

# Why Drug Policy Action Supports AUMA: It Protects Patients Who Use Medical Marijuana

**Californians for Responsible Marijuana Reform.**

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Californians have long affirmed the value of medical marijuana, beginning with the passage of the Compassionate Use Act (Prop. 215) in 1996 and continuing with the recent passage of bills by the state legislature and signed by Governor Brown that created a statewide regulatory system for medical marijuana. The Adult Use of Marijuana Act (AUMA) builds on this structure to control, regulate and tax the responsible adult use of marijuana and expands patients' rights to possess, grow and use medical marijuana in every corner of the state.

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## **Overview of AUMA—Regulating Medical and Nonmedical Marijuana Together**

AUMA is designed to allow the responsible use of marijuana by adults 21 and over within a tightly regulated system. It will allow adults to legally possess, transport, purchase, consume and share up to one ounce of marijuana and eight grams of concentrated marijuana. Adults may also legally grow up to six plants at their homes. The newly-formed Bureau of Marijuana Control within the Department of Consumer Affairs will coordinate efforts of the Departments of Public Health and Food & Agriculture, among others, to oversee regulation for both medical and nonmedical marijuana.

## **AUMA Maintains and Reinforces Existing Privileges for Medical Marijuana Patients**

Neither the recent legislative bills nor AUMA change the possession limits or affirmative defenses provided by the Compassionate Use Act (Prop 215). A patient may still possess an amount necessary for his or her medical use, subject to the requirements of SB420 and any local regulation.

## **AUMA Improves Patients' Right to Grow Their Own Marijuana**

The right of patients to grow for their own self-care has been under attack by some cities and counties in California. AUMA specifically prevents cities and counties from banning the cultivation of marijuana inside a home or within any enclosed structure, although they may ban outdoor grows. This is a powerful step forward for patients and for the rights of all Californians.

## **AUMA Protects Patient Privacy**

AUMA requires cities and counties to identify patients using unique identifiers instead of names, and subjects any databases to the privacy protections of the Confidentiality of Medical Information Act (the state equivalent of federal HIPAA laws).

## **AUMA Exempts Patients From Sales Tax on Marijuana**

Any patient who obtains a voluntary identification card under AUMA will be exempt from the state sales tax on marijuana. The fee for the ID card will be capped at \$100. Medi-Cal beneficiaries will receive a 50 percent reduction in the fee, while the fee will be waived entirely for indigent adults.

## **AUMA Protects Parental Rights of Patients**

The lawful conduct of a patient cannot, by itself, be used to restrict a patient's custodial or parental rights.

## **AUMA Funds Necessary Research on Medical Marijuana**

Two million dollars will be distributed each year to the University of California Center for Medical Cannabis Research for research on the efficacy of marijuana as medicine.