

# Meeting

MINUTES JUNE 13, 2008

10:00 AM-2:00 PM

Deschutes County  
Administration Building  
1300 NW Wall St.  
Bend, OR 97701

<b>MEETING CALLED BY</b>	Sandee Burbank, ACMM Chair
<b>TYPE OF MEETING</b>	The Oregon Medical Marijuana Program (OMMP) Advisory Committee on Medical Marijuana (ACMM) provides an opportunity for public discussion of administrative issues between OMMP management and the ACMM.
<b>NOTE TAKER</b>	Julie Sarnowski, OMMP
<b>TIMEKEEPER</b>	Sandee Burbank, ACMM Chair
<b>MEETING CALLED TO ORDER</b>	<b>10:06 AM</b>
<b>ATTENDEES</b>	<b>ACMM:</b> Sandee Burbank, Laird Funk, Dr. Darryl George, Chris Iverson, Jim Klahr, Madeline Martinez, John Sajo, Todd Dalotto, Brian Michaels, Dr. Alan Cohn. <b>OMMP Staff:</b> Tawana Nichols, Sanya Rusynyk, Aaron Cossel, Julie Sarnowski.
<b>PRESENT AS LISTED ON THE SIGN-IN SHEET</b>	Doug Bodnar, Dan Chandler, Darian Cole, Alice Ivany, Sandy Jungwirth, Marilyn Klahr, Elvy Mussaka, Melodie Silverwolf, Brenda Thomas, Jack Thomas, Roger Tower, Jeana Warren.

## Agenda topics

### REVIEW OF MARCH 25, 2008 MEETING MINUTES

ACMM CHAIR

ACTION ITEMS	PERSON RESPONSIBLE	OUTCOME
Motion by Ms. Burbank for meeting minutes to be accepted with corrections, second by Mr. Funk: Page 1, Type of meeting should read "...public discussion of administrative issues between OMMP management and the ACMM", not "...public to discuss administrative issues..." Page 2, Sandy Burbank should read Sandee Burbank. Under Subcommittee Reports, the submitted rule change language needs to be added. Under Law Enforcement, it should read "Ms. Ray sent a letter..." not "...the letter...", Under Clinic Standards, Mr. Chandler had stated there was a meeting set for May 1 <sup>st</sup> . Also, Dr. Cohn, Dr. Paysse and Ms. Silverwolf were added as new members. Page 3, under Ed Glick's Letter, it should read "...everyone with concerns to submit a letter..." not "...everyone to submit a letter..." Under Dr. George's Email, it should read "...concerns to the OMMP." Not "...the OMMA." It should also be added that Dr. George sent a letter to state legislators. The top of page 4 should read "...last term as chair." Not "...last term." Motions should pass 10-0 not 10-1.	Ms. Burbank	Motion passes unanimously

### PROGRAM UPDATE

DHS ADMINISTRATION

DISCUSSION
<ul style="list-style-type: none"> <li><b>Staff-</b>All vacant positions have been filled. 15 of the 17 employees are in permanent positions, and Ms. Nichols is in the process of requesting 2 permanent positions to eliminate the temporary positions.</li> <li><b>Statistics-</b> The number of OMMP patients as of 6/11/08 is 20,701. 10,156 of those patients have a caregiver, and 2,949 doctors have recommended patients for the program.</li> <li><b>Budget Review-</b>The impact of food stamp revenue on the program is being monitored. No fee changes are recommended at this time. There are larger than expected changes in postage/printing and professional service expenditures due to increased program demand.</li> </ul>
CONCLUSIONS

- The OMMP is fully staffed at this time.
- The number of OMMP patients has surpassed 20,000.
- There are no recommendations for fee structure changes at this time.

