

Arizona Medical Marijuana Program

Arizona Department of Health Services
March 2013



Health and Wellness for all Arizonans

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Outline

- Important Dates
- Voting Results by County
- AZ Medical Marijuana vs. Other Medical Marijuana Laws
- Qualifying Patients
- Designated Caregivers
- QP and CG Statistics
- Nonprofit Medical Marijuana Dispensaries
- MM Infused-Edible Food Products
- Point of Sale/Verification System
- AMMA Highlights: Protections, Limitations, Etc.

Medical Marijuana States

Alaska

Arizona

California

Colorado

Connecticut

Delaware

Hawaii

Maine

Massachusetts

Michigan

Montana

Nevada

New Mexico

New Jersey

Oregon

Vermont

Rhode Island

Washington

Washington D.C.



Important Dates

- Nov 2, 2010: Proposition 203 passes
- Dec 17, 2010: ADHS posts informal draft Rules for public comment
- Dec through Feb 2011: ADHS receives public comment & holds 4 public meetings
- March 28, 2011: ADHS publishes Final Rules
- April 14, 2011: Medical Marijuana Act effective
- April 14, 2011: ADHS begins to accept applications for qualifying patients and designated caregivers
- March 15, 2012: ADHS begins to accept renewal applications for qualifying patients and designated caregivers
- May 14-25, 2012: ADHS accepted dispensary applications
- August 7, 2012: ADHS allocated dispensary registration certificates via a Random Selection Process
- December 6, 2012: First dispensary opens and dispenses

Voting Results by County

County	YES	NO	Total
Apache	6816	11726	18,542
Cochise	18466	20979	39,445
Coconino	20625	17761	38,386
Gila	7800	9554	17,354
Graham	2926	5906	8,832
Greenlee	1101	1248	2,349
La Paz	2023	2319	4,342
Maricopa	480564	484591	965,155
Mohave	25779	26526	52,305
Navajo	9918	18328	28,246
Pima	174591	131017	305,608
Pinal	36942	38928	75,870
Santa Cruz	4840	4560	9,400
Yavapai	35839	44066	79,905
Yuma	13118	19499	32,617
Total:	841,348	837,008	1,678,356

Arizona Medical Marijuana v. Other Medical Marijuana Laws - *Differences*

- Premise – this is the Arizona Medical Marijuana Act, not the Arizona Recreational Marijuana Act
 - Unlike several other Medical Marijuana laws, the Arizona Medical Marijuana Act:
 - Requires registry identification cards
 - Limits the number of dispensaries
 - Has the support of the various Medical Boards

Arizona Medical Marijuana vs. Other Medical Marijuana Laws - *Differences*

- Includes several requirements for and expectations of physicians who may provide qualifying patients (QP's) with written certifications
- Requires dispensaries to appoint an individual who is a physician to function as a medical director
- Requires dispensaries to develop, document and implement policies and procedures regarding inventory control

Arizona Medical Marijuana VS Other Medical Marijuana Laws - *Similarities*

- Similar to other Medical Marijuana laws, the Arizona Medical Marijuana Act:
 - Requires dispensaries to install specific security equipment to deter and prevent unauthorized access to medical marijuana



ADHS' Licensing Responsibilities

- The Department is responsible for issuing registry identification cards or registration certificates to the following:
 - Qualifying patients
 - Designated caregivers
 - Dispensaries
 - Dispensary agents

Qualifying Patients

Qualifying Patient (QP) Eligibility Requirements for Medical Marijuana

- Must have one of the following qualifying conditions
 - Cancer, glaucoma, HIV, AIDS, Hepatitis C, Amyotrophic Lateral Sclerosis, Crohn's disease, Agitation of Alzheimer's disease, or
 - A chronic or debilitating disease or medical condition (or the treatment for) that causes
 - cachexia or wasting syndrome
 - severe and chronic pain
 - severe nausea
 - seizures
 - severe or persistent muscle spasms or
 - A debilitating medical condition or treatment approved by ADHS under A.R.S. 36-2801.01 and A.A.C. R9-17-106
 - Adding Debilitating Medical Conditions process – every January and July starting in 2012



