



STATE OF CONNECTICUT MEDICAL MARIJUANA PROGRAM

Information Session for Municipal Officials
September 19, 2013



Medical Marijuana Program (MMP) Presentation Summary

- Understanding the Law
- Protections for Communities
- Application Process
- Questions



Medical Marijuana Program (MMP)

Understanding the Law

- An Act Concerning the Palliative Use of Marijuana, signed into law on May 31, 2012. Codified at C.G.S. Secs. 21a-408 to 21a-408q. Comprehensive regulations promulgated.
- Designed to enable seriously ill patients to engage in the palliative use of marijuana while preventing marijuana from being misused or diverted from its medical purpose.
- Provides immunity from state criminal and civil penalties for physicians, patients, caregivers, dispensaries and producers who act responsibly in accordance with the law.



Understanding the Law

Designed to Prevent Misuse and Diversion

- Limited Group of Debilitating Medical Conditions Qualify
- Physicians are the Gatekeepers
- Patients and Caregivers Must Meet Strict Requirements and Act Responsibly
- Marijuana Cannot be Used in a Place or Manner that Puts Others at Risk
- Producers and Dispensaries will be Tightly Controlled

Debilitating Medical Conditions Recognized by the Law

- Cancer
- Glaucoma
- Positive status for human immunodeficiency virus or acquired immune deficiency syndrome
- Parkinson's disease
- Multiple sclerosis
- Damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity
- Epilepsy
- Cachexia
- Wasting Syndrome
- Crohn's disease
- Post-traumatic stress disorder

Physicians are the Gatekeepers

Physicians Who Certify Patients for Marijuana Must:

- Have a bona-fide physician-patient relationship; and
- Complete a medically reasonable assessment of the patient's medical history and medical condition; and
- Diagnose the patient as having a debilitating medical condition; and
- Determine whether or not it is not in the patient's best interest to prescribe prescription drugs instead to address the symptoms or effects for which the certification is being issued; and

Physicians are the Gatekeepers Continued

- Physicians Who Certify Patients for Marijuana Must (continued):
 - Decide that in the physician's professional opinion, the potential benefits of the palliative use of marijuana would likely outweigh the health risks; and
 - Discuss the benefits and detriments of use with the patient

The physician may also certify that a patient has a need for a caregiver.

Qualified Patient Must be an Adult With a Debilitating Medical Condition

- To qualify for a medical marijuana registration certificate, a patient must be:
 - Diagnosed by a physician as having one of the debilitating medical conditions set out in the law and certified by a physician as an appropriate candidate for the use of marijuana;
 - 18 years of age;
 - Connecticut resident; and
 - Not an inmate in a Department of Corrections institution or facility.

Not Everyone Can Be A Caregiver

- DCP Will Only Register a Caregiver if:
 - Physician has certified the need for a caregiver;
 - Caregiver is at least 18 years of age; and
 - Caregiver has not been convicted of a law pertaining to the illegal manufacture, sale or distribution of a controlled substance;
- Where an adult patient lacks legal capacity, caregiver must be a parent, guardian or legal custodian;
- A caregiver can ordinarily be responsible for only one patient.
 - There is an exception when a parental, guardianship, conservatorship or sibling relationship exists with multiple patients.

Patients and Caregivers Must Act Responsibly

- Possess no more than a one-month supply of marijuana between them.
- Not use marijuana in a way that endangers the health or well-being of others.
- Store marijuana in a secure location to prevent theft, loss or access by unauthorized persons.

Marijuana Cannot be Used in a Manner that Puts Others at Risk

- Marijuana use is prohibited in:
 - Motor bus, school bus, or other moving vehicle
 - Workplace
 - School grounds, any public or private school, dormitory, college or university property
 - Public place
 - Presence of anyone under 18

How Will Patients Get Medical Marijuana

- **Producers**
 - Cultivate marijuana and manufacture products containing marijuana
 - Wholesale only – may only sell to dispensary facilities
- **Dispensary Facilities**
 - Dispenses to patients or caregivers
 - May only sell pre-packaged products obtained from producers

Both Must be Licensed

Producers will be Limited and Tightly Regulated

- Initially, DCP expects to license only three producers. Statute does not permit more than ten.
- All cultivation and production must occur in a secure indoor facility
- All cultivation and production will occur at locations within the State that have approval from the town in which they are located.
- Producers must have the experience and financial capacity necessary to build and operate a secure, indoor production facility.

