	Hanging Gardens OH LLC	140.72	28	140.72	26
38	MMCP-C-201706-0158	Ohio Care + Wellness LLC	140.56	29	140.56	27
39	MMCP-C-201706-0116	Sona Health Ohio LLC	140.00	30	140.00	28
40	MMCP-C-201706-0148	Quest Wellness Ohio LLC (Youngstown)	138.04	DQ	138.04	DQ
41	MMCP-C-201706-0112	Ritegene Technologies, LLC	137.84	DQ	137.84	DQ
42	MMCP-C-201706-0090	Grow Med Ohio LLC	137.44	DQ	137.44	DQ
43	MMCP-C-201706-0077	BZ Gist LLC d/b/a Glasshouse Farma	136.92	DQ	136.92	DQ
44	MMCP-C-201706-0154	PalliaTech Ohio LLC	136.56	31	136.56	29
45	MMCP-C-201706-0155	PalliaTech Ohio LLC (Woodlawn)	136.56	31	136.56	29
46	MMCP-C-201706-0156	PalliaTech Ohio LLC (Cincinnati)	136.56	31	136.56	29
47	MMCP-C-201706-0087	Ohio Craft Cultivators LLC	136.40	DQ	139.32	DQ
48	MMCP-C-201706-0175	Justice Grown Ohio LLC	135.28	DQ	135.28	DQ
49	MMCP-C-201706-0173	Central Ohio Medicinal Farms LLC	134.22	DQ	134.22	DQ
50	MMCP-C-201706-0108	NEO Pharmaceuticals, LLC	134.20	DQ	134.20	DQ
51	MMCP-C-201706-0149	Quest Wellness Ohio LLC (Columbus)	133.66	DQ	133.66	DQ
52	MMCP-C-201706-0182	CannAscend Ohio LLC	132.72	DQ	132.72	DQ
53	MMCP-C-201706-0163	The Harvest Foundation of Ohio LLC	132.20	32	132.20	30
54	MMCP-C-201706-0102	FW Green Investments LLC (Huber Heights)	131.68	DQ	131.68	DQ
55	MMCP-C-201706-0100	Future Dreams of Ohio LLC	131.46	DQ	131.46	DQ
56	MMCP-C-201706-0178	Qualitative Health Solutions LLC	129.68	DQ	129.68	DQ
57	MMCP-C-201706-0138	Mahoning Valley Agriculture LLC	129.64	DQ	129.64	DQ
58	MMCP-C-201706-0130	Consurtium Ohio LLC	129.48	DQ	129.48	DQ
59	MMCP-C-201706-0179	Appalachain Pharm Products LLC	128.72	DQ	128.72	DQ
60	MMCP-C-201706-0131	7 Points Group LLC	128.36	DQ	128.36	DQ
61	MMCP-C-201706-0111	Ohio Medical Solutions, Inc.	128.04	DQ	128.04	DQ
62	MMCP-C-201706-0140	Schottenstein Aphria LLC	127.44	DQ	127.44	DQ
63	MMCP-C-201706-0152	Patient Relief of Ohio LLC	127.28	DQ	127.28	DQ
64	MMCP-C-201706-0132	Green Mile Wellness LLC	125.28	DQ	125.28	DQ
65	MMCP-C-201706-0137	Nature's Apex LLC	123.50	DQ	123.50	DQ
66	MMCP-C-201706-0101	FW Green Investments LLC (Germantown)	123.48	DQ	123.48	DQ

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State of Ohio Department of Commerce – Medical Marijuana Control Program cultivator licensing scoring recalculation

#	Application ID	Entity Name	Score After Redactions	Original DOC Score Workbook Rank	Recalculated Score After Redactions	Recalculated Rank
67	MMCP-C-201706-0120	Blu Script LLC	123.48	DQ	123.48	DQ
68	MMCP-C-201706-0167	Growing Wellness LLC	122.00	DQ	122.00	DQ
69	MMCP-C-201706-0162	Under The Water Tower LLC	121.28	DQ	121.28	DQ
70	MMCP-C-201706-0125	Goodtree Healthcare LLC	120.54	DQ	120.54	DQ
71	MMCP-C-201706-0145	AFS Cultivation LLC	120.36	DQ	120.36	DQ
72	MMCP-C-201706-0170	OH-Gro LLC	119.86	DQ	119.86	DQ
73	MMCP-C-201706-0122	VITA EST LLC	119.84	DQ	119.84	DQ
74	MMCP-C-201706-0088	Green Leaf Medical of Ohio LLC	119.12	DQ	126.42	DQ
75	MMCP-C-201706-0117	Black Elk Farms LLC	118.76	DQ	118.76	DQ
76	MMCP-C-201706-0079	HMS Health LLC	117.08	DQ	117.08	DQ
77	MMCP-C-201706-0127	Somerset Cultivation Group LLC	115.84	DQ	115.84	DQ
78	MMCP-C-201706-0141	Agri-Med Enterprises, Inc.	112.90	DQ	112.90	DQ
79	MMCP-C-201706-0150	Ohio Green Systems LLC	112.76	DQ	112.76	DQ
80	MMCP-C-201706-0093	NMG Ohio LLC	112.00	DQ	112.00	DQ
81	MMCP-C-201706-0139	Buckeye Botanicals LLC	111.84	DQ	111.84	DQ
82	MMCP-C-201706-0083	Skee Ohio LLC	111.28	DQ	114.20	DQ
83	MMCP-C-201706-0160	TKO OC LLC (Canton)	110.92	DQ	110.92	DQ
84	MMCP-C-201706-0177	Atrium Enterprises LLC	110.54	DQ	110.54	DQ
85	MMCP-C-201706-0184	Ohio Releaf, LLC	109.26	DQ	109.26	DQ
86	MMCP-C-201706-0168	Mandino Supply LTD	108.76	DQ	108.76	DQ
87	MMCP-C-201706-0080	Agrogenius LLC	108.56	DQ	111.48	DQ
88	MMCP-C-201706-0185	Piedmont MedMar LLC	107.50	DQ	107.50	DQ
89	MMCP-C-201706-0159	TKO OC LLC (Cleveland)	106.92	DQ	106.92	DQ
90	MMCP-C-201706-0174	HappyDale Farms LLC	106.88	DQ	106.88	DQ
91	MMCP-C-201706-0121	Green Camp Provisions, LLC	105.84	DQ	105.84	DQ
92	MMCP-C-201706-0109	Oberson's Nursery and Landscapes, Inc.	104.18	DQ	104.18	DQ
93	MMCP-C-201706-0143	Sanctuary Medicinals of Ohio LLC	104.06	DQ	104.06	DQ
94	MMCP-C-201706-0176	Farms of Riverside LLC	100.94	DQ	100.94	DQ
95	MMCP-C-201706-0142	Ohio Grows, Inc.	96.20	DQ	96.20	DQ
96	MMCP-C-201706-0133	Squared Investors LLC	95.48	DQ	95.48	DQ
97	MMCP-C-201706-0183	Canna Euclid LLC	94.78	DQ	94.78	DQ
98	MMCP-C-201706-0086	Alta Luna LP	92.56	DQ	95.48	DQ
99	MMCP-C-201706-0171	OrChaim Cultivation LLC	90.74	DQ	90.74	DQ
100	MMCP-C-201706-0180	Solomon Cultivation Corporation	85.68	DQ	85.68	DQ
101	MMCP-C-201706-0097	Real Growth Investments II LLC	83.94	DQ	83.94	DQ
102	MMCP-C-201706-0151	MRJN Medical LLC	80.70	DQ	80.70	DQ
103	MMCP-C-201706-0135	Lake Erie Compassion Care LLC (Lowellville)	79.68	DQ	79.68	DQ
104	MMCP-C-201706-0136	Lake Erie Compassion Care LLC (Toledo)	79.68	DQ	79.68	DQ
105	MMCP-C-201706-0134	Ohio Grown Medicene LLC	75.30	DQ	75.30	DQ

