

MINNESOTA

MEDICAL CANNABIS ACCESS STATE REPORT CARD 2015



Issue	Possible Points		
PATIENT RIGHTS & CIVIL PROTECTION (total)	100	84	
Arrest protection	40	40	
Affirmative defense	15	12	
Child custody	10	10	
DUID protections	5	0	
Employment	5	5	
Explicit privacy standards.....	7	7	
Housing protections	5	5	
Does not create new criminal penalties for patients	5	0	
Organ transplants	5	5	
Reciprocity	3	0	
EASE OF NAVIGATION (total).....	100	80	
Comprehensive qualifying conditions.....	50	42	
Adding new conditions (total).....	10	8	
Law/Regs allow for new conditions	5	4	
System works for adding new conditions.....	5	4	
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	2	
Reasonable fees (patients & caregivers).....	10	7	
Allows multiple-year registrations	2	0	
Reasonable physician requirements.....	5	3	
Does not classify cannabis as medicine of last resort.....	5	4	
ACCESS TO MEDICINE (total)	100	49	
Allows distribution programs (total).....	40	14	
Allows access to dried flowers.....	15	0	
Allows delivery	5	5	
No sales tax or reasonable sales tax.....	5	3	
Reasonable number of dispensing facilities	5	0	
Does not require vertical integration	2	1	
Ownership/Employment restrictions	2	1	
Provisions for labor standards	2	0	
Environmental impact regulations	2	2	
Unrestricted choice of dispensary	2	2	
Non-commercial cultivation (total)	20	0	
Personal cultivation.....	15	0	
Collective gardens	5	0	
Explicit right to edibles/concentrates/other forms	10	7	
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	74	
Patients are able to obtain medicine.....	50	35	
Free of significant administrative or supply problems..	15	12	
Legal protections within reasonable time frame	10	8	
Reasonable possession limit (ounces)	5	4	
Reasonable purchase limits.....	5	7	
Allows patients to medicate where they chose	5	3	
Covered by insurance/state health aide	3	0	
Financial hardship (fee waivers/discount medicine).....	7	5	
PRODUCT SAFETY (total - see back for details).....	100	66	
Dispensing	25	21	
Cultivation	25	16	
Manufacturing	25	20	
Lab.....	25	9	
Improvement Bonus.....		25	
Total out of 500.....		378	
Score percentage		76	
			Final Grade = C

Areas for improvement: Minnesota deserves credit for the swift implementation of its limited medical cannabis program and for adding intractable pain to its qualifying conditions list. However, the state's patients are woefully underserved by the tiny number of dispensaries, the restrictions on obtaining medical cannabis in its common dried flower form, and the lack of clear training requirements in its product safety rules. Increasing the number of cultivators and dispensaries as well as lifting the restriction on forms of medicine that patients may legally obtain are the first steps the state should take to improve its program.

Background: In 2014, the Minnesota legislature passed SF 2470, which provides legal protections for patients with certain debilitating medical conditions who obtain a physician's recommendation for the use of medical cannabis products. Minnesota law does not provide legal access to cannabis in its most commonly used form, dried flowers. Patients may only legally obtain and use medical cannabis products which may be vaporized or consumed by a means other than smoking, such as oils, pills, or liquids. The law does not impose concentration requirements for THC or CBD. The law contains some of the strongest privacy protections for patients, though the state seeks to collect medical data from physicians on the patients for whom they recommend medical cannabis.

PRODUCT SAFETY point breakdown

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

Issue	Possible Points		
DISPENSING (total)	25	21	
Dispensary training	5	3	
Operating Procedures and Protocols.....	5	5	
Facility sanitary conditions	Y or N	Y	
Storage protocols	Y or N	Y	
Reasonable security protocols	Y or N	Y	
Inventory control	Y or N	Y	
Recall protocol and adverse event reporting	5	5	
Product Labeling	5	3	
Product contents including source material ID	Y or N	Y	
Allergens	Y or N	N	
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	
Shelf life testing	Y or N	N	
Sample retention	Y or N	Y	
Recall protocol and adverse event reporting:	5	5	
CULTIVATION (total).....	25	16	
Cultivation training.....	5	3	
Standard Operating Procedures and Protocols	5	0	
Facility and equipment sanitary conditions ..	Y or N	Y	
Workforce safety protocols	Y or N	N	
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	N	
Product labeling	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	5	
MANUFACTURING (total).....	25	20	
Manufacturing training	5	3	
Standard Operating Procedures and Protocols.....	5	5	
Facility and equipment sanitary conditions ..	Y or N	Y	
Workforce safety protocols	Y or N	N	
Storage protocols	Y or N	Y	
Reasonable security protocols	Y or N	Y	
Batch and lot tracking	Y or N	Y	
Product Labeling	5	3	
Product contents with source material ID	Y or N	Y	
Allergens	Y or N	N	
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	5	
LABORATORY (total).....	25	9	
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	5	
Standard Operating Procedures and Protocols	5	4	
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	N	
Storage protocols	Y or N	Y	
Workforce safety protocols	Y or N	N	
Total out of 100.....		66	

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.