



# Americans for Safe Access

Activist Newsletter

Defending Patients' Access to Medical Cannabis

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## MEDICAL CANNABIS 2013 YEAR IN REVIEW

### Pharmacopeia Adds Cannabis

In December, the American Herbal Pharmacopeia (AHP) added cannabis to its list of accepted herbal medicines -- 70 years after it was removed from the U.S. Pharmacopeia. The cannabis monograph places the plant alongside Complementary and Alternative Medicines (CAM) and establishes standards that give patients, providers and health care professionals a basis for improved quality assurance.



The comprehensive overview of cannabis reflects the consensus opinion of the world's leading experts from scientific research, pharmaceutical development and naturopathic medicine. The cannabis monograph is being released in two parts. The first, *Standards of Identity, Quality, and Testing*, covers the plant's botany and constituent components and provides scientifically valid ways of assessing the identity, purity, potency, and quality of cannabis products. Regulators are implementing quality assurance protocols based on these standards.

The second part, the *Therapeutic*

*Compendium*, catalogs both the history of therapeutic uses and contemporary medical research on the broad variety of conditions cannabis can treat. The *Compendium* covers indications, contraindications, side effects, dosing, preparations, safety, use in pregnancy, and interactions with conventional medications.

Americans for Safe Access helped underwrite the preparation of the monograph, and among the contributors are ASA Foundation Board Member Dr. Michelle Sexton, ND, and ASA Executive Director Steph Sherer.

### Cannabis Cover of HerbalGram

In February, cannabis made the cover story of *HerbalGram*, the journal of the American Botanical Council, for the first time in its 30-year publishing history. The issue's cover story was on Israel's medicinal cannabis program. "From our perspective, cannabis is just another medicinal plant--one with a compelling history and an apparently promising future," said *HerbalGram* editor and founder Mark Blumenthal.



### AHPA Issues Standards

Last January, the national trade association focused on botanicals and herbal products issued guidelines on cannabis for state regulators. The recommendations on best practices for cultivation, distribution and packaging resulted from a year of collaboration between ASA and the American Herbal Products Association (AHPA).

The AHPA sent the recommendations to state officials who regulate medical cannabis production and distribution. Founded in 1982, AHPA has more than 340 industry members. The AHPA established a Cannabis Committee in 2010 to address safe use and responsible commerce of cannabis products. The Committee began collaborating with ASA in 2012 to gain feedback from medical cannabis producers, distributors and laboratories in California, Colorado, Maine, New Mexico and Washington State.

### ASA Launches Certification

In December, Americans for Safe Access launched a new nationwide program to certify the quality and reliability of medical cannabis products sold at licensed businesses. Patient

Focused Certification (PFC) is the only nonprofit, third-party certification for the medical cannabis industry based on new quality standards issued by the AHPA and the AHP.



The certification process, which is overseen by a review board of scientists, doctors, and industry and regulatory experts, includes a scheduled physical audit, a staff training audit, a complaint process and at least one surprise audit annually. PFC-certified products and businesses will exhibit the PFC seal on their marketing, promotions and packaging to help patients make educated purchasing decisions. Certifications are pending in Arizona, California, Colorado, Maine, New Mexico and Washington.

### Dr. Gupta Endorses Cannabis

In August, Dr. Sanjay Gupta went on a public apology tour for his previous opposition to medicinal cannabis, saying he and the American public have been "systematically misled" by the federal government. The apology came in advance of Dr. Gupta's CNN Special Report on cannabis that documented the research being conducted in Israel and the remarkable results being achieved with severe pediatric seizure disorders. Dr. Gupta, a neurosurgeon who was a leading contender to be named US Surgeon General, said the DEA's classification of cannabis has no basis in fact, and that sometimes for some patients it is the only medicine that works.