Adding a Debilitating Medical Condition

- Every January and July ADHS accepts petitions to add to the list of debilitating medical conditions
- The petitioner must submit:
 - Name, mailing address, telephone #, email
 - Name of medical condition
 - Description of the symptoms
 - Availability of conventional medical treatments
 - Summary of evidence that MM will provide benefit
 - Peer-reviewed, scientific journal articles reporting results of research on MM benefits specific to the condition

Adding a Debilitating Medical Condition

- Review process:
 - Did the petitioner submit all required components?
 - If so, does petition
 - Provide evidence that the condition impairs the ability to accomplish activities of daily living?
 - Provide evidence that marijuana use would provide therapeutic or palliative benefit for the condition?
 - ADHS Medical Committee meets to decide next step

Adding a Debilitating Medical Condition



- ADHS would hold a public hearing to receive input and hear testimony regarding the condition
- ADHS works with U of A Colleges of Public Health and Medicine to conduct additional scientific research
- ADHS Medical Committee meets again to evaluate:
 - Outcome of public hearing
 - Additional research by U of A
 - Makes recommendation to Director


Adding a Debilitating Medical Condition

- January 2012
 - 4 conditions made it to public hearing
 - PTSD, Migraines, Generalized Anxiety Disorder, Depression
 - Director's Decision: none are added
- July 2012
 - 2 petitions submitted (sleeping disorders & skin conditions)
 - These were not complete and did not move forward to public hearing
- January 2013
 - 1 petition submitted (Atopic Dermatitis)
 - This was not complete and is not moving forward to public hearing

Qualifying Patient (QP) Eligibility Requirements

- Must have a **written certification** from a physician confirming diagnosis of QP's debilitating medical condition
 - doctor of medicine
 - doctor of osteopathic medicine
 - naturopathic physician
 - homeopathic physician

Print Form



MEDICAL MARIJUANA PHYSICIAN CERTIFICATION

PHYSICIAN INFORMATION

FOR ALL QUALIFYING PATIENTS

Physician's Name: _____
 Arizona License Number: _____ Type: MD DO NMD/ND MD(H)/DO(H)

PHYSICIAN INFORMATION ON FILE WITH LICENSING BOARD

Office Address: _____
 Telephone Number: _____ Email Address: _____

QUALIFYING PATIENT INFORMATION

Patient's Name: _____ Date of Birth: _____

CHECK ONE OR MORE BOXES TO INDICATE QUALIFYING PATIENT'S DEBILITATING MEDICAL CONDITION

<input type="checkbox"/> Acquired immune deficiency syndrome (AIDS)	<input type="checkbox"/> Agitation of Alzheimer's disease
<input type="checkbox"/> Amyotrophic lateral sclerosis (ALS)	<input type="checkbox"/> Cancer
<input type="checkbox"/> Crohn's disease	<input type="checkbox"/> Glaucoma
<input type="checkbox"/> Human immunodeficiency virus (HIV)	<input type="checkbox"/> Hepatitis C

IF A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION OR THE TREATMENT FOR A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION CAUSES:

<input type="checkbox"/> Cachexia or wasting syndrome	<input type="checkbox"/> Severe and chronic pain
<input type="checkbox"/> Severe nausea	<input type="checkbox"/> Seizures, including those characteristic of epilepsy
<input type="checkbox"/> Severe or persistent muscle spasms, including those characteristic of multiple sclerosis	

IF ANY CONDITION ABOVE IS CHECKED, INDICATE THE UNDERLYING CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION:

I, _____, THE PHYSICIAN:

