

Issue.....	Possible Points		
PATIENT RIGHTS & CIVIL PROTECTION (total)	100	67	
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	2	
Organ transplants	5	5	
Reciprocity	3	0	
EASE OF NAVIGATION (total).....	100	93	
Comprehensive qualifying conditions.....	50	50	
Adding new conditions (total).....	10	10	
Law/Regs allow for new conditions	5	5	
System works for adding new conditions.....	5	5	
Reasonable access for minors.....	10	10	
Reasonable caregiver background check requirements..	4	4	
Number of caregivers	2	2	
Patient/Practitioner focused task force/advisory Board ..	2	0	
Reasonable fees (patients & caregivers).....	10	7	
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	97	
Allows distribution programs (total).....	40	39	
Allows access to dried flowers.....	15	15	
Allows delivery	5	5	
No sales tax or reasonable sales tax	5	4	
Reasonable number of dispensing facilities	5	5	
Does not require vertical integration	2	2	
Ownership/Employment restrictions	2	2	
Provisions for labor standards.....	2	2	
Environmental impact regulations	2	2	
Unrestricted choice of dispensary	2	2	
Non-commercial cultivation (total)	20	20	
Personal cultivation.....	15	15	
Collective gardens	5	5	
Explicit right to edibles/concentrates/other forms	10	10	
Does not impose limits or bans on THC	10	10	
Does not impose minimum CBD requirements	10	10	
Municipal bans/zoning	10	8	
FUNCTIONALITY (total).....	100	98	
Patients are able to obtain medicine.....	50	50	
Free of significant administrative or supply problems..	15	15	
Legal protections within reasonable time frame	10	10	
Reasonable possession limit (ounces)	10	7	
Reasonable purchase limits.....	5	5	
Allows patients to medicate where they chose	5	5	
Covered by insurance/state health aide	3	0	
Financial hardship (fee waivers/discount medicine).....	7	6	
PRODUCT SAFETY (total - see back for details).....	100	59	
Dispensing	25	14	
Cultivation	25	12	
Manufacturing	25	13	
Lab.....	25	20	
Improvement Bonus.....		25	
Total out of 500.....		439	
Score percentage		88	
			Final Grade = B+

Areas for improvement: California made significant strides for its medical cannabis patients in 2015 by signing into law a state-wide centrally regulated dispensary system that included many product safety features. Now the task for the state is to implement the accompanying regulations in a thoughtful but timely manner. While California is still the best place in the country for patients to receive legal protections and gain the most timely access after physician diagnosis, the state still lags behind on providing civil discrimination protections for its patients. The state should build off of its adoption of organ transplant protections by adding housing, employment, and child custody protections.

Background: In 1996, California became the first medical cannabis state when voters approved Prop. 215, the Compassionate Use Act. That law allows doctors to recommend cannabis for any serious or persistent medical condition, and allows patients to legally use, possess, and grow cannabis and designate caregivers to assist them. In 2003, the California legislature passed the Medical Marijuana Program Act, establishing a voluntary ID card program, protections for transporting cannabis, and a legal framework to protect not-for-profit dispensing collectives and cooperatives. The voluntary registry issues ID cards that offer protection from arrest for patients and caregivers in possession of no more than eight ounces of useable cannabis, or cultivating no more than six mature or 12 immature plants. Patients and designated caregivers without a state ID card or those in possession of larger quantities are afforded an affirmative defense. Qualified patients on probation or parole may legally use medical cannabis with the consent of their probation or parole officer. Municipalities may restrict or ban the operation of not-for-profit dispensing collectives and cooperatives in their jurisdiction. In 2015, the state passed several bills that will create a state regulated cultivation and dispensary system as well as establishing protections for medical cannabis patients in need of an organ transplant.

PRODUCT SAFETY point breakdown

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

Issue	Possible Points		
DISPENSING (total)	25	14	
Dispensary training	5	0	
Operating Procedures and Protocols.....	5	4	
Facility sanitary conditions	Y or N	N	
Storage protocols	Y or N	Y	
Reasonable security protocols	Y or N	N	
Inventory control	Y or N	N	
Recall protocol and adverse event reporting	5	0	
Product Labeling	5	5	
Product contents including source material ID	Y or N	Y	
Allergens	Y or N	Y	
Potency/compound identification	Y or N	Y	
Required Testing	5	5	
Active ingredient identification	Y or N	Y	
Contaminants	Y or N	Y	
Potency	Y or N	Y	
Sample retention	Y or N	Y	
Recall protocol and adverse event reporting:	5	0	
CULTIVATION (total).....	25	12	
Cultivation training.....	5	0	
Standard Operating Procedures and Protocols	5	4	
Facility and equipment sanitary conditions	Y or N	N	
Workforce safety protocols	Y or N	Y	
Storage protocols (short and long term)	Y or N	Y	
Reasonable security protocols	Y or N	Y	
Batch and lot tracking	Y or N	Y	
Disposal/waste	Y or N	Y	
Water management	Y or N	Y	
Pesticide Guidance and Protocols	5	3	
Pesticide guidance.....	Y or N	Y	
Product labeling	Y or N	N	
Required testing	5	5	
Active ingredient identification	Y or N	Y	
Contaminants	Y or N	Y	
Potency	Y or N	Y	
Sample retention	Y or N	Y	
Recall protocol and adverse event reporting.....	5	0	
MANUFACTURING (total).....	25	13	
Manufacturing training	5	0	
Standard Operating Procedures and Protocols.....	5	4	
Facility and equipment sanitary conditions	Y or N	N	
Workforce safety protocols	Y or N	Y	
Storage protocols	Y or N	Y	
Reasonable security protocols	Y or N	Y	
Batch and lot tracking	Y or N	Y	
Product Labeling	5	5	
Product contents with source material ID	Y or N	Y	
Allergens	Y or N	Y	
Potency/compound identification	Y or N	Y	
Required Testing	5	4	
Active ingredient identification	Y or N	Y	
Contaminants	Y or N	Y	
Potency	Y or N	Y	
Shelf life testing	Y or N	N	
Sample retention	Y or N	Y	
Recall protocol and adverse event reporting:	5	0	
LABORATORY (total).....	25	20	
Lab operations training.....	5	5	
Method validation in accordance with AHP guidelines ..	5	0	
Result reporting - disclose the type of testing used.....	5	5	
Independent or third party certification	5	5	
Standard Operating Procedures and Protocols	5	5	
Equipment and instrument calibration	Y or N	Y	
Sample tracking	Y or N	Y	
Facility and equipment sanitary conditions	Y or N	Y	
Disposal/waste protocols	Y or N	Y	
Storage protocols	Y or N	Y	
Workforce safety protocols	Y or N	Y	
Total out of 100		59	

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.



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