



Pennsylvania's Medical Marijuana Program

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Vision

The Pennsylvania Department of Health's vision is to have a high quality, efficient and compliant medical marijuana program for commonwealth residents with serious medical conditions as defined by Act 16.

Pennsylvania's Medical Marijuana Program

Mission

When fully implemented, the medical marijuana program will provide access to medical marijuana for patients with a serious medical condition through a safe and effective method of delivery that balances patient need for access to the latest treatments with patient care and safety.

The medical marijuana program will also promote high quality research into the efficacy of medical marijuana in treating a patient's serious medical condition.

Guiding principles

The Pennsylvania Department of Health (PADOH) will strive to develop and maintain a medical marijuana program that is viewed as:

- medically-focused and benefitting patients;
- consistent, competent and efficient;
- leading, innovative and research-driven; and
- transparent.

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What is medical marijuana?

- Pills, oil or topical forms such as patches or ointments
- A form medically appropriate to vaporize
- Tinctures and liquids



What is a “serious medical condition” under the act?

- Amyotrophic lateral sclerosis
- Autism
- Cancer
- Crohn's disease
- Damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity
- Epilepsy
- Glaucoma
- Human immunodeficiency virus (HIV)/Acquired immune deficiency syndrome (AIDS)
- Huntington's disease
- Inflammatory bowel disease
- Intractable seizures
- Multiple sclerosis
- Neuropathies
- Parkinson's disease
- Post-traumatic stress disorder
- Severe chronic or intractable pain of neuropathic origin or severe chronic or intractable pain in which conventional therapeutic intervention and opiate therapy is contraindicated or ineffective
- Sickle cell anemia

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Who will be able to obtain medical marijuana?

Patients who are residents of the commonwealth who have a serious medical condition that has been certified by a practitioner may obtain medical marijuana.

A patient may designate a caregiver, and the caregiver may obtain the medical marijuana for the patient.



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Can someone else obtain medical marijuana on behalf of a patient?

Patients can designate two caregivers.

- Caregivers must apply and register with the PADOH.
- Caregivers must complete a background check.



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Can patients with a serious medical condition receive medical marijuana if they are under the age of 18?

Yes, patients may use one of these as a caregiver:

- Parents
- Legal guardians
- Third-party caregiver



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Who is considered a "caregiver" under the act?

An individual 21 years of age or older, unless otherwise authorized, such as parents, legal guardians or third-party caregivers



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Can a caregiver be designated by more than one patient?

Yes. A caregiver can have up to five patients.



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How can a physician participate in the medical marijuana program?



- Hold a valid Pennsylvania medical license that is active and in good standing.
- Register with the PADOH.
- Complete a four-hour training.

How can a physician register for the medical marijuana program?

- Visit the PADOH website at www.medicalmarijuana.pa.gov.
- Click on physicians to find the practitioner registry.

PADOH recently published the list of approved practitioners to date.

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How can patients and caregivers apply for medical marijuana ID cards?



On Nov. 1, the PADOH launched the patient and caregiver registry.

Patient and Caregiver Registry

- The patient and caregiver registry is an online database created to allow patients and caregivers to participate in the medical marijuana program.
- All relevant patient and caregiver information will be stored in one location including the:
 - Patient certification which includes the patient's:
 - Serious medical condition;
 - Length of certification;
 - Form of medical marijuana or recommendation that the patient discuss dosage and form with a medical professional at a dispensary; and
 - Caregiver information.
 - Status of patient/caregiver registration
 - Medication dispensed to the patient/caregiver

