

Meeting

MINUTES

DECEMBER 12, 2007

10:00 AM – 2:00 PM

Portland State Office
Building
800 NE Oregon St.
Portland, OR 97232

MEETING CALLED BY	Sandee Burbank, ACMM Chair
TYPE OF MEETING	The Oregon Medical Marijuana Program (OMMP) Advisory Committee on Medical Marijuana (ACMM) provides an opportunity for public to discuss administrative issues with the OMMP management.
NOTE TAKER	Julie Sarnowski, OMMP
TIMEKEEPER	Sandee Burbank, ACMM Chair
MEETING CALLED TO ORDER	10:07 AM
ATTENDEES	ACMM: Sandee Burbank, Laird Funk, Chris Iverson, Jim Klahr, Madeline Martinez, Stormy Ray, John Sajo, Todd Dalotto, and Brian Michaels. OMMP Staff and Advisors: Tawana Nichols, Sanya Rusnyk, Julie Sarnowski, Aaron Cossel, Chris Grorud, Grant Higginson and Shannon O'Fallon.
PRESENT AS LISTED ON THE SIGN-IN SHEET	Daniel Chandler, Jim Dancing Trout, Kristen Gustafson, Alice Ivany, Jim Klahr, Marilyn Klahr, Neil Larsen, Roger Tower, Thomas N. Tower, Richard Volkman, Alicia Williamson, Jerry Wade, Cat Koehn, M. Wiley, Robert Anderson, and Kay Dickerson.

Agenda topics

	REVIEW OF SEPTEMBER 21, 2007 MEETING MINUTES	ACMM CHAIR
ACTION ITEMS	PERSON RESPONSIBLE	OUTCOME
Motion for minutes to be accepted with corrections: Page 1, under "Term Limits" Madeline is misspelled, and John Klahr should read Jim Klahr. Page 3, Marilyn Klahr and Alice Ivany to be added to the "Definition of the Mature Plant" subcommittee. Page 4, under public announcements, bullet #4, "loud" misspelled, reads "load".	Ms. Burbank	Motion passes unanimously (9-0)

	PROGRAM UPDATE [INCLUDING STAFF UPDATE, STATISTICS, ACMM APPOINTMENTS AND BUDGET REVIEW]	DHS ADMINISTRATION
DISCUSSION	<ul style="list-style-type: none"> • Staff-The OMMP is still short staffed and currently interviewing candidates for two AS1 openings; we are still using temporary workers to keep up with the volume of work. • Statistics-As of 12/12/07, there are 17,927 OMMP patients. 8,712 of those patients have a caregiver, and 2,762 different doctors have recommended patients for the OMMP. As of 11/11/07, there are 985 people registered as growers only. • Food Stamps-The reduced fee rate of \$20.00 for people on food stamps will be implemented beginning 1/1/08. • ACMM Appointments-Current board members, Mr. Dalotto and Ms. Ray have been elected for reappointment and Mr. Sajo discussed stepping down. Once all applications for the ACMM openings have been received, their applications will be submitted to the ACMM for review, and the ACMM's recommendations will then be forwarded to Dr. Goldberg. • Budget Review-Presented by Mr. Grorud. <ul style="list-style-type: none"> • Revenues are coming in a little higher than expected. Significant costs are from administrative charges and are normal for this time of year. The new projection has changed slightly from 3 months ago because of the food stamp implementation, but is not significant. The revenue projection might be low. • Ms. Burbank asks about MyLicense 2000 and when it will be in place. Mr. Grorud explains that MyLicense 2000 is a more efficient data entry screen for project management, reporting and processing. Mr. Higginson adds that MyLicense 2000 is a data entry standard for all licensing programs. Mr. Grorud says the program is expected to be in place June 30, 2008. Ms. Nichols says that it will be deployed in March of 2008. • Mr. Grorud states that fees might need to be changed in the future. • Mr. Dalotto asks how much MyLicense 2000 and LEDS cost and under what category they fall. Mr. Grorud says that he believes LEDS is an annual fee that is reported under professional services for the payment of a contract. 	
CONCLUSIONS	<ul style="list-style-type: none"> • The OMMP patient number is reaching the 18,000 mark and the OMMP is hiring staff to help with the workload. • Food stamp qualification for reduced fee will go into effect on 1/1/08. • Mr. Dalotto and Ms. Ray have been selected for reappointment and Mr. Sajo discussed stepping down. The ACMM will review the application for the ACMM openings and forward recommendations to Dr. Goldberg. • There will be no changes in fee structure at this time. 	

