



Americans for Safe Access

Activist Newsletter

Defending Patients' Access to Medical Marijuana

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New Hampshire, Illinois Each Pass Medical Cannabis Bills

New Hampshire and Illinois are in a race to see which will become the nation's 19th medical cannabis state.

The third time may be the charm for the Granite State, where the New Hampshire Senate passed HB573 by a vote of 18-6 on May 23. The bill is now in conference committee to iron out minor differences with the version that passed the state house 286-64. Similar legislation has passed twice before in the past four years, only to be vetoed by former-Governor John Lynch. The current governor, Maggie Hassan, is expected to sign the bill, since lawmakers eliminated provisions for per-

sonal cultivation and made other changes at her request. Once the new law is implemented, qualified patients will be able to obtain medical cannabis from licensed dispensaries. A February poll found 79% of adults in New Hampshire support safe access to medical cannabis.

Illinois may beat out their New England rival, as the state senate on May 17 approved HB1 on a vote of 35-21, a month after the state house passed it. The bill is now awaiting the signature of Illinois Governor Pat Quinn, who has said he is "open minded" on it. HB1 is a temporary measure, as the law will have a

four-year sunset, meaning lawmakers will have to pass another bill in 2017 to continue the program. Like New Hampshire, patients would not be able to cultivate their own medicine but will have to rely on licensed dispensaries for access. Qualifying patients would be allowed to obtain up to 2.5 ounces in a two-week period from one of what are to be 60 dispensing centers. A February poll found 63% of Illinois voters support safe access.

DOJ Intent on Closing Respected Dispensary

Berkeley Patients Group may be one of California's oldest and most respected medical cannabis dispensaries, but federal prosecutors won't give up on shutting it down.

The dispensary has already closed and moved once in response to threats from U.S. Attorney Melinda Haag, but within months of opening at a carefully chosen location, their new landlord is now being threatened with seizure of the property BPG rents. Federal prosecutors have leveled similar threats against hundreds of landlords around the country, resulting in the closure of more than 200 dispensaries.

Local, state and federal elected officials denounced the Justice Department's action. A resolution by Berkeley City Council members says "BPG has served as a national model of the not-for-profit, services-based medical cannabis dispensary" and notes that over the past 14 years it has provided good jobs, paid millions of dollars of taxes, and been a significant donor to dozens of other organizations in the community. Other elected officials who issued statements in support of BPG include Congressman Barbara Lee, State Assemblymember Tom Ammiano, and Board of Equalization member Betty Yee.

The forfeiture complaint alleges no local or state law violations, and the dispensary has worked so closely with city officials that the Berkeley City Council in 2009 declared a special "Berkeley Patients Group Day" to commemorate their decade of service to the community.

"Berkeley Patients Group intends to vigorously defend the rights of its patients to be able

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Mass. Health Officials Approve Regulations

Health officials in Massachusetts on May 8 approved final regulations for the medical cannabis program voters passed by 63 percent last November.

The commonwealth's Public Health Council had final say on regulations issued by the Department of Public Health (DPH). The rules, which took effect May 24, were crafted with extensive input from public sessions that included testimony from medical cannabis patients and other stakeholders.

Americans for Safe Access, in coalition with the Massachusetts Patient Advocacy Alliance and the ACLU, worked with DPH to shape the final regulations. Among the changes from the draft regulations, the final rules allow patients to obtain their medication from more than one dispensary and removed onerous restrictions on access for minors whose doctors recommend medical cannabis.

"The final regulations ease some of the obstacles that would have been created by the draft



Dr. Munkacy

regulations for physicians who want to incorporate this medicine into their practice," said ASA Board Member Dr. Karen Munkacy, an anesthesiologist and delegate to the Massachusetts Medical Society who provided extensive input to DPH.

The new law allows qualifying patients with a recommendation from their physician to use medical cannabis and obtain up to 10 ounces in a 60-day period from a registered Medical Marijuana Treatment Center (MMTC). MMTCs will be licensed to cultivate, process, and sell medical cannabis under the supervision of the state's health department.

"The Massachusetts Department of Public Health has been receptive to patient concerns," said ASA Executive Director Steph Sherer. "We are pleased with many improvements made to the draft regulations."

L.A. Voters Approve Dispensary Regulations

After more than seven years of failed efforts by the Los Angeles City Council, voters in the nation's second largest city overwhelmingly approved a measure to establish regulations for medical cannabis dispensaries.