### ASA Partner on TheAnswerPage

In May, ASA launched an educational tool about medical cannabis on TheAnswerPage.com, an informational website sponsored and accredited by the Massachusetts Medical Society. The new resource features a daily Q&A on Facebook and Twitter written for the layperson, as well as a crossword puzzle on Saturdays on the ASA blog. TheAnswerPage.com also offers Continuing Medical Education courses on cannabis. TheAnswerPage.com provides information on the five most studied cannabinoids, the endocannabinoid system, state and federal marijuana laws, and the FDA drug-approval process.

\$300 million, despite his repeated pledges to not use federal funds to interfere with state programs. Under Obama, federal prosecutors have also sent threatened hundreds of individuals with asset forfeiture and criminal prosecution, resulting in the closure of more than 500 dispensaries across the country. ASA's report recommends Congress prevent funds from being spent prosecuting anyone in compliance with state medical cannabis programs. The report also calls for the compassionate release of medical marijuana patients, as well as the passage of federal legislation that would reclassify marijuana for medical use.

### ASA Hosts National Conference and Historic Lobby Day, Announces 2014 Dates

Americans for Safe Access hosted the Medical Cannabis Unity Conference and Lobby Day in Washington, D.C. at the end of February. More than 300 participants from 34 states met for three days of education, strategy development and skills building, followed by a day of lobbying that included visits to more than 200 legislative offices. The weekend conference featured workshops and panels on achieving policy change, as well as Continuing Education sessions for legal and medical professionals. ASA's second annual National Medical Cannabis Unity Conference in Washington, DC is scheduled for April 5-7, 2014.

## FEDERAL POLICY CHANGES, COSTS, LOBBY DAY

### Senate Hearings on DOJ Memo; ASA Report

In November, ASA released an analysis of the Obama Administration's third memo from the Department of Justice on federal enforcement guidelines. The report, "Third Time the Charm? State Laws on Medical Cannabis Distribution and Department of Justice Guidance on Enforcement," shows that states with medical cannabis laws already satisfy federal concerns. The ASA report says the federal government should defer to local and state enforcement and notes all three DOJ memos have said personal cultivation is not an enforcement concern. The report recommends Congress prevent DOJ funds from being spent on enforcement in medical cannabis states until the DOJ provides "metrics" for evaluating compliance with their enforcement priorities. As a long-term solution, the report urges Congress to adopt HR 689, which would reclassify marijuana for medical use.

### ASA Finds Federal Meddling Costs Millions

The federal government has spent nearly half a billion dollars interfering with state medical cannabis programs since 1996, according to analysis released by ASA in June. The report, "What's the Cost? The Federal War on Patients," details how President Obama's Administration has been by far the worst of the past three, spending approximately

# STATE DISTRIBUTION PROGRAMS EXPAND

## Illinois is 20th Medical Cannabis State

On August 1, Illinois became the 20th state to legalize medical cannabis. The 'Compassionate Use of Medical Cannabis Pilot Program' Act creates a framework for licensed dispensaries across the state and protects qualified patients from arrest and prosecution and establishes. The law allows registered patients to obtain up to 2.5 ounces every two weeks. The law takes effect January 1, and officials have been working on regulations, but the four-year trial program will not be running until late 2014. Nearly 40% of Americans live in medical cannabis states.

## New Hampshire is 19th Medical Cannabis State

New Hampshire became the 19th medical cannabis state in July. HB 573 creates a registry identification card system, provides an affirmative defense for cardholders and authorizes up to four non-profit dispensaries from which up to two ounces may be obtained in a ten-day period. Rulemaking has begun and registry ID cards are expected to be available later in 2014.

## Massachusetts Officials Listen to Patients

Health officials in Massachusetts in May approved final regulations for the medical cannabis program voters passed by 63 percent in November 2012. The rules reflect input from public sessions that included testimony from medical cannabis patients and other stakeholders, including ASA board member Dr. Karen Munkacy, the Massachusetts Patient Advocacy Alliance (MPAA) and the American Civil Liberties Union (ACLU). Among the changes from the draft regulations, the final rules allow patients to obtain their medication from more than one dispensary and removed restrictions on access for minors. Qualifying patients may obtain up to 10 ounces in a

60-day period from up to 35 licensed dispensaries.