ACTION ITEMS	PERSON RESPONSIBLE	OUTCOME
Motion to accept Administrative Rule revisions as they are.	Ms. Martinez; Ms. Ray seconds	Motion passes unanimously (9-0)

	DIALOGUE BETWEEN ACMM AND ADMINISTRATION [INCLUDING: FAQs, ACMM LETTERHEAD, NEW FORMS, PHYSICIAN'S 500 PATIENT POLICY, TRANSPORTING PLANTS]	MS. BURBANK
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DISCUSSION	<ul style="list-style-type: none"> • FAQs-Approved. It is suggested that patients contact the other states if they are curious about reciprocity. • ACMM Letterhead-Approved with the following changes: Add ACMM e-mail and website address and darken the statement at the bottom of page. • New Forms-Approved. Ms. Burbank is thrilled with the new application form, but would like to know if we can indicate on the form whether or not the patients are growing. Ms. O'Fallon says there is some wiggle room on that and that the OMMP is going to form an advisory committee. Ms. Nichols adds that the committee will include law enforcement and OMMP staff. Mr. Higginson says we don't know how many people or advocates will be on the committee and would like recommendations from the ACMM. Ms. Burbank suggests this should be a topic of further discussion at a later date. Ms. Burbank asks about caregiver and grower addresses being removed from the placards. Ms. Nichols says that would be a rules committee issue. Ms. O'Fallon concurs, that it would be a rule change. • Physician's 500 Patient Policy-Mr. Sajo wonders about the 500 patient policy and some alternate ways a physician could submit information, perhaps by affidavit, instead of the current treatment plan and other forms required. Ms. O'Fallon states that there are some alternatives. Mr. Sajo says that he thought this was a current policy and has been submitting these forms as such. He believes that if he was able to keep the paperwork, the OMMP would not be getting subpoenaed by the federal government. Ms. Nichols states that at this time it does need to be done this way. Mr. Higginson says that this was something that was being discussed to make a rule on, but it was shelved and taken out of the rules because that's how everyone felt at the time, and that the rule change could be revisited. Ms. O'Fallon says the confusion is that it is a draft policy and doesn't have the draft stamp on it. Mr. Sajo says this raises a broader question and that we should get copies of that in writing so that here isn't guesswork on whether something is or is not a policy. Ms. O'Fallon says these policies govern how the program works and shouldn't reflect on the public directly. Policies and procedures should not be given to the public, as they are meant for internal staff use. Mr. Sajo would like to look into a rule change and have this topic added to the rules committee agenda. • Transporting Plants-Mr. Higginson states that there is nothing in the rules that states plants can or cannot be transported. Ms. O'Fallon states that the language has been changed so that the delivery term rule and statute now match in their definitions. Ms. Burbank and Mr. Michaels would like the new definition in the FAQs. Ms. Burbank wonders if patients can transfer plants to one another. Ms. O'Fallon says that can be looked into and asks an e-mail be sent to the OMMP with that question.
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CONCLUSIONS	<ul style="list-style-type: none"> • The OMMP is going to form an advisory committee made up of law enforcement, OMMP staff, and others yet to be determined. • The physician's 500 patient policy will be put on the rules committee agenda. • The language has been changed so that the delivery term rule and statute now match in their definitions.
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MEETING ADJOURNED FOR LUNCH: 11:55 AM

