

# NEVADA

## MEDICAL CANNABIS ACCESS STATE REPORT CARD 2015



Issue .....	Possible Points		
<b>PATIENT RIGHTS &amp; CIVIL PROTECTION (total) .....</b>	<b>100</b>	<b>68</b>	
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	3	
<b>EASE OF NAVIGATION (total).....</b>	<b>100</b>	<b>87</b>	
Comprehensive qualifying conditions.....	50	46	
<b>Adding new conditions (total).....</b>	<b>10</b>	<b>7</b>	
Law/Regs allow for new conditions .....	5	5	
System works for adding new conditions.....	5	2	
Reasonable access for minors.....	10	9	
Reasonable caregiver background check requirements..	4	4	
Number of caregivers .....	2	2	
Patient/Practitioner focused task force/advisory Board ..	2	1	
Reasonable fees (patients & caregivers).....	10	8	
Allows multiple-year registrations .....	2	0	
Reasonable physician requirements.....	5	5	
Does not classify cannabis as medicine of last resort.....	5	5	
<b>ACCESS TO MEDICINE (total) .....</b>	<b>100</b>	<b>87</b>	
<b>Allows distribution programs (total).....</b>	<b>40</b>	<b>34</b>	
Allows access to dried flowers.....	15	15	
Allows delivery .....	5	3	
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	1	
Provisions for labor standards .....	2	0	
Environmental impact regulations .....	2	2	
Unrestricted choice of dispensary .....	2	2	
<b>Non-commercial cultivation (total) .....</b>	<b>20</b>	<b>15</b>	
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	8	
<b>FUNCTIONALITY (total).....</b>	<b>100</b>	<b>89</b>	
Patients are able to obtain medicine.....	50	50	
Free of significant administrative or supply problems..	15	15	
Legal protections within reasonable time frame .....	10	8	
Reasonable possession limit (ounces) .....	5	4	
Reasonable purchase limits.....	5	4	
Allows patients to medicate where they chose .....	5	4	
Covered by insurance/state health aide .....	3	0	
Financial hardship (fee waivers/discount medicine).....	7	4	
<b>PRODUCT SAFETY (total - see back for details).....</b>	<b>100</b>	<b>80</b>	
Dispensing .....	25	20	
Cultivation .....	25	20	
Manufacturing .....	25	20	
Lab .....	25	25	
<b>Improvement Bonus.....</b>		<b>25</b>	
<b>Total out of 500.....</b>		<b>436</b>	
<b>Score percentage .....</b>		<b>87</b>	

**Final Grade = B+**

**Areas for improvement:** Nevada has done an admirable job in implementing its in-state production and dispensaries with good product safety regulations, but still falls short in the area of protecting patient rights. The state needs to protect patients from civil discrimination by adding housing, employment, child custody, and organ transplant protections. Additionally, the state should increase the possession limit for patients, as the state currently has the lowest possession limit in the country, which can be harmful for patients seeking to maintain an uninterrupted supply of their medicine.

**Background:** In 2000, 65% of Nevada voters approved Question 9, amending the state constitution to allow the use, possession, and cultivation of marijuana by qualifying patients who participate in a confidential state-run registry that issues identification cards. Currently, registered patients may possess up to 2.5 ounces of cannabis in a single 14-day period, as well as cultivate up to 12 plants or designate a primary caregiver to assist them. Patients who possess more than the law allows or do not have a registration card can still be prosecuted, but are entitled to a medical necessity defense in court. Designated primary caregivers who receive approval from the Division of Public and Behavioral Health are also protected from prosecution. In April 2014, Senate Bill 374 was enacted, establishing a statewide medical cannabis distribution program. The law allows for the creation of up to 66 dispensaries and 200 production facilities, regulated by the Department of Health and Human Services. The first licensed commercial establishments are slated to open as early as 2015. At such time, if a dispensary opens in a patient's county of residence, home cultivation will be largely prohibited unless warranted by a specific legal exception.

## PRODUCT SAFETY point breakdown

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

Issue .....	Possible Points		
<b>DISPENSING (total) .....</b>	<b>25</b>	<b>20</b>	
Dispensary training .....	5	5	
<b>Operating Procedures and Protocols.....</b>	<b>5</b>	<b>5</b>	
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	0	
<b>Product labeling .....</b>	<b>5</b>	<b>5</b>	
Product contents including source material ID .....	Y or N	Y	
Allergens .....	Y or N	Y	
Potency/compound identification .....	Y or N	Y	
<b>Required Testing .....</b>	<b>5</b>	<b>5</b>	
Active ingredient identification .....	Y or N	Y	
Contaminants .....	Y or N	Y	
Potency .....	Y or N	Y	
Shelf life testing .....	Y or N	Y	
Sample retention .....	Y or N	Y	
Recall protocol and adverse event reporting: .....	5	0	
<b>CULTIVATION (total).....</b>	<b>25</b>	<b>20</b>	
Cultivation training.....	5	5	
<b>Standard Operating Procedures and Protocols .....</b>	<b>5</b>	<b>5</b>	
Facility and equipment sanitary conditions ..	Y or N	Y	
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	
<b>Pesticide Guidance and Protocols .....</b>	<b>5</b>	<b>5</b>	
Pesticide guidance.....	Y or N	Y	
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	0	
<b>MANUFACTURING (total).....</b>	<b>25</b>	<b>20</b>	
Manufacturing training .....	5	5	
<b>Standard Operating Procedures and Protocols.....</b>	<b>5</b>	<b>5</b>	
Facility and equipment sanitary conditions ..	Y or N	Y	
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	
<b>Product Labeling .....</b>	<b>5</b>	<b>5</b>	
Product contents with source material ID .....	Y or N	Y	
Allergens .....	Y or N	Y	
Potency/compound identification .....	Y or N	Y	
<b>Required Testing .....</b>	<b>5</b>	<b>5</b>	
Active ingredient identification .....	Y or N	Y	
Contaminants .....	Y or N	Y	
Potency .....	Y or N	Y	
Shelf life testing .....	Y or N	Y	
Sample retention .....	Y or N	Y	
Recall protocol and adverse event reporting: .....	5	0	
<b>LABORATORY (total).....</b>	<b>25</b>	<b>20</b>	
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	
<b>Standard Operating Procedures and Protocols .....</b>	<b>5</b>	<b>5</b>	
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	
<b>Total out of 100.....</b>		<b>80</b>	

### 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](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](http://www.safeaccessnow.org/state_and_federal_law).