Docusign Envelope ID: 27124B2F-9592-43C6-BFFF-0A9AAA821261



**Sent via Electronic Delivery**

11/22/2024

Henry Crusaw
[redacted]

Re: Application for *Pigford/BFL* MMTC License

Dear Mr. Henry Crusaw:

On March 25, 2022, the Department of Health (Department) received your application for the *Pigford/BFL* MMTC license. The Department notified you of its intent to deny your application by letter dated September 20, 2022 (Denial Letter). A copy of the Denial Letter is attached as Exhibit A. The Department subsequently entered a final order denying your application for MMTC licensure on May 31, 2023.

During the 2023 legislative session, the Florida Legislature enacted Chapter 2023-292, Laws of Florida. Per section 2, paragraph (2) of that law, the Department notified you by letter dated July 11, 2023, that you had ninety (90) days to attempt to cure the deficiencies identified in the Denial Letter pursuant to the errors and omissions process established in Emergency Rule 64ER21-16 and incorporated Application Instructions (Form DH8035-OMMU-10/2021).

Materials seeking to cure the identified deficiencies were timely submitted.

On December 14, 2023, the Department notified you of its intent to deny your application by way of cure under section 2, paragraph 2 of Chapter 2023-292, Laws of Florida (Cure Denial Letter). A copy of the Cure Denial Letter is attached as Exhibit B. The sole remaining deficiency cited in the Cure Denial Letter was the following:

- Your application failed to demonstrate that, for the 5 consecutive years before submitting the application, you have been registered to do business in the state as required by section 381.986(8)(b)1., Florida Statutes, and Emergency Rule 64ER21-16 and the incorporated Application Instructions.

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During the 2024 legislative session, the Florida Legislature enacted Chapter 2024-246, Laws of Florida. Pursuant to section 11, paragraph (3)(a) of that law, the sole remaining deficiency with your application—a failure to meet the requirement in section 381.986(8)(b)1.—is now cured as a matter of law. Accordingly, your application for licensure as an MMTC is approved.

As an MMTC, you must maintain compliance with all applicable requirements of section 381.986, Florida Statues, and Department of Health (Department) rules and regulations. Your date of licensure or "final approval for licensure" is the date of this letter.

Pursuant to Emergency Rule 64ER22-1, you must provide the required financial assurance on or before December 11, 2024, at 5:00 pm (eastern), which is 10 business days from your final approval for licensure. The financial assurance must be delivered as provided in Emergency Rule 64ER22-1.

You are reminded that you may not begin to cultivate, process, or dispense marijuana until you receive the appropriate authorizations from the Department, as required by Emergency Rule 64ER21-10.

Should you have any questions, please contact ommulicenseoperation@flhealth.gov.

Sincerely,

Christopher Kimball

Christopher Kimball
Director
Office of Medical Marijuana Use

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## NOTICE OF RIGHTS

A party whose substantial interest is affected by this agency action may petition for an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes. A petition must be filed in writing and must be in conformance with Rule 28-106.201, 28-106.2015, or 28-106.301, Florida Administrative Code, as applicable. The petition must be in writing and received by the Agency Clerk for the Department within 21 days from receipt of this notice. The petition must be submitted by one of the following delivery methods:

By Mail:
Agency Clerk, Florida Department of Health
4052 Bald Cypress Way, BIN #A-02
Tallahassee, Florida 32399-1703;

By Hand Delivery:
Agency Clerk, Florida Department of Health
2585 Merchants Row Blvd.
Prather Building
Tallahassee, Florida;

By facsimile: 850-413-8743; or

By E-Filing: https://agency_clerk-fdh.mycusthelp.com/WEBAPP/_rs/supporthome.aspx?&lp=3

Mediation is not available.

Failure to file a petition within 21 days shall constitute a waiver of the right to a hearing on this agency action. If this notice becomes a Final Order, an adversely affected party is entitled to judicial review pursuant to section 120.68, Florida Statutes. The Florida Rules of Appellate Procedure govern review proceedings. Review is initiated by filing, within 30 days of the date of the Final Order, a Notice of Appeal with the appropriate Court of Appeal in the appropriate District Court, accompanied by the filing fees required by law, and filing a copy of the Notice of Appeal with the Agency Clerk, Department of Health.

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**EXHIBIT A**

**Mission:**
To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

Florida HEALTH

**Ron DeSantis**
Governor

**Joseph A. Ladapo, MD, PhD**
State Surgeon General

**Vision:** To be the **Healthiest State** in the Nation

**Sent via Electronic Delivery and Certified U.S. Mail**

September 20, 2022

Henry Crusaw
[redacted]

Re: Application for *Pigford/BFL* MMTC License

Dear Mr. Henry Crusaw:

On March 25, 2022, the Department of Health (Department) received your application for the *Pigford/BFL* MMTC license. The Department also received your additional documents and information in response to the Department's errors and omissions letter.

This is the Department's notice of intent to *deny* your application for licensure as an MMTC for the following reasons:

First, your application failed to demonstrate that, for the 5 consecutive years before submitting the application, you have been registered to do business in the state as required by section 381.986(8)(b)1., Florida Statutes, and Emergency Rule 64ER21-16 and incorporated Application Instructions.

Second, and notwithstanding the reason listed above, your application did *not* receive the highest score among all applicants for the *Pigford/BFL* MMTC license. The highest scoring application that is eligible for licensure received a score of 3,110 and your application received a score of 1,837.