Marijuana Will be Dispensed Consistent with its Status as a Controlled Substance

- Licensed dispensary facilities will not exceed the number appropriate to meet patient needs
 - Currently, DCP expects to license only three to five dispensary facilities.
 - Dispensary facilities will be geographically dispersed.
- Marijuana will be dispensed by a licensed pharmacist
 - Pharmacists are trained on proper handling of controlled substances.
 - Pharmacists have experience counseling patients with regard to medication use and drug interactions.

Communities are Protected by Strict Regulations of Marijuana Businesses

- Regulations and Requests for Applications (“RFAs”) require that dispensary facilities and production facilities:
 - Be located and designed in a manner that will not negatively impact their local community.
 - Have tight internal controls and robust security systems to prevent loss, theft or diversion.
 - Not advertise in a way that may encourage the use of marijuana recreationally or by those under 18.
 - License or register all employees with DCP so that the Department can conduct appropriate background checks.

DCP Will Carefully Consider an Applicant's Likely Impact on their Community

- Applicants seeking a production facility or dispensary facility license must provide:
 - Evidence that State and local building, fire and zoning requirements and other local ordinances are met.
 - Text or other graphic material that will be on the exterior of their proposed facility.
 - Photographs of the surrounding neighborhood and businesses sufficient for DCP to evaluate the facility's compatibility with commercial or residential structures in the area or under construction.
 - A map identifying places of worship and schools, among other things, that are within 1000 feet of the proposed facility.

Requirements for Tight Internal Controls Will Limit Access to Marijuana

- Marijuana must be stored in approved safes or vaults only accessible to authorized employees.
- Only registered patients and caregivers may enter a dispensary facility.
- Except for emergency situations, only visitors approved by the Department are permitted in production facilities or dispensary facilities.
- Marijuana products will be sold in child-resistant packaging.

Alarm Systems Must Meet Strict Requirements

- Production facilities and dispensary facilities must have professional alarm systems installed that, at a minimum, include:
 - A perimeter alarm;
 - Motion detector;
 - Video cameras in all areas containing marijuana and at all entry and exit points;
 - Duress, panic and holdup alarms;
 - A failure notification system; and
 - The ability to remain operational during a power outage.

Advertising Will Be Subdued

- The exterior of a dispensary facility may not:
 - Have more than one sign of a reasonable size;
 - Use graphics related to marijuana or paraphernalia;
 - Advertise marijuana brand names; or
 - Have marijuana products or paraphernalia that are within the facility be visible from the outside.
- Marijuana advertising cannot include a statement, design, or picture that:
 - Encourages or represents non-medical or recreational use;
 - Portrays or is suggestive of use by anyone under 18;
 - Is obscene or indecent; or
 - Is false or misleading.

Advertising continued

- Marijuana product names may not:
 - Be identical, or confusingly similar, to the names of non-marijuana products or of unlawful products or substances;
 - Be obscene or indecent;
 - Encourage the use of marijuana for non-medical or recreational purposes;
 - Include words or phrases customarily associated with persons under 18.
- All advertisements and product names will be submitted to DCP to ensure compliance.

Request For Application Process

- RFAs Issued on Friday, September 6th.
- Responses are due November 15th .
- The Department expects to award licenses around the first of the year, which means production and dispensing facilities could be operational by spring.
- Licenses will be awarded on a competitive basis with DCP giving careful consideration to:
 - The background of the applicant, its investors and its key employees;
 - The applicant's business and security plans; and
 - The applicant's efforts to be a positive addition to its community.

QUESTIONS

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