

ALASKA

MEDICAL CANNABIS ACCESS STATE REPORT CARD 2015



Issue	Possible Points		
PATIENT RIGHTS & CIVIL PROTECTION (total)	100	65	
Arrest protection	40	40	
Affirmative defense	15	13	
Child custody	10	0	
DUID protections	5	0	
Employment	5	0	
Explicit privacy standards.....	7	7	
Housing protections	5	0	
Does not create new criminal penalties for patients	5	5	
Organ transplants	5	0	
Reciprocity	3	0	
EASE OF NAVIGATION (total).....	100	84	
Comprehensive qualifying conditions.....	50	44	
Adding new conditions (total).....	10	7	
Law/reg's allow for new conditions.....	5	4	
System works for adding new conditions.....	5	2	
Reasonable access for minors.....	10	9	
Reasonable caregiver background check requirements..	4	3	
Number of caregivers.....	2	2	
Patient/practitioner focused task force/advisory board ..	2	0	
Reasonable fees (patients & caregivers).....	10	9	
Allows multiple-year registrations.....	2	0	
Reasonable physician requirements.....	5	5	
Does not classify cannabis as medicine of last resort.....	5	5	
ACCESS TO MEDICINE (total)	100	62	
Allows distribution programs (total).....	40	22	
Allows access to dried flowers.....	15	15	
Allows delivery	5	3	
No sales tax or reasonable sales tax.....	5	3	
Reasonable number of dispensing facilities	5	1	
Does not require vertical integration	2	0	
Ownership/employment restrictions	2	0	
Provisions for labor standards.....	2	0	
Environmental impact regulations	2	0	
Unrestricted choice of dispensary	2	0	
Non-commercial cultivation (total)	20	15	
Personal cultivation.....	15	15	
Collective gardens.....	5	0	
Explicit right to edibles/concentrates/other forms	10	0	
Does not impose limits or bans on THC	10	10	
Does not impose minimum CBD requirements.....	10	10	
Municipal bans/zoning	10	5	
FUNCTIONALITY (total).....	100	77	
Patients are able to obtain medicine.....	50	40	
Free of significant administrative or supply problems..	15	15	
Legal protections within reasonable time frame	15	7	
Reasonable possession limit (ounces)	5	3	
Reasonable purchase limits.....	5	3	
Allows patients to medicate where they chose	5	5	
Covered by insurance/state health aide.....	3	0	
Financial hardship (fee waivers/discount medicine).....	7	4	
PRODUCT SAFETY (total - see back for details).....	100	n/a	
Dispensing	25	n/a	
Cultivation	25	n/a	
Manufacturing	25	n/a	
Lab.....	25	n/a	
Improvement Bonus.....		0	
Total out of 400.....		288	
Score percentage		72	

Final Grade = D-*

Areas for improvement: The long-standing medical cannabis program in Alaska has not seen many changes over the years, and while it still does an admirable job at allowing Alaskans to access medical cannabis, patients in the state are still missing out on the benefits of product safety standards. The state is in the process of implementing an adult-use tax and regulate marijuana program which may ultimately include acceptable product safety regulations. However, medical patients should have retail access to medicine through a system that regulates the plant as a therapeutic substance rather than a recreational intoxicant like alcohol. Additionally, Alaska should grant comprehensive legal protections for patients regarding civil discrimination.

Background: Safe access to medical cannabis was first approved in Alaska by Measure 8 (1998), an initiative supported by 58 percent of voters. Alaska Senate Bill 94 was passed in June 1999 and modified the law created by Measure 8 to require medical marijuana patients to register with the state health department and limit the amount of marijuana they and their caregivers may legally possess. Any patient with a valid registry card may legally use cannabis for medicinal purposes and their caregiver may assist them in doing so. Patients or their caregivers may possess up to one ounce of usable marijuana and cultivate up to six cannabis plants (three mature, three immature). Patients and caregivers can possess paraphernalia associated with growing or consuming cannabis for medical use. All patients and caregivers must enroll in the state patient registry and possess a valid identification card in order to be legally protected. A primary caregiver must be at least 21 years old, not currently on probation or parole, and no drug-related felony convictions. Alaska law does not allow for commercial sales or production of medical cannabis. In 2014, voters approved an adult use retail program, but there is no dedicated retail system that regulates cannabis like medicine.

