



Issue	Possible Points		
PATIENT RIGHTS & CIVIL PROTECTION (total)	100	47	
Arrest protection	40	30	
Affirmative defense	15	12	
Child custody	10	0	
DUID protections	5	0	
Employment	5	0	
Explicit privacy standards.....	7	0	
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	52	
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	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	10	
Allows multiple-year registrations	2	0	
Reasonable physician requirements.....	5	3	
Does not classify cannabis as medicine of last resort.....	5	3	
ACCESS TO MEDICINE (total)	100	14	
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	10	
Municipal bans/zoning	10	0	
FUNCTIONALITY (total).....	100	35	
Patients are able to obtain medicine	50	10	
Free of significant administrative or supply problems..	15	10	
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	0	
Covered by insurance/state health aide	3	2	
Financial hardship (fee waivers/discount medicine).....	7	0	
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.....		25	
Total out of 400.....		169	
Score percentage		42	

Final Grade = F*

Areas for improvement: Of all the current CBD-focused states, South Carolina appears to be the one most poised to adopt a comprehensive medical cannabis program in 2016. This would be a very welcome improvement, as the state's current law only provides a modicum of protection for a very limited number of patients. When adopting a comprehensive program, the state should include in-state production and dispensing, civil discrimination protections (housing, employment, organ transplants, child custody), expand the list of qualifying conditions, allow for access through home cultivation, and include product safety guidelines.

Background: In 2014, the South Carolina legislature passed S 1035/H 4803, also known as "Julian's Law." The law creates an exemption for the possession and use of CBD from the criminal definition of marijuana in limited circumstances. Only patients with severe forms of seizure disorders are eligible for legal protections after the patient obtains a recommendation for CBD oil from a physician. The law requires that the CBD oil be at least 15% CBD and no more than 0.9 % THC. The law also creates the ability for physicians to apply to take part in a statewide medical study of CBD oil for other conditions; however, the CBD oil for these studies must be at least 98% CBD and must come from a USDA-approved source. In September 2015, the Senate Medical Affairs subcommittee unanimously approved S672, which will get further legislative consideration in 2016.

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.



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