The May 21 election saw 63% of voters approve Measure D, one of two competing measures on the ballot. The new law establishes hours of operation, location rules and other regulations for the more than 100 dispensaries



ASA's Don Duncan

that registered with the city in Sept. 2007.

"At long last, patients in Los Angeles can now expect consistent, safe and legal access to their medication," said Don Duncan, ASA's California Director.

"During the transition, the city should allow

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ACTIVIST SPOTLIGHT: Bunny Hethcox, Wisconsin

Bunny Hethcox is a 54-year-old mother of two and grandmother of six. A real estate broker for 17 years, Bunny taught her kids drugs were bad. But Bunny also suffers from fibromyalgia, PTSD, depression and anxiety, and one day, while with her son, she had a bad panic attack and was unable to find her Xanax. She was sweating and shaking when her son pulled a joint from his pocket and said "I think you need this more than I do." It took her a minute to decide whether to yell at him or try it, but once she did, she discovered that cannabis calmed her considerably.



Bunny Hethcox (center), on Lobby Day in D.C.

Hydrocodone, oxycodone, codeine, Demerol and various other drugs had failed to ease the pain of her fibromyalgia, but after using medical cannabis for several months for her anxiety, she found that the pain lifted and her intense PTSD symptoms became tolerable. That got her doing some research on cannabis and the history of its prohibition.

Last January, she got involved with politics for the first time, doing a lobby day at the

Wisconsin state capitol. After a disappointing visit with her representative, she decided to find help changing the law. She came across the ASA website only ten minutes before the deadline for scholarship applications to ASA's National Conference in Washington D.C., but got it in on time. She got the scholarship, and off she went on her first trip to DC, worried about flying alone and what she'd find at the conference.

After meeting doctors, scientists, lawyers and leaders of medical research from the Netherlands, Canada and Israel, she knew she needed to do what she could to help people get safe and legal access. She asked how to start an ASA chapter in Wisconsin, and on April 13, Bunny held the first meeting.

"We are now on our way to help Wisconsin become a legal State," she says. "I have two choices, live in pain and suffer with anxiety and depression by keeping the law or break the law by medicating myself with cannabis to live a normal life. I choose cannabis."

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dispensaries to voluntarily comply with the new law and rely on enforcement measures only if necessary."

Measure D, which was placed on the ballot by a vote of the LA City Council, contains many provisions sought by patient advocates and other industry stakeholders. LA dispensaries will be required to operate as nonprofits, pay local taxes, and locate at least 600 feet from sensitive facilities such as schools, public parks, drug abuse treatment facilities, and places of worship, as well as other medical cannabis businesses. Measure D also raises the local tax rate on the sale of medical marijuana from 5 to 6 percent.

Last July, the City Council banned dispensaries outright, but after patient advocates successfully qualified an initiative to repeal it, the Council rescinded their ban. That followed a 2010 ordinance so restrictive it amounted to a de facto ban and spawned a flurry of lawsuits.

Since 2003, when the California legislature passed the Medical Marijuana Program Act, more than 50 localities have adopted regulations similar to those in Measure D. The passage of Measure D comes on the heels of a decision by the California Supreme Court that gives local governments the express right to ban dispensaries altogether.

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to obtain medical cannabis from a responsible, city-licensed dispensary," said BPG Chief Operations Officer Sean Luse.

After receiving a forfeiture threat letter from U.S. Attorney Haag in November 2011, BPG moved its operation in order to be more than 1,000 feet from a school, even though there is no such requirement in local or state law. The Obama Administration has said it is not a good use of federal resources to target anyone in compliance with state medical cannabis. BPG has operated without incident since 1999.

"This federal action is not about anyone profiting or violating state law," said Steph Sherer, ASA Executive Director. "It is a heartless attempt to shut one of the oldest and best-respected dispensaries in the country."

ACTION ALERT: Tell your Rep: Peace for Patients Now!

The Peace for Patients Petition was the first step. Now it's time to let your Congressional Representative know it's time to stop the war on patients.

Just go to AmericansForSafeAccess.org/PeaceNow and use our easy tool to find and email your Representative today!

If you haven't added your name to the Peace for Patients Petition, you can do that at AmericansForSafeAccess.org/peace. If you have, ask your friends and family to do so today!

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