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Americans for Safe Access
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November 17, 2011

Cedars-Sinai Medical Center
Comprehensive Transplant Center
8635 W. Third Street, Suite 590W
Los Angeles, CA 90048

Re: Denial of Liver Transplant Eligibility to Norman Smith

Dear Sir or Madam:

I am Chief Counsel with Americans for Safe Access, which is the nation's largest organization devoted to assisting medical marijuana patients who use marijuana to alleviate their suffering. One of your patients, Norman Smith, is a qualified medical marijuana patient under California law and you have denied him eligibility for a liver transplant because of this. I write to express our strenuous disagreement with this decision and ask that you reconsider it.

In August of 2009, Mr. Smith was diagnosed with inoperable liver cancer, which prompted him to undergo a clinical trial at Cedars-Sinai Medical Center ("Cedars-Sinai") in January of 2010. To cope with the effects of chemotherapy and severe pain associated with an unrelated back surgery, Mr. Smith's oncologist, Dr. Steven Miles, recommended that he use marijuana. This treatment regimen proved successful for Mr. Smith, as he was found to be in remission in June of 2010. Three months later, in September, Mr. Smith was placed on the list of those eligible for a liver transplant at Cedars-Sinai.

Despite Mr. Smith's successful use of marijuana to augment his health, the liver transplant center of Cedars-Sinai removed him from the list of those eligible to receive a liver transplant for no other reason than this. *See* Letter from Brenda Durand, to Norman Smith, dated February 1, 2010 [attached hereto]. This politically motivated decision not only runs counter to Cedars-Sinai's stated mission of "providing the highest quality patient care that modern medicine has to offer," *see* <http://www.cedars-sinai.edu/About-Us/>, but it flies in the face of scientific evidence that marijuana use does not adversely affect liver transplantation, *see* Ramney, D.N., *et al.*, "Marijuana Use in Potential Liver Transplant Candidates," 9 *Am. J. Transplant* 280 (Feb. 2009) (finding no negative correlation between marijuana use and liver transplant survival); *see also* Jones, Rachel, "Transplantation: Marijuana Use Does Not Affect Survival in Liver Transplant Recipients," 6 *Nature* 256 (May 2009) (reviewing Ramney study). Neither the

Headquarters

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General Information

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United Network for Organ Sharing (“UNOS”) nor any federal law requires that you act in this uncompassionate manner.

While your liver transplant policies are likely motivated by the best intentions, the decision to deny Mr. Smith eligibility for a liver transplant based solely on his compliance with California law and the advice of his physician is extremely misguided and may prove fatal. I urge you to reconsider your decision and reinstate Mr. Smith to the list of those eligible for a liver transplant with the MELD score he would have had in the absence of this policy.

Sincerely,



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