## 15 Years Later, Access in Washington, D.C.

The first legal medical cannabis sales began at the end of July in the District of Columbia, 15 years after the voters approved a ballot referendum. Three dispensaries and six cultivation centers are licensed in the District. Voters passed a 1998 ballot measure with 69 percent support, but it was blocked by an act of Congress, which lifted the ban in 2009, but the District rulemaking process took several years.

## Hawaii Approves Program Changes

In June, Hawaii changed its medical cannabis program to shift its supervision from law enforcement to public health officials and to expand the amount and types of usable cannabis patients may possess. The changes don't take effect until January 2015.

## New Jersey Expands Program to Minors

After pressure from parents, New Jersey Gov. Chris Christie in September signed legislation to make it easier for minors to access and use medical cannabis. The bill makes the registration process for minors similar to adults and allows them to use edible forms of medical cannabis.

## Arizona Overturns Bans, Probation Denial

Rulings by Arizona judges in October established that qualified patients can continue to use medical cannabis while on probation and local governments cannot ban dispensaries. In the probation case, a Yavapai County Superior Court reversed a blanket probation provision prohibiting the use of cannabis. In the zoning case, a Maricopa County Superior Court held that the county "may not use its zoning powers to violate state law."

## ACTION ALERT: Register for 2014 Conference!

ASA's second-annual National Medical Cannabis Unity Conference, "Navigating Medical Cannabis in the Mainstream," will be held in Washington, DC from April 5-8, 2014.

This is our chance to show our strength in unity and make our voice heard like never before in the nation's capitol! Network with other activists from around the country and attend panels and workshops to improve your skills. Last year we had over 300 advocates march on Washington on our lobby day, the largest ever for safe access. Don't miss your chance to be a part of history. Register today for reduced Early Bird rates!

[AmericansForSafeAccess.org/national\\_medical\\_cannabis\\_unity\\_conference\\_2014](http://AmericansForSafeAccess.org/national_medical_cannabis_unity_conference_2014)

## Become a Member

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## Delaware Restarts Dispensary Plan

Delaware's governor restarted implementation of a dispensary program in August more than two years after it was suspended over warnings from the Department of Justice that state officials could be subject to prosecution. The state will license a single dispensary to cultivate cannabis and distribute it to registered patients, who currently have no legal means of obtaining it.

## ASA Fighting Restrictions in Washington

ASA helped reverse a proposed ban on cultivation by patients and caregivers in Washington State. After a state work group in October recommended highly restrictive new rules for medical cannabis, ASA Executive Director Steph Sherer held meetings stakeholders across the state to plan a response. An OpEd by Sherer in the Seattle Times urged changes in the proposal, as did formal comments ASA submitted to the Liquor Control Board. Final recommendations that went to the state legislature did not include the work group's proposed ban on cultivation.

## Arkansas 2014 Initiative Campaign Launch

Medical cannabis advocates Arkansans for Compassionate Care (ACC) and Americans for Safe Access (ASA) joined forces to put an initiative on the 2014 ballot there. The campaign was launched in November with 300-plus volunteers gathering more than 6,000 signatures. Two years ago, a similar initiative made the ballot only to be narrowly defeated. Organizers have until July 7, 2014, to submit roughly 62,000 signatures.

## California Supreme Court Affirms Dispensaries are Legal in State

In an appeal ASA argued, the California Supreme Court last January affirmed medical cannabis dispensaries are lawful. The Court denied review of a unanimous ruling from the Fourth District Court of Appeal in the case of People v. Jackson, which reversed the conviction of former San Diego dispensary operator Jovan Jackson and established a state-law defense for dispensary operators.

## L.A. Voters Approve Dispensary Regs

In May, the nation's second-largest city established regulations for medical cannabis dispensaries. Voters in Los Angeles approved Measure D, which sets hours of operation, location rules and other regulations for more than 100 dispensaries that had registered with the city in 2007. The measure requires them to operate not-for-profit, pay a 6% local tax, and locate at least 600 feet from sensitive facilities.