**DIALOGUE BETWEEN ACMM AND ADMINISTRATION**

**MS. BURBANK**

**DISCUSSION**

- **Meeting minutes preparations**-Ms. Burbank would like the OMMP to look into outside services to transcribe the ACMM meeting minutes. Ms. Nichols states that the OMMP is trying to get the minutes out as quickly as possible, and that although she does not feel it would be efficient, the OMMP will look into the cost of using an outside service.
- **Forms**-Ms. Burbank would like to know if the grow card can have a visible serrated line and also if somewhere on the card it could state that it needs to be posted. Ms. Rusynyk says that there is a letter sent with the cards explaining that already. Ms. Burbank says the letter is not clear and is not understood by the patients. Mr. Cossel says he will talk to the computer people about adding serrated lines and will look into revising the language on the grow site card.
- **ACMM Letterhead**-Ms. Burbank would like bigger print and ACMM header centered. Dr. George says the address and phone numbers could be put in a column. Ms. Burbank thinks that’s a good idea as well. Mr. Dalotto would like higher resolution on the logo. Ms. Rusynyk will submit the letterhead for revisions.
- **Physician’s 450 Patient Policy**-Clinic inspections will be conducted by program staff or the Healthcare License and Certification Program (HCLC). The OMMP will support the cost of the inspections. Determinations will be made on a case by case basis. For example, if a physician has a private practice and works for a clinic part of the time; the physician may be released from the requirements at the physician’s private practice.
- PA’s and FNP’s were not considered in the calculations, and cannot sign the attending physician statements.
- The OMMP is developing a process on conducting clinic visits, what criteria must be met in order to pass. The OMMP welcomes input from the ACMM.
- **Letter to the Clinics**-The OMMP has sent a letter to the clinics addressing the following:
  - The OMMP does not process new applications that are faxed, because they are not accompanied by a fee. Therefore, the OMMP has requested that clinics do not fax new applications, but instead inform new patients to submit the application with the fee via mail or in person at the OMMP office.
  - If a patient’s application is expired or close to expiring, a renewal application may be faxed. It is requested that the patient submit the fee via mail or in person at the OMMP office with a note explaining that the renewal application was previously faxed. It is also helpful if the patient’s name and date of birth are included in the note.
  - If a change form is faxed from a clinic, it is requested that the original not be sent as well. This will help to keep application processing more efficient.
- **Food, Pool and Lodging Advisory Committee**-Mr. Michaels met with Mr. Keifer from the Food, Pool and Lodging Advisory Committee, about wanting to have a place at public events for patients with cards to medicate. Mr. Keifer said that only 5-6 mass gathering event permits are given each year, and that each of those are administered by county in any way they see fit. Mr. Keifer had some suggestions, but felt this was out of his realm. Ms. Martinez asks if Ms. O’Fallon would be able to attend the next meeting. Motion is passed to submit new language to Ms. O’Fallon changing “Shall” to “May” smoke in public place.
- **Governor’s Council on Alcohol & Drugs**-Ms. Nichols and Mr. Higginson attended the Governor’s Council meeting. Previously, the Council said that medical marijuana was not scientifically proven. They are currently working on a new report. Ms. Nichols says they will go to the August meeting to present information about the OMMP. Dr. Cohn suggests a patient go to help relay the message.
- **Administrative Rules Advisory Committee**-The OMMP is forming an Administrative Rules Advisory Committee (ARAC) to address specific issues brought forth by the ACMM. Ms. Nichols or Mr. Higginson will chair the committee and are considering inviting Ms. Suver, Lt. Dingeman, Dr. Cohn, Mr. Micheals and Mr. Sajo to serve on the committee. Several ACMM members oppose Ms. Suver serving on the ARAC. Ms. Burbank nominates Mr. Michaels, Mr. Klahr and Dr. Cohn for the committee. Dr. Cohn would like to see more legal folks on the committee, and wonders if there is a guideline for removing members that stall progress. Mr. Michaels wants to know why there even needs to be an ARAC.
- **Law Enforcement Subcommittee**-Ms. Burbank suggests inviting Lt. Dingeman to join the subcommittee. Mr. Sajo agrees that we should keep dialogue with law enforcement, but contends that they are our leading opponent. Mr. Michaels would like to be on the LE subcommittee if law enforcement is brought in. Mr. Sajo would like a questionnaire developed to get answers from state agencies such as the County Sheriff. Ms. Burbank would also like to see Judges and parole officers involved. Ms. Martinez, Ms. Burbank, Mr. Sajo and Dr. George would like to be on the committee as well.