MEETING CALLED TO ORDER: 1:08 PM

	MEDICATION STATIONS AT MASS GATHERINGS	MS. BURBANK
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DISCUSSION	<ul style="list-style-type: none"> • Ms. Nichols states that she has spoken with the Food, Pool, and Lodging Program. They are currently restructuring their rules which should be adopted by midsummer, and would love for someone from the ACMM to meet with them at their next meeting believed to be in January 2008. Ms. Burbank asks Ms. Nichols to contact the committee with that information. • Mr. Michaels indicates that he would very much like to meet with them to pursue all options.
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CONCLUSIONS	<ul style="list-style-type: none"> • Ms. Nichols will find out when the next Food, Pool and Lodging advisory committee will meet next. • This will be an agenda item at the next ACMM meeting.
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	DEFINITION OF THE MATURE PLANT	MR. KLAHR
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DISCUSSION	
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- Mr. Klahr states that they have been talking with horticulturists about plant stages.
- Mr. Dalotto states he has been doing research to see how the starts and seedlings can be aligned with horticultural guidelines.
- Ms. O’Fallon states that administrative rule changes are possible. She suggests that if Mr. Michaels has an idea, they could bring it to the rules advisory committee, but believes this is legislative. Adopting these new definitions prematurely, would just put patients over the legal limit.
- Mr. Higginson thinks it would be a good idea to have law enforcement involved in the discussion at the rules advisory committee meeting.
- Mr. Funk states his appreciation for the research that has been done on this issue.
- Ms. Martinez reminds attendees that a lot of people got upset about senate bill 1085, but that it did make a lot of things better.
- Mr. Michaels states that there are seedlings, immature, and mature plants. The committee is asking for there to be definitions between seedling and mature, and that it might be within our rule making authority to add more plants.
- Mr. Iverson asks if a definition of an immature plant is made, could it be used?
- Ms. O’Fallon says that she thinks the patient would be put at risk.
- Mr. Iverson adds that he believes it is worth the committee’s time to try and change the definitions and add new categories of plants.

CONCLUSIONS

- The subcommittee will continue to work on ideas to present to the rules advisory committee about adding or changing definitions on plant stages.

PROGRAM RESEARCH/REPORTS

MR. SAJO

DISCUSSION

- Mr. Sajo would like to know the number of physicians out there who are no longer qualifying patients because it wasn’t medically appropriate, or who had changed their minds. Mr. Cossel states he is quite sure he can get those numbers.
- Mr. Higginson and Ms. Nichols state that the OMMP could provide current and non-current numbers, but that you can’t infer from those numbers that the physician changed their mind about the program. It could be that the patient decided not to participate.
- Mr. Sajo wants to know if physicians are finding this effective, and wants to know about getting law enforcement inquiry reports. He states at one point the committee used to receive those, and Ms. Burbank agrees it would be nice to get those reports again. Ms. Burbank asks about getting this information by county. Mr. Cossel is not sure they can get the information sorted by county.
- Ms. Ray says the information previously received was about how many calls were received by month in a 30 day period.
- Mr. Cossel asks if this was post senate bill 1085. He states we can get that information if law enforcement is checking through LEDS, but not through calls.
- Mr. Sajo would like a report on how that is working because Portland Police have taken medicine from a patient even though the patient had cards. The medicine was returned, but was there a breakdown in the system? Have there been other incidents, and how does this happen?
- Ms. Burbank states that it would be up to the patient to make the inquiry.
- Mr. Cossel states that law enforcement officers have called him not knowing how to use the system because they weren’t keying it correctly.
- Mr. Sajo asks if there are more officers using LEDS or calling the OMMP. Mr. Cossel thinks they prefer to talk to a person.
- Mr. Sajo asks if LEDS gives them all the information they need. Mr. Cossel says no.

CONCLUSIONS

- Mr. Cossel and the OMMP will look into creating reports about the discussed items.
- This will be an agenda item at the next ACMM meeting.