- Have made or confirmed a diagnosis of a debilitating medical condition, as defined in [A.R.S. § 36-2801](#), for the qualifying patient.
YES NO Initial: _____
- Have established a medical record for the qualifying patient and am maintaining the qualifying patient's medical record as required in [A.R.S. § 12-2297](#).
YES NO Initial: _____
- Have conducted an in-person physical examination of the qualifying patient within the last 90 calendar days appropriate to the qualifying patient's presenting symptoms and the debilitating medical condition I diagnosed or confirmed.
YES NO Date of Examination: _____ Initial: _____
- Have reviewed the qualifying patient's medical records, including medical records from other treating physicians from the previous 12 months, the qualifying patient's responses to conventional medications and medical therapies, and the qualifying patient's profile on the Arizona Board of Pharmacy Controlled Substances Prescription Monitoring Program database.
YES NO Initial: _____
- Have explained the potential risks and benefits of the medical use of marijuana to the qualifying patient or, if applicable, the qualifying patient's custodial parent or legal guardian.
YES NO Initial: _____
- Have referred the qualifying patient to a dispensary. YES NO IF YES, I have disclosed to the qualifying patient or, if applicable, the qualifying patient's custodial parent or legal guardian any personal or professional relationship I have with the dispensary.
YES NO Initial: _____

PHYSICIAN'S ATTESTATION
 I, _____, in my professional opinion believe that the qualifying patient is likely to receive therapeutic or palliative benefit from the qualifying patient's medical use of marijuana to treat or alleviate the qualifying patient's debilitating medical condition. I attest that the information provided in this written certification is true and correct.

Physician's Signature
Date Signed

Physician's Responsibility

- Examine the patient
- Establish a medical record
- Review previous medical records
- Make or confirm the diagnosis
- Discuss risks & benefits of medical use of marijuana
- Check the QP's profile in the Controlled Substance Rx Monitoring Program Database
- Complete & sign the Physician Certification form
- Give the form to the QP to submit

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MEDICAL MARIJUANA PHYSICIAN CERTIFICATION
PHYSICIAN INFORMATION
FOR ALL QUALIFYING PATIENTS

Physician's Name: _____
Arizona License Number: _____ Type: MD DO NMD/ND MD(H)/DO(H)

PHYSICIAN INFORMATION ON FILE WITH LICENSING BOARD

Office Address: _____
Telephone Number: _____ Email Address: _____

QUALIFYING PATIENT INFORMATION

Patient's Name: _____ Date of Birth: _____

CHECK ONE OR MORE BOXES TO INDICATE QUALIFYING PATIENT'S DEBILITATING MEDICAL CONDITION

<input type="checkbox"/> Acquired immune deficiency syndrome (AIDS)	<input type="checkbox"/> Agitation of Alzheimer's disease
<input type="checkbox"/> Amyotrophic lateral sclerosis (ALS)	<input type="checkbox"/> Cancer
<input type="checkbox"/> Crohn's disease	<input type="checkbox"/> Glaucoma
<input type="checkbox"/> Human immunodeficiency virus (HIV)	<input type="checkbox"/> Hepatitis C

IF A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION OR THE TREATMENT FOR A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION CAUSES:

<input type="checkbox"/> Cachexia or wasting syndrome	<input type="checkbox"/> Severe and chronic pain
<input type="checkbox"/> Severe nausea	<input type="checkbox"/> Seizures, including those characteristic of epilepsy
<input type="checkbox"/> Severe or persistent muscle spasms, including those characteristic of multiple sclerosis	

IF ANY CONDITION ABOVE IS CHECKED, INDICATE THE UNDERLYING CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION:

_____, THE PHYSICIAN

- Have made or confirmed a diagnosis of a debilitating medical condition, as defined in [A.R.S. § 36-2801](#), for the qualifying patient.
Initial: _____
- Have established a medical record for the qualifying patient and an maintaining the qualifying patient's medical record as required in [A.R.S. § 12-2927](#).
Initial: _____
- Have conducted an in-person physical examination of the qualifying patient within the last 90 calendar days appropriate to the qualifying patient's presenting symptoms and the debilitating medical condition I diagnosed or confirmed.
Date of Examination: _____ Initial: _____
- Have reviewed the qualifying patient's medical records, including medical records from other treating physicians from the previous 12 months, the qualifying patient's responses to conventional medications and medical therapies, and the qualifying patient's profile on the Arizona Board of Pharmacy Controlled Substances Prescription Monitoring Program database.
Initial: _____
- Have explained the potential risks and benefits of the medical use of marijuana to the qualifying patient or, if applicable, the qualifying patient's custodial parent or legal guardian.
Initial: _____
- Have referred the qualifying patient to a dispensary. YES NO IF YES, I have disclosed to the qualifying patient or, if applicable, the qualifying patient's custodial parent or legal guardian any personal or professional relationship I have with the dispensary.
Initial: _____