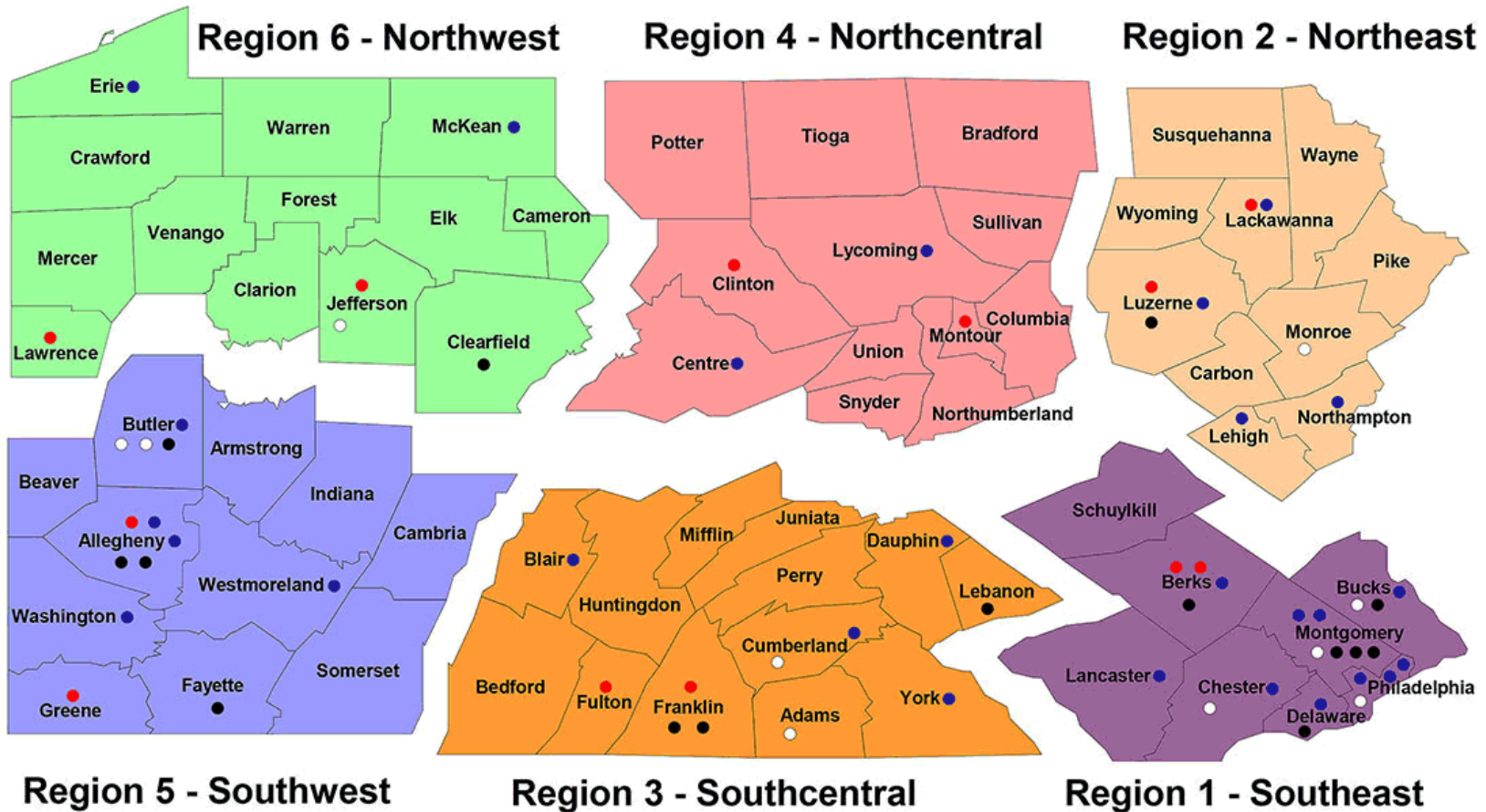
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Where will patients or caregivers obtain medical marijuana?

Patients and caregivers will obtain medical marijuana at an approved dispensary that has been issued a permit from the PADOH.



