Oregon Medical Marijuana Dispensary Program

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How did we get here?

– Passed as a Ballot Initiative in Nov 1998
– *vote of 54.6% to 45.4%.*
– Provides legal protections for qualified patients
– Requires a physician’s written statement
– Allows for a caregiver to provide assistance
– Mandates an OHA registration system
– *Implemented May 1, 1999*
How did we get here?

• Cards may be issued for following diseases:
  – Severe Pain
  – Spasms
  – Nausea
  – Cancer
  – Seizures
  – Cachexia
  – HIV/AIDS
  – Glaucoma
How did we get here?

• The program does NOT
• Create places to obtain or use marijuana
• Allow marijuana to be prescribed by any physician
• Provide comprehensive guidance
• Allow for unrestricted use
• Driving under the influence of marijuana
• Engaging in the medical use of marijuana in a public place or in public view, or in a correctional facility or youth correction facility
How did we get here?

- Delivering marijuana to any individual who the person knows is not in possession of a registry identification card
- Delivering marijuana for consideration to any individual, even if the individual is in possession of a registry identification card
- Manufacturing or producing marijuana at a place other than a marijuana grow site registered with the OMMP
- Manufacturing or producing marijuana at more than one address.
How did we get here?

• SB 1085, effective 2006
  – Defines mature plants vs seedlings
  – Allows 6 mature plants and 24 ounces of product
  – Clarifies patients ownership of plants
  – Limits growers to grow for up to four patients
  – Allows licensed health care professions to administer medical marijuana to a card holder in a licensed health care facility.
How did we get here?

• SB 161, effective 2008
  – Requires background check on growers
  – Requires applicants to affirm that medical marijuana will mitigate their symptoms
  – Allows revocation/denial of a card if a court order prohibits use of marijuana
  – Added Alzheimer’s disease to list

• SB 281, effective 2014
  – Added PTSD to list of reasons a card may be granted.
How did we get here?

• 64,838 Card holders
• 32,796 Care Givers
• 44,531 Grow Sites
  – 26,000 have just one patient
  – 1 grow site grows for 68 patients
• Every county in the state has all three
How did we get here?

• Patients by Age
  – 1000 less than 21
  – concentration 51-65 (35%)

• Patients by Gender
  – 61% male
  – 39% female
How did we get here?

- Disease
  - 62,000 pain
  - 16,000 muscle spasms
  - 9,000 nausea
  - 3,000 cancer
  - 1,500 PTSD
  - 1,000 each Glaucoma, seizures, Cachexia
  - 700 HIV/AIDS
  - 85 Alzheimer’s
How did we get here?

- Businesses which dispensed Medical Marijuana were opening.
- Completely unregulated.
- No rules for quality of product
- No protections of patient or public
- Build a box to govern dispensaries
How did we get here?

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How did we get here?

• Many operating in a manor raising issues
HB 3460--Dispensaries

• All dispensaries must be registered with the OHA.
• OHA shall register a dispensary if:
  – It is not within 1000 of a school
  – It is not within 1000 feet of another dispensary
  – Land zoned as industrial, commercial, agriculture or mixed use
  – Has a security system
  – Tests for pesticides, mold and mildew
• OHA shall register the person responsible for a dispensary if:
  – A resident
  – No conviction for the manufacture or delivery of a Schedule I or II controlled substance in last five years
HB 3460--Dispensaries

• Protections—
  – Allows a dispensary to accept an unlimited amount of marijuana and immature plants
  – Allows for the “reimbursement” by an OMMP cardholder for the cost of the product and normal and customary costs of doing business.
  – Allows a dispensary to “reimburse” a grower for the normal and customary costs of growing the product.

• OHA duties—
  – Develop rules
  – Register dispensaries and the person responsible for a dispensary annually
  – Conduct annual inspections
  – Audit dispensaries for product shortages
  – Establish fees
HB 3460--Dispensaries

• What the bill does not do:
  – Govern how a grower conducts his/her business
  – Govern how medibles are made or manufactured
  – Govern laboratories that test product
• What a dispensary licensed by OHA should look like