



Medical Cannabis in Minnesota

April 8, 2019

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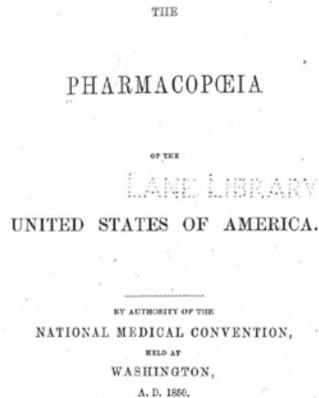
Sensible Minnesota



History of Prohibition

1850

The US Pharmacopeia lists cannabis as a medicine (removed in 1942)



1930

The Federal Bureau of Narcotics is formed and headed by Harry Anslinger



1900-1910

States begin to regulate cannabis under "poison" laws requiring labeling or sometimes prescriptions.

1937

The Marihuana Tax Act of 1937 is passed, placing a tax on the sale of cannabis.



1961



SINGLE CONVENTION
ON
NARCOTIC DRUGS, 1961

The UN Single Convention on Narcotic Drugs creates an international treaty that prohibits production and supply of different drugs.

1970

The Controlled Substances Act was passed, creating “schedules” for drugs.



1938

“Pure Food, Drug & Cosmetics Act” created FDA and labels cannabis a dangerous drug.



1973

Creation of the Drug Enforcement Administration.