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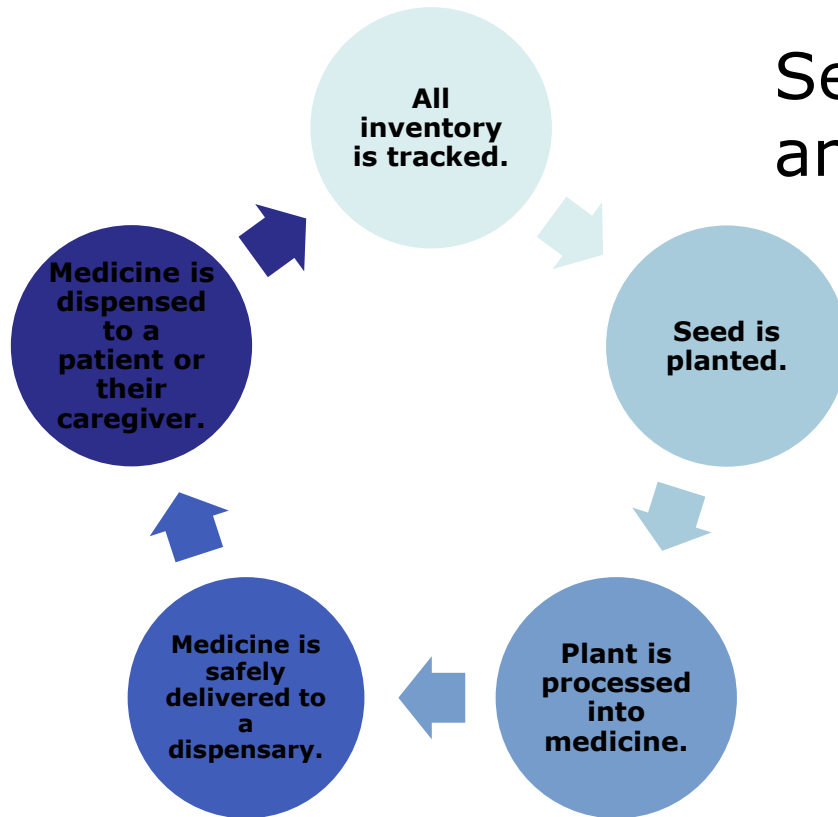
● Grower/Processor ● Dispensary Primary ● Dispensary 2nd ○ Dispensary 3rd

*Dots represent counties where permits are issued, not specific locations.

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How can the state prevent diversion of medical marijuana?

Seed to sale tracking system and patient/caregiver registry



- Tracks inventory
- Tracks all transportation of product
- Monitors dispensing
- Allows patients and caregivers to register online

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What is a Safe Harbor Letter?

The Safe Harbor guidelines state that a caregiver, who has completed an application provided by the PADOH and been approved, does not violate Act 16, or the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act if the caregiver legally obtains medical marijuana outside of Pennsylvania to administer to a minor, under the age of 18, who suffers from one of the 17 serious medical conditions covered by Act 16. The medical marijuana must be in one of the forms allowed under Act 16.



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How will my child take their medical marijuana at school?

Recommended guidance: A parent, legal guardian or caregiver may administer medical marijuana to their child/student on school premises, provided that they:

- provide the school principal with a copy of the Safe Harbor Letter; **and**
- notify the school principal, in advance, of each instance on which the parent or caregiver will administer the medical marijuana to the child/student.

