



Issue	Possible Points	
PATIENT RIGHTS & CIVIL PROTECTION (total)	100	60
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	0
Organ transplants	5	0
Reciprocity	3	0

EASE OF NAVIGATION (total).....	100	72
Comprehensive qualifying conditions.....	50	44
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	9
Reasonable caregiver background check requirements..	4	2
Number of caregivers	2	2
Patient/Practitioner focused task force/advisory Board ..	2	0
Reasonable fees (patients & caregivers).....	10	8
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	76
Allows distribution programs (total).....	40	24
Allows access to dried flowers.....	15	15
Allows delivery	5	0
No sales tax or reasonable sales tax.....	5	5
Reasonable number of dispensing facilities	5	2
Does not require vertical integration	2	0

Ownership/Employment restrictions	2	1
Provisions for labor standards	2	0
Environmental impact regulations	2	0
Unrestricted choice of dispensary	2	1
Non-commercial cultivation (total)	20	15
Personal cultivation.....	15	15
Collective gardens	5	0
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	7

FUNCTIONALITY (total).....	100	72
Patients are able to obtain medicine.....	50	40
Free of significant administrative or supply problems..	15	11
Legal protections within reasonable time frame	10	8
Reasonable possession limit (ounces)	5	3
Reasonable purchase limits.....	5	3
Allows patients to medicate where they chose	5	3
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.....	280
Score percentage	70

Final Grade = D-*

Areas for improvement: The Montana medical cannabis program is currently hanging on by a thread in the form of a court injunction that has prevented the program from largely being obliterated. Even if the court injunction remains in place, the program is still falling significantly short of truly serving the needs of patients in the state. The state should pass a modern, comprehensive medical cannabis production and distribution law that allows for a sufficient number of providers and includes product safety regulations.

Background: In 2004, 62 percent of Montana voters passed Initiative I-148, allowing registered patients to use, possess and cultivate medical cannabis and designate a caregiver to assist them. The Montana legislature amended that initiative in 2011, and new regulations were issued in 2011 and 2012. Currently, registered patients and their designated caregivers may possess up to one ounce of usable cannabis and cultivate up to four mature plants and 12 immature. The changes enacted by SB 423 in 2011 repealed several of the original provisions, including those concerning dispensaries and caregivers. Current regulations limit the number of patients "providers" may supply and prohibits them from being reimbursed for their services.

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			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.