PHYSICIAN'S ATTESTATION

I, _____, in my professional opinion believe that the qualifying patient is likely to receive therapeutic or palliative benefit from the qualifying patient's medical use of marijuana to treat or alleviate the qualifying patient's debilitating medical condition. I attest that the information provided in this written certification is true and correct.

Physician's Signature

Date Signed

Qualifying Patient (QP) Eligibility Requirements for Medical Marijuana

- Must submit an application for and obtain a registry identification card issued by the ADHS
 - Personal demographic and identification information
 - Written certification from physician
 - May request to cultivate (if they live more than 25 miles from a dispensary)
 - Whether QP is designating a caregiver and if so, the designated caregiver's personal information and whether they are requesting that caregiver cultivate marijuana plants for QP's use
 - Attestation not to divert marijuana and application is true and correct
 - Copy of identification
 - Current photograph (to be placed on the card)

Qualifying Patient Regulations

- May obtain 2 ½ ounces of marijuana every 14-calendar days from a licensed dispensary
- May grow their own marijuana (up to 12 plants) in an enclosed, locked facility if they live more than 25 miles from a licensed dispensary
 - If the QP designates a caregiver, the caregiver can grow up to 12 plants for the QP if the QP lives more than 25 miles from a licensed dispensary
- May “give” (receive no compensation) usable marijuana and marijuana plants to dispensaries

Qualifying Patient (QP) Eligibility Requirements

- QP under the age of 18
 - Requires certification from 2 separate physicians
 - Parents or legal guardians must become caregiver and attest to:
 - Assisting minor patient with medical use
 - Allowing the minor to use the marijuana
 - Will not divert the marijuana to anyone who is not allowed to possess
 - Have not been convicted of an excluded felony offense



Qualifying Patients

Patient ID Card

Arizona Medical Marijuana Program ID

Patient ID: 4887290TNDM440862583

Arizona Department of Health Services

Issued: MM/DD/YYYY
Expires: MM/DD/YYYY
DOB: MM/DD/YYYY

PATIENT




JONATHAN LOUIS ARMSTRONG
12345 NW SOMEWHERE ST
APARTMENT #1234
GOODYEAR AZ 85630

Authorized to Cultivate

WARNING:

Marijuana use can be addictive and can impair an individual's ability to drive a motor vehicle or operate heavy machinery. Marijuana smoke contains carcinogens and can lead to an increased risk for cancer, tachycardia, hypertension, heart attack, and lung infection. KEEP MARIJUANA OUT OF REACH OF CHILDREN AND ANY UNAUTHORIZED INDIVIDUAL.

Call the Poison Control Hotline at 1-800-222-1222 if you have concerns.



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Designated Caregivers

Designated Caregiver Regulations

- Must be at least 21 years of age
- Must not have been convicted of an excluded felony offense
- Can provide care for up to 5 qualifying patients
- Can grow up to 12 plants for each qualifying patient if the qualifying patient(s) live more than 25 miles from a licensed dispensary
- Must have a separate registry identification card for each qualifying patient

Designated Caregiver

- Must submit an application for and obtain a registry identification card issued by ADHS
 - Had to have been previously designated by QP
 - CG's personal demographic and identification information
 - Attestation
 - Copy of identification (driver's license, identification card, passport, previously issued registry card)
 - Current photograph (to be placed on the card)
 - Fingerprints (to be mailed to ADHS P.O. Box)