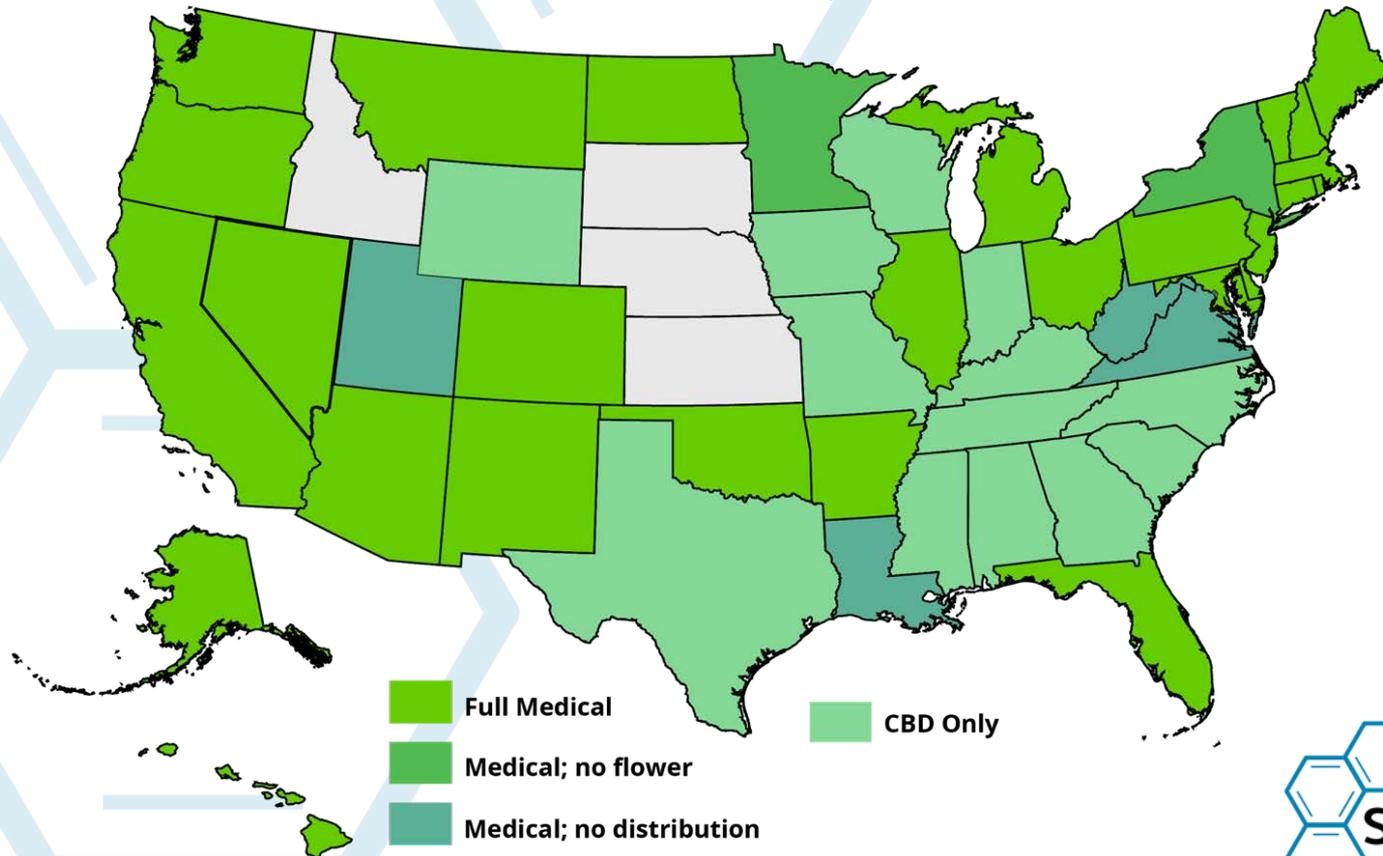
Current Federal Law

- Marijuana is a Schedule I drug under the Controlled Substances Act.
- Schedule I drugs have a high potential for abuse and have no medical use in the United States.
- Other Schedule I drugs include mescaline, MDMA, GHB, ecstasy, bath salts, LSD, and heroin.
- Doctors cannot prescribe from Schedule I
- Methadone, cocaine, methamphetamine, benzodiazepines, and morphine are all Schedule II substances, which a doctor can prescribe.
- The manufacture, sale, and/or distribution of cannabis (medical, industrial, or otherwise) violates federal law.



- 46 states, plus the District of Columbia have legalized *some form* of medical cannabis.
- 33 of those states, plus the District of Columbia have legalized medical cannabis without restrictions on THC
- 29 of those states, plus the District of Columbia, allow patients to access raw cannabis

Medical Cannabis
March 2019



Minnesota's Recent History

- 1980
 - Medical cannabis “legalized” in 1980 under the “THC Therapeutic Research Act”
 - Permitted FDA approved clinical trials for the use of cannabis to treat side effects of chemotherapy
- 2009
 - Medical cannabis for terminally ill patients passes the House & Senate, but is vetoed by then-Governor Tim Pawlenty
- 2014
 - Comprehensive medical cannabis proposal passes Senate; a more restrictive version that what we have now passed the House after a threat of veto by then Governor Mark Dayton
 - A conference committee convened to compromise to what we have now
 - Former Governor Mark Dayton signed the Medical Cannabis Therapeutic Research Act into law
- 2015 - Intractable Pain approved
- 2016 - PTSD approved
- 2017 - Autism Spectrum Disorder & Obstructive Sleep Apnea approved
- 2018 - Alzheimer's Disease approved

Qualifying Conditions

1. Cancer associated with severe/chronic pain, nausea or severe vomiting, or cachexia or severe wasting
2. Glaucoma.
3. HIV/AIDS
4. Tourette Syndrome
5. Amyotrophic Lateral Sclerosis (ALS)
6. Seizures, including those characteristic of Epilepsy
7. Severe and persistent muscle spasms, including those characteristic of Multiple Sclerosis.
8. Inflammatory bowel disease, including Crohn's disease
9. Terminal illness, with a probable life expectancy of less than one year*
10. Intractable pain
11. Post-Traumatic Stress Disorder
12. Autism
13. Obstructive Sleep Apnea
14. Alzheimer's Disease (August 1, 2019)