PRODUCT SAFETY point breakdown

(Point totals by section included in grade calculation on reverse)

Issue	Possible Points		
DISPENSING (total)	25	0	
Dispensary training	5	0	
Operating Procedures and Protocols.....	5	0	
Facility sanitary conditions	Y or N	N	
Storage protocols	Y or N	N	
Reasonable security protocols	Y or N	N	
Inventory control	Y or N	N	
Recall protocol and adverse event reporting	5	0	
Product Labeling	5	0	
Product contents including source material ID	Y or N	N	
Allergens	Y or N	N	
Potency/compound identification	Y or N	N	
Required Testing	5	0	
Active ingredient identification	Y or N	N	
Contaminants	Y or N	N	
Potency	Y or N	N	
Sample retention	Y or N	N	
Recall protocol and adverse event reporting:	5	0	
CULTIVATION (total).....	25	0	
Cultivation training.....	5	0	
Standard Operating Procedures and Protocols	5	0	
Facility and equipment sanitary conditions	Y or N	N	
Workforce Safety Protocols	Y or N	N	
Storage protocols (short and long term)	Y or N	N	
Reasonable Security protocols	Y or N	N	
Batch and lot tracking	Y or N	N	
Disposal / waste	Y or N	N	
Water management	Y or N	N	
Pesticide Guidance and Protocols	5	0	
Pesticide Guidance.....	Y or N	N	
Product labeling	Y or N	N	
Required testing.....	5	0	
Active ingredient identification	Y or N	N	
Contaminants	Y or N	N	
Potency	Y or N	N	
Sample retention	Y or N	N	
Recall protocol and adverse event reporting.....	5	0	
MANUFACTURING (total).....	25	0	
Manufacturing training	5	0	
Standard Operating Procedures and Protocols.....	5	0	
Facility and equipment sanitary conditions	Y or N	N	
Workforce safety protocols	Y or N	N	
Storage protocols	Y or N	N	
Reasonable security protocols	Y or N	N	
Batch and lot tracking	Y or N	N	
Product Labeling	5	0	
Product contents with source material ID	Y or N	N	
Allergens	Y or N	N	
Potency/compound identification	Y or N	N	
Required Testing	5	0	
Active ingredient identification	Y or N	N	
Contaminants	Y or N	N	
Potency	Y or N	N	
Shelf life testing	Y or N	N	
Sample retention	Y or N	N	
Recall protocol and adverse event reporting:	5	0	
LABORATORY (total).....	25	0	
Lab operations training.....	5	0	
Method validation in accordance with AHP guidelines	5	0	
Result reporting - disclose the type of testing used.....	5	0	
Independent or third party certification.....	5	0	
Standard Operating Procedures and Protocols	5	0	
Equipment and instrument calibration	Y or N	N	
Sample tracking	Y or N	N	
Facility and equipment sanitary conditions	Y or N	N	
Disposal/waste protocols	Y or N	N	
Storage protocols	Y or N	N	
Workforce safety protocols	Y or N	N	
Total out of 100		0	

Tools for Success:

Improving your state law has never been easier. In the appendix of this report you will find model legislation and regulators guides for product safety protocols. ASA staff are all also available to draft and/or review legislative and regulatory language. Our website has many resources online including access to our policy shop at http://www.safeaccessnow.org/policy_shop, information for regulators available at <http://patientfocusedcertification.org/about/information-for-regulators/> and a breakdown of all the state laws at http://www.safeaccessnow.org/state_and_federal_law.