

Terminology

Many states are looking at ways to deal with issues arising from earlier legislation passed approving medical marijuana for certain medical conditions. The following recommends terminology and definitions to help clarify aspects of this new industry. Each area deserves individual consideration regarding regulation and oversight.

Store Front - A retail outlet where patient(s) licensed to a caregiver may either walk in or by appointment purchase their medicinal product on-site. There is a significant need for store-fronts for those patients that wish to evaluate a wider variety of product available for their condition and do not mind being seen going into a location. Some cities have regulated a CAP or limited number of store fronts based on city population, with the flexibility of reviewing that count as either population or patient count in the area changes.

Home Delivery - Many patients wish to remain out of the public eye. Some patients are 100% home bound and require the personal attention of their caregiver.

Grow location - A commercial grow facility is the physical location where the medical marijuana is grown and may be a different location from that of a store front, or the main place of business of the caregiver. The caregiver may have one or more grow locations. Through inspection, it should be insured that the facility has proper electrical, odor mitigation, plant count to cards, fire safety and security.

Medibles - Any product made from or including medical marijuana for the purposes of ingestion. Many patients are unable or do not desire to use medical marijuana by smoking and use edible products such as cookies or muffins. On average, edible products have between 30 - 90mg of marijuana content. These estimates can be used by patients and law enforcement to qualify legal limits of acquisition.

Sundries - Lip balms, salves, lotions made from cannabis all have therapeutic value to the patient. With the testing currently available these ancillary products can have appropriate labeling showing the marijuana value contained. Patients and law enforcement can qualify legal limits of acquisition using these labels.

Courier - Montana is a sparsely populated state with many patients residing in somewhat remote areas where there is no caregiver in reasonable proximity for direct delivery. Regulatory or company policy prohibits medical marijuana from being delivered to a patient via the US Post Office, Federal Express or UPS. There are private in-state bonded courier services that currently deliver other medicine to pharmacies, hospitals and nursing homes that could also be used to deliver medicinal product to patients. Similar guidelines could be developed with appropriate documentation for employees of a caregiver to transport medicinal product on behalf of that caregiver.

Plant - The definition should be based on scientific fact. Marijuana plants only have significant medical benefit once they are in the flowering stage. Vegetative plants have inconsequential medicinal impact. The recommendation is to qualify separately vegetative and bloom plants. This change significantly reduces inspection time for law enforcement.

Bloom Plant - A bloom plant is a plant that has begun to flower or has begun the flowering stage.

Vegetative Plant - Clones or any rooted plant not in the bloom cycle. Many varieties require lengthy vegetative schedules and may include "mothers" or plants not going to bloom but are used for cloning.

Seeds - There is no medicinal efficacy in seeds and therefore does not require specific regulation.

Trim - When a plant is harvested, there is waste plant material that is either discarded or used for low level production of other by-products. The medicinal content of trim is significantly less than bud or flower material. There is minimal medicinal efficacy in trim and therefore does not require specific regulation or control.

Marijuana - The actual bud or flower of the plant. Bud has different stages, usable and unusable.

Usable Marijuana - The product has been properly cured and is ready for sale.

Unusable Marijuana - The product is in the curing stage and is not ready for sale.

Caregiver to Caregiver Exchange - As evidenced by states that have a limited number of growers participating, the supply of medicinal product is severely limited with significant risk of crop failure. Crop failure can also impact small growers. If a crop fails, and the caregivers are not permitted to legally acquire product from other licensed caregivers, patients have no source for product. With 100% transparency in the exchange of product, no black market activity would be involved and law enforcement would easily be able to track the movement of medicinal product. In addition, when a patient first receives his/her license, there is a delay time before the caregiver may begin the grow process. This is problematic since it can take up to six months before plants can be harvested for that specific patient. By permitting caregiver to caregiver exchange, patients can be provided medicinal product immediately upon receipt of their license.

Allowable Marijuana - It is recommended that allowable marijuana amounts be designated differently for patients and caregivers.

Patient Allowable Marijuana - 1 ounce per week from their caregiver unless documented by the caregiver with supporting rationale. Examples would be terminally ill patients or far remote patients where delivery is problematic. A patient may maintain his/her own six bloom plants and retain the yield in full.

Caregiver Allowable Marijuana - It is a caregiver's responsibility to have an ongoing supply of medicinal product for their patients. The limit should be six flowering plants per patient with no restrictions on usable product. Transparent tracking and reporting by caregivers eliminate the possibility of any black market activity either in bound or out bound and will insure an uninterrupted supply of legal, quality product for the patient.