<b>CONCLUSIONS</b>	
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- Ms. Ruszyk will look into costs associated with hiring an outside firm to transcribe the ACMM meeting minutes.
- Mr. Cossel will look into whether or not serrated lines can be added to the OMMP cardstock and new language can be added to the grow site card.
- Ms. Ruszyk will submit the ACMM letterhead for revisions.
- The OMMP is developing a process on conducting clinic inspections and what criteria will need to be met to pass. The OMMP welcomes input from the ACMM.
- The clinics have been sent a letter from the OMMP requesting them not to send duplicate applications, or fax applications without payment, except under special circumstances, to avoid slowing down application processing.
- There are questions about having a place at public events for patients with cards to medicate. It was requested that Ms. O’Fallon come to the next ACMM meeting to address the issues. Motion is passed to submit new language to Ms. O’Fallon changing “Shall” to “May” smoke in public place.
- Ms. Nichols and Mr. Higginson attended the Governor’s Council on Alcohol & Drugs meeting. Previously, the Council had said that medical marijuana was not scientifically proven. They are currently working on a new report. Ms. Nichols says they will go to the August meeting to present information about the OMMP.
- The OMMP is forming an Administrative Rules Advisory Committee (ARAC) which Ms. Nichols or Mr. Higginson will chair. The committee members are still undecided but Ms. Burbank has nominated Mr. Michaels, Mr. Klahr and Dr. Cohn.
- The ACMM would like to restructure the LE subcommittee, and want to ask Lt. Dingeman to join.

ACTION ITEMS	PERSON RESPONSIBLE	OUTCOME
Motion to send new language to Ms. O’Fallon changing “Shall” to “May” smoke in public place. Ms. Martinez seconds the motion.	Mr. Klahr	Passes Unanimously
Motion to restructure the LE subcommittee and invite Lt. Dingeman to join. Ms. Martinez seconds the motion.	Mr. Funk	Passes Unanimously

**MEETING ADJOURNED FOR LUNCH: 11:55AM**

**MEETING CALLED TO ORDER: 1:10PM**

**FORMATION OF HORTICULTURE SUBCOMMITTEE/LETTER FROM THE OREGON DEPARTMENT OF AGRICULTURE**

**MR. DALOTTO**

<b>DISCUSSION</b>	
<ul style="list-style-type: none"> <li>• Currently Mr. Dalotto is formalizing research at OSU, and believes others will benefit from a better understanding of the plant. For example, revisiting the mature plant definition. Plant limits are based on ideas that have no practicality, like the 12” seedling definition. Most plants are over 12” before they flower. Mr. Funk suggests the subcommittee could bring up scientific realities to the legislature, and that the subcommittee could also serve as a cultivation service. Ms. Burbank would like clarification on how this would work, and how the subcommittee would approach the legislature. Mr. Dalotto would like to recruit members, and is in a position to enlist students and professors to take a look at the mature plant issue. Dr. George suggests creating a growing handbook with the information gleaned. Ms. Burbank likes the idea, but does not think it is feasible.</li> <li>• Mr. Sajo thinks that people should be aware of the consequences of spraying plants with bug spray. Mr. Dalotto feels this could service the mission of DHS. To help with the health and safety of the people of Oregon. The ACMM received a letter from Mr. Wolf, a fertilizer specialist with the Oregon Department of Agriculture, who has visited a variety of outlets that supply fertilizers, including hydroponics shops. Mr. Sajo is concerned that patients and growers are buying pesticides and plant nutrients that are not meant for human consumption or inhalation, and those patients are already sick could be ingesting toxins whose effects on humans have not yet been tested. He suggests perhaps asking the Health Department to obtain samples from patients and have them tested for toxic residues.</li> </ul>	