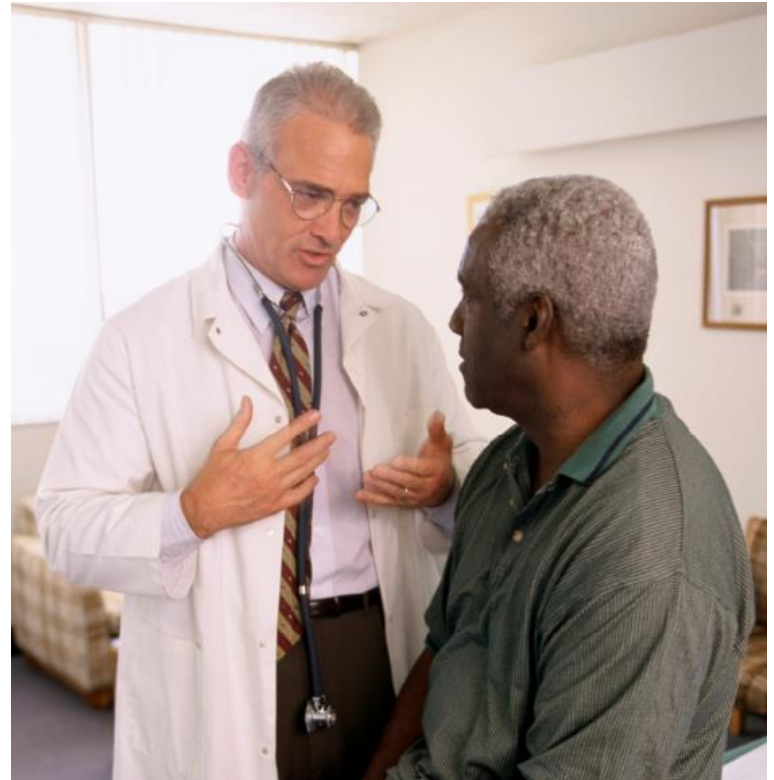


Read more at www.medicalmarijuana.pa.gov.

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What else will the Medical Marijuana Act do?

- Facilitate research
- Provide funding for:
 - Drug abuse prevention
 - Counseling and treatment services
 - Local police departments
- Help patients with associated costs:
 - Aid for application fee
 - Background checks for caregivers
 - Reduced costs for medical marijuana



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How can changes be made to Pennsylvania's medical marijuana program?

Medical Marijuana Advisory Board

Overview of Chapter 12

- Overview of Act 16 of 2016 Chapter 12 Medical Marijuana Advisory Board Chapter 12 defines the Advisory board establishment as follows:
 - The Medical Marijuana Advisory Board is established within the department. The advisory board shall consist of the following members:
 - (1) The secretary or a designee.
 - (2) The Commissioner of the Pennsylvania State Police or a designee.
 - (3) The chairman of the State Board of Pharmacy or a designee.
 - (4) The Commissioner of Professional and Occupational Affairs or a designee.
 - (5) The Physician General or a designee.
 - (6) The president of the Pennsylvania Chiefs of Police Association or a designee.

Overview of Chapter 12

- (7) The president of the Pennsylvania District Attorneys Association or a designee.
- (8) One member to be appointed by each of the following, which members shall be knowledgeable and experienced in issues relating to care and treatment of individuals with a serious medical condition, geriatric or pediatric medicine or clinical research:
 - (i) The Governor
 - (ii) The President pro tempore of the Senate
 - (iii) The Majority Leader of the Senate
 - (iv) The Minority Leader of the Senate
 - (v) The Speaker of the House of Representatives
 - (vi) The Majority Leader of the House of Representatives
 - (vii) The Minority Leader of the House of Representatives
- (9) One member appointed by the Governor, who shall be a patient, a family or household member of a patient or a patient advocate.

Overview of Chapter 12

The Medical Marijuana Advisory Board shall have the following duties:

- (1) To examine and analyze the statutory and regulatory law relating to medical marijuana within this Commonwealth;
- (2) To examine and analyze the law and events in other states and the nation with respect to medical marijuana;
- (3) To accept and review written comments from individuals and organizations about medical marijuana; and
- (4) To issue two years after the effective date of this section a written report to the Governor, the Senate and the House of Representatives.

Overview of Chapter 12

- (5) The written report under paragraph (4) shall include recommendations and findings as to the following:
 - (i) Whether to change the types of medical professionals who can issue certifications to patients
 - (ii) Whether to change, add or reduce the types of medical conditions which qualify as serious medical conditions under this act
 - (iii) Whether to change the form of medical marijuana permitted under this act
 - (iv) Whether to change, add or reduce the number of growers/processors or dispensaries
 - (v) How to ensure affordable patient access to medical marijuana
 - (vi) Whether to permit medical marijuana to be dispensed in dry leaf or plant form, for administration by vaporization

- (6) The final written report under this section shall be adopted at a public meeting. The report shall be a public record under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Overview of Chapter 12

