

OREGON

MEDICAL CANNABIS ACCESS STATE REPORT CARD 2015



Issue	Possible Points
PATIENT RIGHTS & CIVIL PROTECTION (total)	100 73
Arrest protection	40 40
Affirmative defense	15 15
Child custody	10 0
DUID protections	5 0
Employment	5 0
Explicit privacy standards.....	7 7
Housing protections	5 3
Does not create new criminal penalties for patients	5 5
Organ transplants	5 0
Reciprocity	3 3

EASE OF NAVIGATION (total).....	100 87
Comprehensive qualifying conditions.....	50 47
Adding new conditions (total).....	10 7
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 2
Reasonable fees (patients & caregivers).....	10 6
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 78
Allows distribution programs (total).....	40 25
Allows access to dried flowers.....	15 5
Allows delivery	5 5
No sales tax or reasonable sales tax.....	5 5
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 0
Unrestricted choice of dispensary	2 2
Non-commercial cultivation (total)	20 17
Personal cultivation.....	15 15
Collective gardens	5 2
Explicit right to edibles/concentrates/other forms	10 10
Does not impose limits or bans on THC	10 9
Does not impose minimum CBD requirements.....	10 10
Municipal bans/zoning	10 7

FUNCTIONALITY (total).....	100 89
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 5
Reasonable purchase limits.....	5 0
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 74
Dispensing	25 17
Cultivation	25 16
Manufacturing	25 17
Lab.....	25 24

Improvement Bonus.....	25
Total out of 500.....	426
Score percentage	85

Final Grade = B

Areas for improvement: Oregon continues to have one of the strongest medical cannabis programs for patients in the nation. The state would be wise to maintain this impressive program that serves the needs of its patients and avoid temptation to merge the medical program with the state's recently adopted adult use program. Oregon could make its program even better by including civil discrimination protections for patients in the areas of employment, housing, organ transplants, and child custody, as well as adding recall and adverse event protocols to its product safety guidelines.

Background: In 1998, Oregon voters approved the Oregon Medical Marijuana Act (OMMA), allowing a patient with a valid ID card to use, possess, and cultivate cannabis for medicinal purposes, and designate a primary caregiver to assist them. Qualifying patients may possess up to 24 ounces of usable cannabis and may cultivate up to 24 plants (6 mature, 18 immature). To be protected from arrest, patients must enroll in the Oregon Health Authority patient registry and possess a valid Oregon Medical Marijuana Program (OMMP) identification card. Non-registered patients with a valid recommendation who are within the possession or cultivation limits set by the OMMA are entitled to an affirmative defense. In August 2013, House Bill 3460 established regulations for state-licensed medical cannabis facilities; as of April 2014, 58 licenses have been approved. In March 2014, Senate Bill 1531 granted cities and counties the right to pass moratoriums on the opening of medical marijuana facilities until May 1, 2015.

PRODUCT SAFETY point breakdown

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

Issue	Possible Points		
DISPENSING (total)	25	17	
Dispensary training	5	5	
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	Y	
Inventory control	Y or N	Y	
Recall protocol and adverse event reporting	5	0	
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	Y	
Sample retention	Y or N	Y	
Recall protocol and adverse event reporting:	5	0	
CULTIVATION (total).....	25	16	
Cultivation training.....	5	5	
Standard Operating Procedures and Protocols	5	3	
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	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	N	
Pesticide Guidance and Protocols	5	3	
Pesticide guidance.....	Y or N	Y	
Product labeling	Y or N	0	
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 reportingt	5	0	
MANUFACTURING (total).....	25	17	
Manufacturing training	5	5	
Standard Operating Procedures and Protocols.....	5	4	
Facility and equipment sanitary conditions ..	Y or N	N	
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	5	
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	
LABORATORY (total).....	25	24	
Lab operations training.....	5	5	
Method validation in accordance with AHP guidelines ..	5	5	
Result reporting - disclose the type of testing used.....	5	5	
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 rotocols	Y or N	Y	
Storage protocols	Y or N	Y	
Workforce safety protocols	Y or N	N	
Total out of 100.....		74	

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.