



BOARD OF MEDICAL EXAMINERS

TO: Children, Families, Health and Human Services Interim Committee
FROM: Ian Marquand, Board of Medical Examiners Exec. Officer
RE: Annual Report on Medical Marijuana Complaints
DATE: 6/11/2014

In compliance with 37-3-203 MCA, the Board of Medical Examiners is providing this annual report on the number of complaints and disciplinary actions against licensees related to the certification of individuals for use of medical marijuana. Since July 1, 2013, the Board's caseload of medical marijuana-related complaints has been:

New complaints received: 2
Complaints from prior years: 1
Complaints adjudicated: 1 (actually, an amended adjudication)

Over the past year, the Screening Panel of the Montana Board of Medical Examiners has found reasonable cause to believe a violation of the laws and rules has occurred in one complaint. A Notice of Board Action has not yet been filed for that complaint. Two new complaints have been submitted to the Board and are scheduled to be heard by the Screening Panel in July of this year.

Also in FY 2014, the Board's Adjudication Panel amended a Board action from FY 2013 against Dr. Ross Horsley. As the Board's report to your committee noted a year ago, Dr. Horsley served as a physician for the Montana Caregivers Network at a medical marijuana clinic conducted over five days in early 2010. During that period, Dr. Horsley did not have access to patient charts that were in the possession and control of the Montana Caregivers Network. The Board took action under MCA 37-1-316(18) and levied a fine of \$11,000 with \$10,000 stayed. The Board also directed Dr. Horsley to provide 100 hours of pro bono tele-radiology services to low income or underserved patient populations within the state of Montana.

The Board now has amended its previous order to allow Dr. Horsley to donate more than \$10,000 worth of diagnostic X-ray equipment to the Leo Pocha Clinic in lieu of providing pro bono services.