COMMITTEE TRAINING

MS. BURBANK

DISCUSSION

- Mr Klahr really enjoyed the training. He says it was very informative and gave the committee some really good information.
- Ms. Burbank dicusses the retention of e-mails since they are a matter of public record. Mr. Funk reminds everyone to be respectful and professional in all e-mail correspondence.
- Ms. Burbank states that Mr. Chandler videotaped the training and is putting it on DVD.
- Mr. Funk resigned as the chair of the Clinic Standards Committee and Mr. Chandler has been designated to take his place.
- Mr. Michaels would like to teach law enforcement how to appropriately treat patients who are legal so they stop breaking down doors. He says Ms. Ray is setting up meetings with law enforcement, and they, with Mr. Berger will hopefully get legal patients treated like law abiding citizens.
- Mr. Higginson says to follow up, his department is committed to getting accurate information to law enforcement, and if Mr. Michaels needs one of his staff members at the meeting, he would be happy to oblige.
- Ms. Burbank says that Mr. Anderson and Ms. Koehn would like to be on the committee as well.

CONCLUSIONS

- The committee training was a success, and will be available on DVD.
- The law enforcement committee has support and is in the process of setting up meetings.

PATIENT HANDBOOK

MS. BURBANK

DISCUSSION

- Ms. Burbank thinks the patient handbook should be on the web and not printed since we will be continually changing it. Mr. Iverson doesn't think it will be effective on the web. Mr. Sajo and Mr. Klahr think it should be included in the patient package.
- Ms. Ray makes a motion for the handbook to be revised and framed from a patient's perspective.
- Mr. Iverson seconds.
- Ms. Burbank asks if there is any discussion about revisiting this in the New Year. Mr. Sajo says the subcommittee should be in charge of this, and it should be revisited when there are rule changes.
- Ms. Burbank would like to get the handbook up and running and clarifies she doesn't think it should be revisited until the rules change.

CONCLUSIONS

- The patient handbook will be posted on the web and will be printable from the website.
- The handbook will be reviewed and revised in the upcoming year.

ACTION ITEMS

PERSON RESPONSIBLE

OUTCOME

Ms. Ray makes a motion to review and revise the patient handbook in the upcoming year.

Ms. Ray; Mr. Iverson seconds

Motion passes (8-1)

PUBLIC ANNOUNCEMENTS AND COMMENT

PUBLIC-ACMM

- **Sandee Burbank** would like to look into getting donations for microphones, and also would like to remind anyone that if they really want the ACMM to look at something, they should write it down and submit it to the ACMM in writing.
- **Al Jessie** says he grew his medicine outside and was treated like a criminal. He had guns waived in his face because of our law. He sent an e-mail 6 months ago that was never responded to. He thinks our effort is meaningless, and our words mean nothing.
- **Sandee Burbank** reminds Mr. Jessie that the committee doesn't write the law, just makes recommendations based on statutes.
- **Santa Claus** would like to thank us for the peaceful meeting.
- **Marilyn Klahr** would like to give a public expression of thankfulness for having the meeting minutes and other handouts available. She feels things have come a long way since inception.
- **Gerry Wade** says that the OMMP has its faults, but that is because the federal laws don't accept it. He would like us to acknowledge that we have the best program of any other state.
- **Kay Dickerson** is appreciative that medical marijuana has helped her husband get off all the narcotic drugs he used to take, and that now he is able to sleep and gain weight.
- **Daniel Chandler** states that a recent article has brought clinics into the light, and one clinic claims to bring in half of the patients on the program. He also feels that patients are falling through the cracks with law enforcement.
- **Cat Koehn** states she was at the last meeting and volunteered for law enforcement training. She is a retired teacher and would like to be proactive. She says the feds are doing fly-overs and would encourage the committee to compile information on whether or not this is an increased problem. She also suggests getting grants to make a video to educate law enforcement and offers her thanks.
- **Mae Wiley** is part of the medical community and offers her thanks to everyone involved. She also states that patients aren't instructed what to do once they get their cards.
- **Elvy Musikka** says thank you, and that getting patients help is a matter of life and death. She would also like to see the cards get laminated.

MEETING AJOURNED:

1:58 PM

MINUTES SUBMITTED BY:

Julie Sarnowski, OMMP

SPECIAL NOTES: