Connecticut Department of Consumer Protection

Medical Marijuana Program-Public Act 12-55

Board of Physicians

Minutes

March 13, 2013

Members Present:	William M. Rubenstein	Commissioner
	Dr. Robert Siegel	
	Dr. Godfrey Pearlson	
	Dr. Deepak Cyril D'Souza	(Skype)
	Dr. David Greco	(Skype)
Members Absent:	Dr. Jonathan Kost	
DCP Staff Present:	Michelle Seagull	Deputy Commissioner
	Elisa Nahas	Legal Director
	Claudette Carveth	Director of Communications
	Xaviel Soto	Health Program Associate
	Peter Krzykowski	Health Program Assistant
	Maritsa Morales	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 8:35 am at the Department of Consumer Protection, 165 Capitol Avenue, Hartford, Room 101.

Approval of Prior Meeting Minutes

On a motion made by Commissioner Rubenstein and unanimously voted, the draft minutes of the November 16, 2012 and January 9, 2013 meetings are accepted and approved.

Status Report on Program Implementation

Approximately 400 patients have been certified. Over 250 patient registration cards have been issued and the rest are in process. The debilitating conditions for which patients are being certified occur in all categories with the bulk being distributed in four categories: damage to the spinal cord, cancer, posttraumatic stress and multiple sclerosis. The department continues to get a wide-spread geographical dispersion.

Department of Consumer Protection staff continues to work on the draft regulations which were provided to the public and the Board in January. The department has continued to improve the language and provide clarification on production standards, advertising and testing.

The regulations will be published in the Connecticut Law Journal and a public hearing is scheduled for April 22, 2013. The public may provide comments in writing or may appear and provide testimony/comments at the hearing. Following the hearing the regulations will go to the Attorney General's office for legal review and once the regulations are approved they will be presented to the General Assembly. The department hopes by the fall of 2013 the regulations will be effective and licensing of the producers and dispensaries will begin.

Discussion of Proposed Regulations

Commissioner Rubenstein indicated that there are three aspects of the regulations that are of most interest to the Board of physicians:

- **Regulations as they Relate To Physician Participation In the Program**:

  A physician must have a bonefide physician/patient relationship; diagnose the patient as having a qualifying debilitating medical condition; hold the opinion that the benefits far outweigh any of the health risks; considered other alternative therapies and provide for follow-up care and treatment.

  There was discussion regarding the physician's ability to monitor the use/abuse of marijuana by their patients by using the Prescription Monitoring Program. Also discussed was the physician's ability to decertify a patient if they no longer agrees that the treatment is appropriate for the patient or if the physician is no longer treating the patient.

- **Adding Debilitating Medical Conditions through the Board of Physician Petition Process**

  The only way to add a debilitating medical condition outside of a statutory change is to submit a written petition to the commissioner and request that the commissioner forward the petition to the Board of Physicians. After the Board evaluates the materials submitted by a petitioner and conducts a hearing, the Board may forward their recommendation to the Commissioner. If the Board makes a recommendation to add a debilitating condition, the Commissioner will make the decision based on the information provided by the Board whether or not to promulgate a regulation

  The draft regulations provide mechanisms by which the Commissioner may consolidate petitions or not forward a petition to the Board due to lack of information and/or documentation. The regulations require the Board to meet at least twice a year to hear such petitions.

- **Provisions for Laboratory Analysis and Labeling of Products**

The draft regulations require producers to establish a profile of the active ingredients within a homogenized batch of marijuana and to provide that information on a product label. A variation of any element listed on the profile by 3% plus or minus would require the producer to identify the product by a differnet name.

The purpose of this section of the regulation is to ensure that patients know what is in the marijuana products they are taking each month and can continue to purchase the brand which is most effective for them.

Adjournment:

Commissioner Rubenstein adjourned the meeting at approximately 9:31 a.m.

Next Meeting:

Scheduled for Wednesday, May 8, 2013 @ 8:30am, Room TBA.