Medical Cannabis Delivery Methods

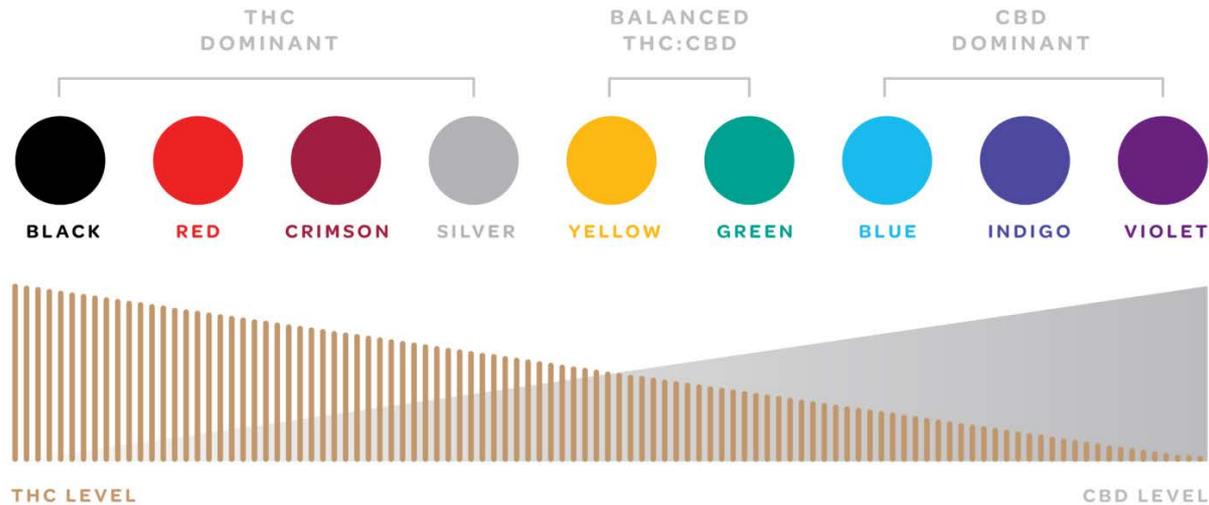
Minnesota only allows:

- Capsules
- Liquids
- Oils to vaporize
- Topical

* No plant material, and no smoking, is permitted.

Medical Cannabis Products

MINNESOTA 
MEDICAL SOLUTIONS
A VIREO Health Company



Locations:

- Minneapolis
- Bloomington
- Rochester
- Moorhead



Medical Cannabis Products



leafline labs



Locations:

- St. Paul
- Eagan
- St. Cloud
- Hibbing



Process for Registering - Patients

1. Contact Health Care Practitioner with Patient Email & Acknowledgment Form, and request a visit summary.
2. Wait for Health Care Practitioner Certification
3. Register Online
4. Fill Out Self-Evaluation Form
5. Visit Cannabis Patient Center

Practitioner Information

Certifying Providers:

- Medical doctor, physician assistant, advanced practice registered nurse.

Enroll in the Medical Cannabis Registry. You will need:

- General information: name, address, email and phone.
- Your medical license.
- Your DEA license.
- General information about the clinic(s) where you practice.

** MDH will not maintain or share with the public any list of practitioners who are participating in the program.

** Providers are not required to participate in any training, before certifying qualified patients.



“What is my role in the program, and what are my responsibilities?”

To use medical cannabis, all patients must register with the program and have their condition certified by a qualified health care practitioner. (Patients must renew this certification annually with a qualified health care practitioner.)

In your role as a healthcare practitioner in the program, you do not prescribe medical cannabis to patients. Instead, you are expected to assess your patient’s health and:

- Certify if your patient has a qualifying medical condition; by doing so you attest that you:
- Have sufficient knowledge of your patient’s history, physical findings and test results to make the diagnosis
- Are available for ongoing management of your patient’s medical condition
- Indicate if your patient has a disability that prevents him or her from accessing or self-administering medical cannabis (in this situation, your patient would require a caregiver)
- Acknowledge a legitimate medical relationship with your patient

When your patient schedules a condition certification appointment with you, these are the steps you'll follow to certify his or her condition:

- Review your patient's medical records, diagnostic tests and laboratory results to confirm their diagnosis
- Ask your patient for their signed **Patient E-Mail and Acknowledgement form**
- Provide your patient with a visit summary that includes a list of their prescribed medications and medical conditions
- Log in to the Patient Registry and click the "certify patient" link in the upper left corner of the screen
- Enter your patient's e-mail address from the Patient E-Mail and Acknowledgement form

Once you have completed these steps, your role in your patient's condition certification is complete. **Please note: Patient's application must be complete within 90 days of the certification. Condition certification is valid for one year.**

- Under the amendment, protections and immunities are extended to employees of health care facilities to possess medical cannabis while carrying out their employment duties, including providing care to or distributing medical cannabis to a patient who is registered in the Minnesota Medical Cannabis Patient Registry and is actively receiving treatment or care at the facility.
- According to 152.32, subd. 2(c): Health care practitioners are not subject to any civil or disciplinary penalties by the Board of Medical Practice or the Board of Nursing solely for participating in the Program.

For your convenience, program-related resources including the latest legislative news, fact sheets and clinical research, are available on the OMC website,

mn.gov/medicalcannabis



Caregiver Information

If the patient wants to name Caregiver(s) to assist in obtaining or administering medical cannabis, the patient should ask the health care practitioner to allow them to add a Caregiver during the certification process. Parents and legal guardians of the patient may act as a Caregiver for the patient without going through the Caregiver approval process.

When a patient adds a Caregiver to the patient's registry account, the Caregiver will receive an email invitation to set up their own Caregiver account in the online Patient Registry. Before being added to the registry, the Caregiver applicant must provide: name, address, date of birth, phone number, and a Government-issued ID: State ID card, Driver's License or Passport.

The Caregiver will also need to request a criminal background check via the Minnesota (MN) Bureau of Criminal Apprehension. A Caregiver applicant must send three things to the MN Bureau of Criminal Apprehension to complete the background check process:

1. A completed background check consent form;
2. A check for \$15.00 payable to: "MN Bureau of Criminal Apprehension"; and
3. An empty envelope addressed to: "Office of Medical Cannabis PO Box 64882 St. Paul, MN 55164-0882" with a postage stamp on it. This envelope will be used by the MN Bureau of Criminal Apprehension to send the completed background check results to the Office of Medical Cannabis,

More information can be found on MDH, OMC's website:

<https://www.health.state.mn.us/people/cannabis/caregivers/index.html>



Patient Rights

- Caregiver/patient may possess medical cannabis from an approved Minnesota medical cannabis manufacturer
- Law enforcement cannot access the registry without a valid search warrant
- Discrimination is prohibited in:
 - housing,
 - school,
 - family court,
 - employment, and
 - organ transplants,
 - unless a federal benefit is at stake

How is it working?

- A Department of Health survey of early intractable pain patients found that 64% of those who were on opioids when they entered the program, were able to reduce their intake or wean off them after six months.
- Research has shown that medicinal cannabis is associated with significant reductions in opioid prescribing in both the Medicaid and Medicare Part D populations.
- According to a study published in the Journal of Oncology Practice using data from Minnesota, patients with cancer enrolled in Minnesota's medical cannabis program showed significant reduction across all eight symptoms assessed within 4 months of program participation. Medical cannabis was well tolerated, and some patients attained clinically meaningful and lasting levels of improvement.
- The biggest complaint from both patients and HCPs was the price of medical cannabis

Patient Barriers

- **Affordability - Health Insurance**

- Health insurance, including PMAP and MN Care, does not cover medical cannabis due to its status as a federal Schedule I drug
- In some instances, workers' compensation and PIP (motor vehicle) insurance has covered medical cannabis

Patient Barriers

- **Affordability - Cost of Product**

- Through our programs, we have interacted with thousands of patients. Every patient we've talked to has cited cost of medical cannabis as a barrier to access.
- In a 2016 report by the Minnesota Department of Health Office of Medical Cannabis, 86% of survey respondents indicated cost was a barrier to access.
- Minnesota's prices are substantially higher than other markets. In Minnesota, a cartridge from Leafline Labs, costs \$73, eighteen cents per milligram. Minnesota Medical Solutions sells their cartridges, with only 250 milligrams of THC for \$59, or twenty-four cents per milligram.