<b>CONCLUSIONS</b>	<ul style="list-style-type: none"> <li>Mr. Dalotto is formalizing research at OSU, and would like to begin recruiting members for the research team.</li> <li>The ACMM received a letter from the Oregon Department of Agriculture, which brings to light the dangers of using untested pesticides and fertilizers on marijuana plants.</li> </ul>	
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>OUTCOME</b>
Motion by Mr. Iverson to form a horticulture subcommittee with Mr. Dalotto as chair. Second by Mr. Klahr.	Mr. Iverson	Passed Unanimously

**GROWER PROTECTION/NOTIFICATION**

**MS. BURBANK**

<b>DISCUSSION</b>	<ul style="list-style-type: none"> <li>Information has been brought to the ACMM about patients putting growers on their renewal applications, without the growers' knowledge, which puts them in compromising and sometimes unlawful situations. Mr. Funk suggests that there be a line on the OMMP application for the grower's signature as well as the patient's. Ms. Rusynyk believes that from an office standpoint, it would cause a slowdown in the processing of applications. Dr. Cohn asks if the OMMP could send a letter to the grower. Mr. Cossel doesn't think the OMMP would be able to get the cards out in 30 days if such letters were sent. Ms. Martinez adds that when the patient signs the application, they are attesting to the fact that the information contained therein is accurate, so it would be considered a crime to provide false information knowingly.</li> <li>Mr. Iverson asks if growers can inquire about their patients, if they already have the patients' information. Ms. Rusynyk says currently, the OMMP only tells growers how many people they are currently growing for, but does not divulge names. Mr. Cossel says he will need to check with Mr. Higginson and Ms. O'Fallon to see if changing that policy is an option.</li> </ul>
<b>CONCLUSIONS</b>	<ul style="list-style-type: none"> <li>The ACMM is concerned with growers being put on patients' applications unknowingly, and not being able to confirm their patients' names with the OMMP. The current OMMP policy is to tell the grower how many patients they are currently growing for, but there is no mention of patient names. Mr. Cossel will look into whether or not that policy can be changed.</li> </ul>

**ENVELOPES CARDS ARE MAILED OUT IN**

**MS. BURBANK**

<b>DISCUSSION</b>	<ul style="list-style-type: none"> <li>Ms. Burbank readdresses a previous issue with the OMMP cards being mailed in an envelope that is slightly larger than the paper the cards are printed on. This allows the card page to shift in the envelope just enough so that the words "Medical Marijuana" might be visible. Ms. Rusynyk says the OMMP now staples the envelopes to that the information inside does not shift, resolving the issue.</li> </ul>
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**PUBLIC ANNOUNCEMENTS AND COMMENT**

**PUBLIC-ACMM**

<ul style="list-style-type: none"> <li><b>Lee Berger</b> says that the police are not our friends and that they put people in jail just for being patients. He also says sheriffs in at least three different counties have been revoking hand gun licenses those who have cards.</li> <li><b>Robert Dickenson</b> has heard that the police in Bend don't "believe" in medical marijuana, will take plants belonging to cardholders, and even arrested a non-cardholder for helping transport the medicine. He has been trying to help by contacting law enforcement, but is not getting called back. He feels it should be a high priority to get law enforcement involved.</li> <li><b>Elvy Mussaka</b> thanks everyone for their hard work. She wants us to know there is an effort to discredit medical marijuana and that doctors get nervous about signing patients up for the program because they are afraid of federal retaliation.</li> </ul>
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<b>MEETING AJOURNED</b>	<b>2:22 PM</b>
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