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#	Application ID	Entity Name	Score After Redactions	Original DOC Score Workbook Rank	Recalculated Score After Redactions	Recalculated Rank
106	MMCP-C-201706-0172	Greenhouse Organic Development	74.00	DQ	74.00	DQ
107	MMCP-C-201706-0164	Northwest Logistics LLC	71.66	DQ	71.66	DQ
108	MMCP-C-201706-0181	Mahoning River Corridor Pharm LLC	55.08	DQ	55.08	DQ
109	MMCP-C-201706-0161	J-RS Development LLC	54.42	DQ	54.42	DQ

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## Appendix H.2

### Recalculated Level 1 rankings

Application ID	Entity Name	Recalculated Score After Redactions	Recalculated Rank
MMCP-C-201706-0110	Buckeye Relief LLC	179.28	1
MMCP-C-201706-0085	Grow Ohio Pharmaceuticals Inc.	176.36	2
MMCP-C-201706-0082	Riviera Creek Holdings LLC	175.64	3
MMCP-C-201706-0124	OPC Cultivation LLC	173.28	4
MMCP-C-201706-0114	Pure Ohio Wellness LLC	167.64	5
MMCP-C-201706-0129	Columbia Care OH LLC	167.08	6
MMCP-C-201706-0147	Terradiol Ohio LLC	165.48	7
MMCP-C-201706-0084	PharmaCann Ohio LLC	164.40	8
MMCP-C-201706-0089	Cresco Labs Ohio LLC	162.72	9
MMCP-C-201706-0099	AT-CPC of Ohio LLC	161.28	10
MMCP-C-201706-0107	Standard Wellness Company LLC	161.28	11
MMCP-C-201706-0104	Greenleaf Gardens LLC (Willoughby)	159.64	12
MMCP-C-201706-0105	Greenleaf Gardens LLC (Middlefield)	159.64	12
MMCP-C-201706-0106	Greenleaf Gardens LLC (Akron)	159.64	12
MMCP-C-201706-0103	Ohio Grown Therapies LLC	155.44	13
MMCP-C-201706-0144	Parma Wellness Center LLC	153.08	14
MMCP-C-201706-0119	HVV Mission Ohio LLC (Coshocton)	150.20	15
MMCP-C-201706-0157	Health for Life Ohio LLC	148.04	16
MMCP-C-201706-0126	Certified Cultivators LLC	148.00	17
MMCP-C-201706-0153	Trillum Holdings, Inc.	147.84	18
MMCP-C-201706-0098	Ohio Therapeutics LLC	147.64	19
MMCP-C-201706-0128	Ohio Medical Holdings LLC	147.64	20
MMCP-C-201706-0166	Silphium Grow LLC	145.28	21
MMCP-C-201706-0095	Harvest Grows LLC (Lawrence County)	142.04	22
MMCP-C-201706-0096	Harvest Grows LLC (Cleveland)	142.04	22
MMCP-C-201706-0169	CannaMed Therapeutics LLC	141.68	23
MMCP-C-201706-0115	Ohio Green Grow LLC	141.48	24
MMCP-C-201706-0146	Ohio Leaf Relief LLC	141.48	25
MMCP-C-201706-0165	Hanging Gardens OH LLC	140.72	26
MMCP-C-201706-0158	Ohio Care + Wellness LLC	140.56	27
MMCP-C-201706-0116	Sona Health Ohio LLC	140.00	28
MMCP-C-201706-0154	PalliaTech Ohio LLC	136.56	29
MMCP-C-201706-0155	PalliaTech Ohio LLC (Woodlawn)	136.56	29
MMCP-C-201706-0156	PalliaTech Ohio LLC (Cincinnati)	136.56	29
MMCP-C-201706-0163	The Harvest Foundation of Ohio LLC	132.20	30

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