

CHEAC MEMORANDUM

(2 pages)

To: CSAC Medical Marijuana Working Group
From: Betsy Armstrong, CHEAC Policy Analyst
Date: April 13, 2010
RE: **California Medical Marijuana Program (MMP)/Medical Marijuana Identification Program (MMIC)**

Brief Program Background

In 2003, SB 420/Vasconcellos was passed as an extension and clarification of Proposition 215, the Compassionate Use Act of 1996. The Medical Marijuana Program (MMP), within the California Department of Public Health, is required to maintain a voluntary program for the issuance of identification cards to qualified medical marijuana patients¹ through their county of residence. State responsibilities include establishing state fees sufficient to cover ongoing costs and issuing state ID cards through an online application process. To date, all California counties have implemented the program except for two. Furthermore, for FY 2009/10, 7,906 cards have been issued through the end of March for a total of 40,028 issued statewide since 2004.

County health departments have been tasked with providing, receiving and processing applications for the Medical Marijuana Identification Card Program (MMIC) as well as collecting application fees adequate to cover both the state and local costs of administering the program. Counties are also directed to “maintain records of identification card programs.” Information that must be provided at the time of application includes: 1) the name of the person applying and proof of their residency, 2) written documentation by the attending physician in the person’s medical records stating that the person has been diagnosed with a serious medical condition, 3) name, office address, office telephone number and CA medical license number of the applicant’s attending physician, 4) name and duties of the primary caregiver if applicable, and 5) a government-issued photo identification card of the applicant and designated primary care giver, if any.

County Health Department Feedback

In a brief survey of CHEAC members in March/April 2010, most county health departments we heard from report that the program workload has been minimal and few issues of concern have been identified. However, a few did identify some concerns. Below, without reference to county, is a list of some of those issues as submitted by counties.

- Program client numbers are lower than expected. The County is subsidizing .5 FTE employee at about \$30K per year. When fees are raised, client numbers sharply dropped, forcing the county to lower fees to generate volume.
- Several have reported that fees they receive are not sufficient to cover staffing/operating costs.

¹ Qualified or “serious” medical conditions include AIDS, Anorexia, Arthritis, Cachexia, Cancer, Chronic Pain, Glaucoma, Migraine, MS, Epilepsy, Severe Nausea or “any other chronic or persistent medical symptom that either substantially limits the ability of the person to conduct one or more major life activities...or if not alleviated, may cause serious harm to the patient’s safety or physical or mental health.”

- The biggest challenge for my staff is getting the physician to validate the medical recommendation submitted by the applicant. There have been 65 different physicians and 4 osteopathic offices that have written recommendations. Only 18 of these practices have been in our county. *This concern was echoed by several counties.*
- The number of program “customers” has decreased over time.
- Law enforcement feedback from the community has been positive.
- People think the cost of the card is too much, and some think that because they already have a card (issued by various medical marijuana groups) to get into the dispensaries they are covered just as well as if they had the state ID card.
- Recently the number of calls to our nurses has drastically increased regarding the program. We think it may be related to the new ballot initiative to legalize marijuana.
- Impacts on our staff time due to being subpoenaed for court cases.
- The state ID card program entry system doesn't have a way to override mistakes.