Designated Caregivers

Caregiver ID Card

Arizona Medical Marijuana Program ID

Caregiver ID: 2940826YHBD398744729
Patient ID: 3887529DRXE900378522



Issued: MM/DD/YYYY
Expires: MM/DD/YYYY
DOB: MM/DD/YYYY

CAREGIVER




JONATHAN LOUIS ARMSTRONG
12345 NW SOMEWHERE ST
APARTMENT #1234
GOODYEAR AZ 85630

Authorized to Cultivate

WARNING:

Marijuana use can be addictive and can impair an individual's ability to drive a motor vehicle or operate heavy machinery. Marijuana smoke contains carcinogens and can lead to an increased risk for cancer, tachycardia, hypertension, heart attack, and lung infection. **KEEP MARIJUANA OUT OF REACH OF CHILDREN AND ANY UNAUTHORIZED INDIVIDUAL.**

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QP and DC Statistics

Patient and Caregiver Statistics

Cumulative 4.14.11 to 3.12.13

- 36,595 active individual qualifying patients; 737 active individual caregivers; 39 minor patients
- Approximately 72% of QPs request to cultivate (down from 83% before dispensaries were open)
- 72.35% of QPs Male
- Age of applicant (QPs)
 - <18 Years .11%
 - 18-30 Years 26.94%
 - 31-40 Years 20.19%
 - 41-50 Years 18.05%
 - 51-60 Years 21.28%
 - 61-70 Years 11.5%
 - 71-80 Years 1.64%
 - 81+ Years .30%

Patient and Caregiver Statistics

Cumulative 4.14.11 to 3.12.13

- Chronic pain overwhelmingly (71.08%) reported as medical condition (underlying cause varies)
- Reported specific conditions: Cancer (1.9%) and Hepatitis C (1.79%)

Nonprofit Medical Marijuana Dispensaries

Nonprofit Medical Marijuana Dispensaries



- Not-for-profit entity that:
 - Acquires
 - Cultivates
 - Dispenses
 - Transports
 - Delivers
 - Manufactures
- ADHS may issue one dispensary registration certificate for every ten pharmacies in the state. Based on this calculation, the maximum number of potential dispensaries is 126.

Applying for a Dispensary Registration Certificate

- Applicants for a dispensary registration certificate were required to submit an application, including but not limited to:
 - Policies and procedures
 - Business plan
 - Zoning compliance and property ownership documentation
 - Application fee (\$5,000)

Applying for a Dispensary Registration Certificate

- Evaluation criteria (optional)
 - Whether any individual who had 20% or more interest in the dispensary and was not the applicant or principal officer or board member of the dispensary
 - Whether the applicant submitted proof of \$150K to begin operating



Dispensary Registration Certificate Allocation Process (1st Year)

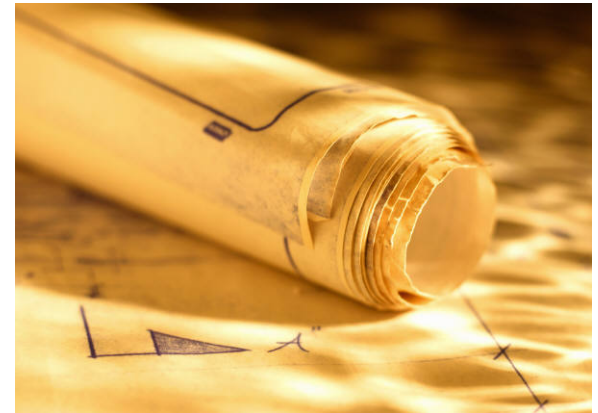
- Dispensary registration certificates were issued based on one dispensary per Community Health Analysis Area (CHAA)
- If there was more than one dispensary registration certificate application for a CHAA that was complete and in compliance, the ADHS issued dispensary registration certificates using a random selection process
- There were a total of 98 registration certificates allocated on August 7, 2012.

Applying for Approval to Operate a Dispensary

- Prior to opening, allocated dispensaries are required to submit an application to operate at least 60 days before the expiration of the certificate (August 7, 2013).

