

MISSISSIPPI

MEDICAL CANNABIS ACCESS STATE REPORT CARD 2015



Issue	Possible Points		
PATIENT RIGHTS & CIVIL PROTECTION (total)	100	69	
Arrest protection	40	40	
Affirmative defense	15	9	
Child custody	10	8	
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	46	
Comprehensive qualifying conditions.....	50	20	
Adding new conditions (total).....	10	0	
Law/Regs allow for new conditions	5	0	
System works for adding new conditions.....	5	0	
Reasonable access for minors.....	10	6	
Reasonable caregiver background check requirements..	4	4	
Number of caregivers	2	1	
Patient/Practitioner focused task force/advisory Board ..	2	0	
Reasonable fees (patients & caregivers).....	10	10	
Allows multiple-year registrations	2	0	
Reasonable physician requirements.....	5	2	
Does not classify cannabis as medicine of last resort.....	5	3	
ACCESS TO MEDICINE (total)	100	7	
Allows distribution programs (total).....	40	0	
Allows access to dried flowers.....	15	0	
Allows delivery	5	0	
No sales tax or reasonable sales tax.....	5	0	
Reasonable number of dispensing facilities	5	0	
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	0	
Personal cultivation.....	15	0	
Collective gardens	5	0	
Explicit right to edibles/concentrates/other forms	10	3	
Does not impose limits or bans on THC	10	1	
Does not impose minimum CBD requirements.....	10	3	
Municipal bans/zoning	10	0	
FUNCTIONALITY (total).....	100	38	
Patients are able to obtain medicine.....	50	5	
Free of significant administrative or supply problems..	15	15	
Legal protections within reasonable time frame	10	8	
Reasonable possession limit (ounces)	5	5	
Reasonable purchase limits.....	5	0	
Allows patients to medicate where they chose	5	3	
Covered by insurance/state health aide.....	3	0	
Financial hardship (fee waivers/discount medicine).....	7	2	
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.....		153	
Score percentage		38	

Final Grade = F

Areas for improvement: Mississippi deserves some credit for being one of the only CBD-focused states to include child custody protections in its medical cannabis laws. Beyond this one particular area, the program is otherwise failing patients on all fronts. Until the state passes a program with in-state production and distribution, a robust set of qualifying conditions, and strong product safety guidelines, the patients of Mississippi will be denied the benefit of a functional medical cannabis program.

Background: In 2014, Mississippi passed HB 1231, which creates an affirmative defense for the possession and use of CBD oil in very limited circumstances. Known as “Harper Grace’s Law,” the bill only provides legal protection to patients diagnosed with a debilitating epileptic condition, and only if the CBD oil was either obtained from or tested by the National Center for Natural Products Research at the University of Mississippi and dispensed by the Department of Pharmacy Services at the University of Mississippi Medical Center. The law requires that CBD oil must have at least 15% CBD and no more than 0.5% THC. Patients with conditions other than a debilitating epileptic condition are not entitled to any legal protections, nor are there any legal protections for the possession and use of any other type of cannabis product.

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	
Shelf life testing	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			n/a

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.