The Act also has a section entitled: “Regulations based on recommendations of the advisory board” which states:

- After receiving the report of the advisory board under section 1201(j)(4), **at the discretion of the secretary, the department may promulgate regulations to effectuate recommendations made by the advisory board.** The secretary shall issue notice in the Pennsylvania Bulletin within 12 months of the receipt of the report of the advisory board. The notice shall include the recommendations of the advisory board and shall state the specific reasons for the decision of the secretary on whether or not to effectuate each recommendation.
- **The first report is due in May 2018.**

Subcommittee Development

- To ensure we develop a timely report and meet the goals of the Advisory Board, subcommittees have been created that evenly distribute roles and responsibilities.
- The duties have been broken down into the following subcommittees:
 - ▣ Regulatory;
 - ▣ Patient and Caregiver;
 - ▣ Medical; and
 - ▣ Final Report.

Subcommittee Development

- In an attempt to ensure we have equal representation and unique perspectives in the subcommittees, we wanted to create diverse groups.
 - For example, we purposefully included a patient on each subcommittee because patient input is vital in all areas, not just the patient and caregiver subcommittee.
- Each subcommittee will have a contact from the PADOH's Office of Medical Marijuana to help facilitate their duties.

Regulatory Subcommittee

- I recommend Larry Clark as the PADOH facilitator. Larry is a Deputy Director with the Office of Medical Marijuana. He was instrumental in developing all of the temporary regulations for the program and is a policy specialist.
 - ▣ Additional members of this group include:
 - ▣ **Janet Getzy Hart as the Chair**, Chair of the State Board of Pharmacy;
 - ▣ Molly Robertson, a patient advocate; and
 - ▣ John Adams, the President of the Pennsylvania District Attorneys Association.
 - ▣ This group will look at Section 1201-(j)(1), (j)(2), (j)(5)(i), (j)(5)(iv), (j)(5)(v), and (j)(5)(vi).

Patient and Caregiver Subcommittee

- I recommend Lolly Bentch as the PADOH facilitator. Lolly is the Patient Liaison for the Pennsylvania Medical Marijuana Program. She is the former Director and lead advocate for Campaign for Compassion.
 - Additional members of this group include:
 - **Tim Keller as the Chair**, a patient advocate;
 - Shalawn James, a patient advocate;
 - David Spotts, the President of the Chiefs of Police; and
 - Dr. Lanie K. Francis
 - This group will look at Section 1201-(j)(3), (j)(5)(ii), (j)(5)(iii), (j)(5)(v), and (j)(5)(vi).

Medical Subcommittee

- I recommend Susan Jones as the PADOH facilitator. Susan is an Administrative Officer with the Office of Medical Marijuana.
 - ▣ Additional members include:
 - ▣ **Sarah Boetang as the Chair**, Executive Deputy Secretary at the Department of Health;
 - ▣ Jennifer Shuckrow, a patient advocate;
 - ▣ Dr. Bill Trescher; and
 - ▣ Dr. William Goldfarb
 - ▣ This group will look at Section 1201- (j)(5)(ii), (j)(5)(iii), and (j)(5)(vi).

Final Report Subcommittee

- I recommend Holli Senior to serve as the PADOH facilitator. Holli is a Special Assistant in the Office of Medical Marijuana.
 - Other members include:
 - **Shannon Sprow as the Chair**, Executive Deputy Chief Counsel for the Bureau of Professional and Occupational Affairs;
 - Luke Shultz, a patient advocate; and
 - Robert Evanchick, Lieutenant Colonel - Deputy Commissioner of Operations for the Pennsylvania State Police.
 - This group will look at Section 1201- (j)(4), and (j)(5).

Additional Opportunities

- Experienced members with diverse backgrounds
- Ability to serve on multiple subcommittees
- Time commitment

Questions?

Visit our website for updates on implementation.

www.medicalmarijuana.pa.gov

To contact the staff at the Pennsylvania Office of Medical Marijuana, send an email to RA-DHMedMarijuana@pa.gov.