State	Producer	CB D	THC	Price	\$/mg
Minnesota	Leafline	20	400	\$73	\$0.18
Minnesota	MinnMed	0	250	\$59	\$0.24
Arizona	Nature's Medicines	0	350	\$28	\$0.08
Illinois	Cresco Labs	0	410	\$30	\$0.07
Oregon	The CO2 Company	2	340	\$30	\$0.09
Washington	Top Shelf	8	420	\$27	\$0.06

1/2 milliliter/milligram high-quality vapor cartridges



Patient Barriers

- **Accessibility:**

- Eight patient centers statewide, one per congressional district*
- Limited hours, especially at patient centers outside of the Twin Cities
- Only available in liquid, pill, oil, or topical form
- Two registered manufacturers
- Patients can't be caregivers and caregivers can't be patients*
- Caregivers are only permitted when a patient is unable to obtain or self-administer medical cannabis, at the discretion of their doctor*
- Patients can only obtain a 30 day supply

* issues addressed by current legislation

Patient Numbers

- As of Friday, March 8, 2019: 15,416 patients enrolled in MN.
- Over 7,000 patients have dropped their enrollment since the registry began in 2015.
- From July 2018 through December 2018, fewer than 11,000 registered patients made a purchase from a state registered manufacturer.
- New York and Pennsylvania legalized medical cannabis shortly after Minnesota, and now each have around 100,000 patients; adjusted for population that is nearly 30,000 and 40,000 patients respectively.
- A model like Arizona would create access for over 150,000 Minnesotan patients.

HIV/AIDS & Medical Cannabis in Minnesota

Patients certified (01/2019): 98
(one percent)

Ages

0 - 4: zero patients.

5 - 17: zero.

18 - 24: three.

25 - 45: twenty.

36 - 49: thirty six.

50 - 64: thirty seven.

65+: two.

Median age: 45.1

Patients living with HIV or AIDS utilize medical cannabis to treat:

- inflammation
- pain
- nausea
- vomiting
- appetite loss/ weight loss
- fatigue
- insomnia
- anxiety
- depression

Changes?

- Legislation moving through the legislature now:
 - Eight more patient centers
 - Two manufacturers to wholesale product to each other
 - Hemp growers to sell hemp to medical cannabis manufacturers
 - Students use in school
 - Patients can obtain a 90 day supply
 - Allowing patients to be caregivers, and caregivers to be patients
 - Caregiver when patient “needs assistance”
- Other proposals:
 - Veteran certification using VA disability letter
 - Adding vaporized raw cannabis as an allowable ingestion method
 - Adding “chronic pain” and opiate replacement as qualifying conditions
 - Removing qualifiers from cancer and terminal illness

House Health & Human Services Omnibus Bill 2019

Amendment outline:

- A1: adds chronic pain and “any chronic condition for which an opiate could otherwise be prescribed.”
- A2: removes language about cancer and terminal illness patients needing to have severe pain, nausea, cachexia, wasting, etc. and removes from terminal illness the “with less than one year to live” language.
- A3: adds vaporized raw cannabis as an allowable delivery method.

Sensible Minnesota Patient Program

- Keeps running list of HCPs we're aware of that certify
- Clinics published on our website with option to opt out
- Helps patients find a provider
- Answers general questions about the program
- Assists with registration process
- Acts a liaison between patients and Office of Medical Cannabis and/or manufacturers if issues are brought to our attention
- Operates a Facebook group for patient support

Questions?

Please feel free to contact
Sensible Minnesota with any
future questions.

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