



STATE OF RHODE ISLAND  
DEPARTMENT OF BUSINESS REGULATION  
OFFICE OF CANNABIS REGULATION  
560 JEFFERSON BOULEVARD, SUITE 204  
WARWICK, RHODE ISLAND 02886

IN THE MATTER OF:

SUMMIT MEDICAL COMPASSION  
CENTER, INC.,

DBR No. 21OCR012

RESPONDENT.

CONSENT AGREEMENT

Reference is made to the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act, Rhode Island General Laws § 21-28.6-1 *et seq.* (the "Act") and Rules and Regulations Related to the Medical Marijuana Program Administered by the Office of Cannabis Regulation at the Department of Business Regulation, 230-RICR-80-5-1 *et seq.* (the "Regulations"). The Department of Business Regulation, Office of Cannabis Regulation ("Department") and Summit Medical Compassion Center, Inc., a Rhode Island Non-Profit Corporation ("Respondent"), hereby consent and agree that:

1. In January 2020 the Department received a complaint alleging that Respondent was conducting non-compliant cultivation activities in the basement of its cultivation facility.
2. On January 31, 2020 the Department conducted an inspection of Respondent's cultivation facility including inspection of the basement area where the alleged non-compliant cultivation activities were said to have taken place.
3. During the Department's January 31, 2020 inspection, the Department found no indication of the alleged non-compliant cultivation activities.
4. In July 2021, Respondent provided the Department with certain records. The records contained information regarding the alleged non-compliant basement activity. The records indicate that prior to the January 31, 2020 inspection, Respondent was cultivating marijuana plants in an area of its cultivation facility basement that did not have video surveillance cameras as required by 230-RICR-80-05-1.6.5(E).
5. The records further indicate that prior to the January 31, 2020 inspection, Respondent had ceased the non-compliant cultivation activity by destruction of the marijuana plants and termination of all cultivation activity in the facility basement area.


6. It is the Department's position that Respondent violated 230-RICR-80-05-1.6.5(E) by cultivating marijuana plants in an area of the facility without camera coverage.
7. Respondent's position is that it has demonstrated substantial compliance with the Regulations and undertook subsequent actions to remedy the non-compliant cultivation activity in a timely manner once it became aware that the activity violated the Regulations.
8. In an effort to affect a timely and amicable resolution of the issues raised in this Consent Agreement, the Department and Respondent enter into this Consent Agreement. This Consent Agreement is entered into and expressly conditioned upon the truth and accuracy of Respondent's representations set forth below and Respondent's satisfaction of the following terms and conditions:
  - A. Respondent represents to the Department that Respondent has provided the Department all records and full and complete information regarding the cultivation of marijuana in the basement area of Respondent's facility.
  - B. Respondent shall satisfy all the following conditions by the dates listed below, including but not limited to the delivery to the Department of the following items:
    - i. **Concurrently with execution of this Agreement**, Respondent shall provide to the Department documentation evidencing its appointment of a Compliance Officer satisfactory to the Department. The Compliance Officer shall be available at the licensed premises during all Department inspections.
    - ii. **Concurrently with execution of this Agreement**, Respondent shall pay to the Department an administrative penalty of five-thousand dollars (\$5,000) in the form of a cashier's check or money order, made payable to the "General Treasurer, State of Rhode Island."
    - iii. **No later than August 15, 2021**, Respondent shall submit to the Department an updated video camera surveillance plan with additional cameras required by the Department, if any, to ensure that all areas of Respondent's facilities', except where prohibited by law for privacy reasons (e.g., bathrooms), are captured by video surveillance cameras so that no "blind spots" exist; this plan will be subject to the Department's approval.
    - iv. **No later than thirty (30) days after the Department's approval of Respondent's updated video surveillance plan identified in ¶ 8(B)(iii)**, Respondent's Compliance Officer shall confirm in writing that said plan has been implemented; the Department reserves the right to conduct an on-site inspection to confirm that Respondent has satisfactorily implemented its updated video surveillance plan.
  - C. In addition to the providing evidence of complete satisfaction of the conditions on or before the correlating dates identified in ¶ 8(B), commencing September 15, 2021 and continuing on the 15<sup>th</sup> day of each December, March, June, and September thereafter, Respondent will submit **quarterly compliance certificates** to the Department via e-

mail to OCR Chief Matthew Santacroce at [Matthew.Santacroce@dbr.ri.gov](mailto:Matthew.Santacroce@dbr.ri.gov), OCR Chief Public Protection Inspector Peter Squatrito at [Peter.Squatrito@dbr.ri.gov](mailto:Peter.Squatrito@dbr.ri.gov) and OCR Senior Economic & Policy Analyst Erica Ferrelli at [Erica.Ferrelli@dbr.ri.gov](mailto:Erica.Ferrelli@dbr.ri.gov).

- D. Respondent shall supply the Department with any and all supplemental materials requested for verification of any representation or assertion made in any quarterly compliance certificates submitted to the Department as a result of Respondent's compliance with paragraph 8(C) of this Consent Agreement.
- E. Respondent acknowledges, understands and agrees that this Consent Agreement is based upon the records and information provided to the Department as of the date hereof and the Respondent's representations contained herein.
9. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1, *et seq.*
10. *Enforcement.* In the event the Respondent breaches any representation contained herein or fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, the Respondent will be in violation hereunder and the Department shall be entitled to immediately take enforcement or other action in accordance with applicable law.
11. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve the Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.

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**For the Department:**

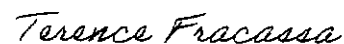


Signature

Printed Name: Matt Santacroce

Date: 7/26/2021

**For Respondent:**



Signature

Printed Name: Terence Fracassa

Date: Director  
7/26/2021