Sincerely,

Christopher Ferguson

Christopher Ferguson
Director
Office of Medical Marijuana Use

**Florida Department of Health**
**Office of Medical Marijuana Use**
4052 Bald Cypress Way, Bin M-01 • Tallahassee, FL 32399
PHONE: 850-245-4657
**FloridaHealth.gov**

PHAB Accredited Health Department
Public Health Accreditation Board

Docusign Envelope ID: 27124B2F-9592-43C6-BFFF-0A9AAA821261



## NOTICE OF RIGHTS

This notice is agency action for purposes of section 120.569, Florida Statutes. A party whose substantial interest is affected by this action may petition for an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes. A petition must be filed in writing and must be received by the Agency Clerk within twenty-one (21) days from receipt of this notice. The petition may be mailed to the Agency Clerk, Department of Health, 4052 Bald Cypress Way, BIN #A-02, Tallahassee, FL 32399-1703; hand delivered to the Agency Clerk, Department of Health, 2585 Merchants Row Blvd., Prather Building, Suite 110, Tallahassee, FL; or sent by facsimile to (850) 413-8743. Such petition must be filed in conformance with Florida Administrative Code Rules 28-106.201 or 28-106.301, as applicable. Mediation is not available. Failure to file a petition within 21 days shall constitute a waiver of the right to a hearing on this agency action.

Docusign Envelope ID: 27124B2F-9592-43C6-BFFF-0A9AAA821261

**EXHIBIT B**

**Mission:**
To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

Florida HEALTH

**Ron DeSantis**
Governor

**Joseph A. Ladapo, MD, PhD**
State Surgeon General

**Vision:** To be the **Healthiest State** in the Nation

**Sent via Electronic Delivery and Certified U.S. Mail**

December 14, 2023

Henry Crusaw
[redacted]

Re: Application for *Pigford/BFL* MMTC License

Dear Mr. Henry Crusaw:

On March 25, 2022, the Department of Health (Department) received your application for the *Pigford/BFL* MMTC license. The Department notified you of its intent to deny your application by letter dated September 20, 2022 (Denial Letter). A copy of the Denial Letter is attached as Exhibit A. The Department subsequently entered a final order denying your application for MMTC licensure on August 29, 2023.

During the 2023 legislative session, the Florida Legislature enacted chapter 2023-292, Laws of Florida. Per section 2, paragraph (2) of that law, the Department notified you by letter dated July 11, 2023, that you that had ninety (90) days to attempt to cure, pursuant to the errors and omissions process established in Emergency Rule 64ER21-16 and incorporated Application Instructions (Form DH8035-OMMU-10/2021), the deficiencies identified in the Denial Letter. The deficiencies identified in the Denial Letter were:

- Your application failed to demonstrate that, for the 5 consecutive years before submitting the application, you have been registered to do business in the state as required by section 381.986(8)(b)1., Florida Statutes, and Emergency Rule 64ER21-16 and the incorporated Application Instructions.

On September 15, 2023, you submitted materials seeking to cure the identified deficiency.

This is the Department's notice of intent to *deny* your request for licensure by way of cure under section 2, paragraph 2 of chapter 2023-292, Laws of Florida, for the following reasons:

- The documentation you submitted failed to cure the Denial Letter deficiency of failing to demonstrate that, for the 5 consecutive years before submitting the application, you have been registered to do business in the state as required by section 381.986(8)(b)1., Florida Statutes, and Emergency Rule 64ER21-16 and the incorporated Application Instructions.

**Florida Department of Health**
**Office of Medical Marijuana Use**
4052 Bald Cypress Way, Bin M-01 • Tallahassee, FL 32399
PHONE: 850-245-4657
**FloridaHealth.gov**

PHAB Accredited Health Department
Public Health Accreditation Board

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Sincerely,

Christopher Kimball

Christopher Kimball
Director
Office of Medical Marijuana Use

**NOTICE OF RIGHTS**

A party whose substantial interest is affected by this agency action may petition for an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes. A petition must be filed in writing and must be in conformance with Rule 28-106.201, 28-106.2015, or 28-106.301, Florida Administrative Code, as applicable. The petition must be in writing and received by the Agency Clerk for the Department within 21 days from receipt of this notice. The petition must be submitted by one of the following delivery methods:

By Mail:
Agency Clerk, Florida Department of Health
4052 Bald Cypress Way, BIN #A-02
Tallahassee, Florida 32399-1703;

By Hand Delivery:
Agency Clerk, Florida Department of Health
2585 Merchants Row Blvd.
Prather Building
Tallahassee, Florida;

By facsimile: 850-413-8743; or

By E-Filing: https://agency_clerk-fdh.mycusthelp.com/WEBAPP/_rs/supporthome.aspx?&lp=3

Mediation is not available.

Failure to file a petition within 21 days shall constitute a waiver of the right to a hearing on this agency action. If this notice becomes a Final Order, an adversely affected party is entitled to judicial review pursuant to section 120.68, Florida Statutes. The Florida Rules of Appellate procedure govern review proceedings. Review is initiated by filing, within 30 days of the date of the Final Order, a Notice of Appeal with the appropriate Court of Appeal in the appropriate District Court, accompanied by the filing fees required by law, and filing a copy of the Notice of Appeal with the Agency Clerk, Department of Health.