

Connecticut Department of Consumer Protection

Medical Marijuana Program-Public Act 12-55

Board of Physicians

Minutes

November 26, 2014

Members Present: William M. Rubenstein Commissioner
Dr. Vincent Carlesi
Dr. Deepak Cyril D'Souza
Dr. Jonathan Kost
Dr. Godfrey Pearlson

DCP Staff Present: Claudette Carveth Director of Communications
Xaviel Soto Health Program Supervisor
Peter Krzykowski Health Program Assistant
Marguerite Poisson License and Applications Analyst

Call to Order

Commissioner Rubenstein called the meeting to order of the Board of Physicians for Connecticut's Medical Marijuana Program at 8:41 A.M. at the Department of Consumer Protection, 165 Capitol Avenue, Hartford, Room 126.

Board Membership Changes

Since the September 11, 2013 meeting, Dr. Robert Siegel and Dr. David Greco have resigned from the Board of Physicians and Dr. Vincent Carlesi has been added.

Review and Approval of Prior Meeting Minutes

On a motion made by Commissioner Rubenstein, the review and approval of minutes of the September 11, 2013 are deferred until the next board meeting.

Status Report on Program Implementation

Currently, four producers have been licensed by the Department, two of which are actively supplying dispensary facilities with product and two of which will begin supplying dispensary facilities in the near future. The result of all four producers supplying medical marijuana to the

dispensary facilities should provide a wider variety of products to qualifying patients, such as oils, extracts, tinctures, and baked goods. Six dispensary facilities have been licensed by the Department. Sale of medical marijuana to patients began September 22, 2014. At the time of the previous meeting approximately 900 patients were certified by their physicians for the palliative use of medical marijuana. Currently, there are approximately 3,000 patients certified by their physicians. These 3,000 patients include patients who are in different stages of the certification process. There are approximately 150 physicians currently participating in the program. Different educational programs have taken place. For example, the Connecticut Pharmacists Association had a full day symposium on the Medical Marijuana Program and the science behind medical marijuana.

Commissioner Rubenstein asked the Board if they had any questions relating to the status of the program. Dr. Carlesi questioned what the average cost was for medical marijuana and Commissioner Rubenstein informed him we do not track the cost of medical marijuana but the newspapers' report a range of \$12-\$20 per gram. Commissioner Rubenstein advised the Board that the dispensary facilities would be in violation of the antitrust law if they coordinated and fixed prices, and does not believe that is taking place based on the range of prices. Commissioner Rubenstein continued to add that the dispensary facilities offer a variety of products and services and patients are advised to check with the six dispensary facilities to see their options. Commissioner Rubenstein explained about the model Connecticut is using and how it requires licensed dispensaries (pharmacists) to dispense the medical marijuana which gives them the opportunity to have a clinical relationship with the patients.

Public Hearings on Petitions to Add Debilitating Conditions

Commissioner Rubenstein explained that one of the main functions of the Board is to consider petitions from the public to add medical conditions for which physicians can certify a patient for palliative use of medical marijuana. There are two ways in which a condition can be added to the program: 1) by legislative change, or 2) the statute allows for the Medical Marijuana Program Board of Physicians to review petitions from the public. The process for consideration of a petition requires a petition to be filed and meet the regulatory requirements for information included, and then a public hearing is scheduled allowing for testimony in support or opposition of the petition. The Commissioner explained the testimony being made may be personal in nature and the record will be held open through December 12, 2014 for anyone who does not wish to give testimony in the public hearing, but would like to submit written testimony instead. Written testimony will be redacted to conceal any personal identifiers. As a result, the Board will deliberate on whether to approve or deny these petitions at the next scheduled hearing after the record is closed. Sign-up sheets were made available to the public for anyone present who was interested in providing testimony on the conditions being petitioned. The Commissioner further explained the process to add a medical condition by petition. The process includes: the Board hears information from the public, the Board determines whether the condition should be added and, if so, they make a written recommendation to Commissioner of Consumer Protection who will then promulgate a regulation to add the condition. The regulation then would go through another process to be adopted.

- Public hearing testimony and comments focused on the following:
 - Sickle Cell Disease
 - Testimony from John D. Roberts, Medical Director, Adult Sickle Cell Program at Yale-New Haven Hospital and Professor of Medicine at Yale

- University (representing self not Yale-New Haven Hospital or Yale University)
 - Testimony from Virginia Pertillo, Executive Director of Citizens for Quality Sickle Cell Care
 - Testimony from Dolores Edwards, Executive Director of the Sickle Cell Disease Association of America-Southern Connecticut
 - Testimony from Sickle Cell patient
- Tourette's Disorder
 - Commissioner Rubenstein stated an e-mail was received as written testimony for the record on the petition for Tourette's Disorder
 - Testimony from Tourette's Disorder patient
- Post Laminectomy Syndrome with Chronic Radiculopathy
 - Proposal by Tom Macre, provider of medical equipment, to enlarge the scope of this petition to similar conditions. The Board informed Mr. Macre a separate petition would need to be submitted to consider more than this specific condition (Post Laminectomy Syndrome with Chronic Radiculopathy).
- Severe Psoriasis and Psoriatic Arthritis
 - David Pompei, Rph
 - Testimony from Severe Psoriasis and Psoriatic Arthritis patient

Written testimony for these conditions will be accepted through December 12, 2014.

Adjournment:

Commissioner Rubenstein adjourned the meeting at approximately 9:49 A.M.

Next Meeting:

Scheduled for Wednesday, January 14, 2015 at 8:30 A.M., room 126.