Approval to Operate Applications

- Site plan
- Floor plan
- Conditional use permit, special use permit, or certificate of occupancy



Approval to Operate Inspections

- Verification of:
 - Inventory control system
 - Security
 - Qualifying patient records
 - Authorized personnel verification
 - Product labeling and analysis
 - Cleaning and sanitation

Approval to operate inspections will be conducted at each dispensary to include off-site cultivation sites, if applicable.

Dispensary Status

- ADHS has received 20 Approval to Operate Applications to date
- Currently, there are 9 approved dispensaries
 - 7 of those open and operating
- ADHS is scheduling inspections

Nonprofit Medical Marijuana Dispensary Agents



- Means a principal officer, board member, employee, or volunteer who is at least 21
- Must sign an attestation that:
 - They have not been convicted of an excluded felony offense
 - They will not divert MM
- A dispensary agent shall be registered with ADHS before volunteering or working at a medical marijuana dispensary
- Dispensaries must apply for ID cards (\$500/card) for each dispensary agent

Dispensary Agent Functions

- Verify QP and DC before dispensing
- Maintain QP medical records
- Maintain an inventory control system
- Ensure that medical marijuana has required product labeling and analysis
- Provide required security
- Ensure that edible food products sold or dispensed are prepared only as permitted
- Maintain dispensary and cultivation site in a clean and sanitary condition
- If transporting, agents are to:
 - Carry and complete a trip plan
 - Use a vehicle without any MM identification

Dispensary Medical Directors



- Every dispensary is required to appoint a physician to function as the medical director
 - Must be onsite or available by telephone or pager
 - Must designate another physician to cover as medical director in their absence
- Cannot provide a written certification for medical marijuana for any qualifying patient

Dispensary Medical Directors Duties

- Duties
 - Develop and provide training to dispensary agents every year
 - Help develop educational materials for QPs and caregivers
 - Develop a system to help QPs track symptoms, marijuana usage, and side effects

MM Infused Edible Food Products



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Infused Food Products

- A dispensary that prepares, sells, or dispenses marijuana-infused edible food products shall:
 - Obtain written authorization from ADHS
 - If dispensary prepares, sells or dispenses infused food, ensure the products are prepared, sold or dispensed according to the requirements in the State Health Code
 - If infused food is not prepared at the dispensary, obtain and maintain a copy of written authorization to prepare from the dispensary that prepares the food

Point of Sale (POS)/Verification System

POS/Verification System

- Password-protected website:
 - Verification system for law enforcement, employers, and dispensary agents
 - Point of Sale system for dispensary agents
 - Dispensary Agent applications

POS/Verification System

- Key points:
 - Employers may use the verification system only to verify a registry identification card that is provided to the employer by a current employee or by an applicant who has received a conditional offer of employment.
 - Law enforcement will be able to see the last 60 days of transactions from a dispensary



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Welcome to the AZ Medical Marijuana Card Verification/Point of Sale System.

This portal will be used to verify/validate Medical Marijuana Cards, as well as submission of Dispensary Medical Marijuana Transactions. In order to register for access, please select your appropriate role from the list below.

[Sign In To Your Account Today](#)



Employers

This system is accessible to employers to allow for lawful Arizona Medical Marijuana Card verification.

[Employer Registration](#)



Law Enforcement Officers

This system is accessible to AZ Law Enforcement Officers to allow for lawful Medical Marijuana Card verification, as well as lawful Medical Marijuana Transaction verification.

[Law Enforcement Registration](#)



Dispensary Agents

This system is accessible to AZ Medical Marijuana Dispensary Agents to allow for lawful Medical Marijuana Card verification, as well as to record lawful Medical Marijuana transactions.

[Dispensary Agent Registration](#)



Dispensary Members

This system is accessible to AZ Medical Marijuana Dispensary Members to allow for lawful Medical Marijuana Card verification, as well as to record lawful Medical Marijuana transactions.

[Dispensary Member Registration](#)



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AMMA Highlights

Protections, Limitations, Etc.

Medical Marijuana Act Confidentiality (§36-2810)

- The AMMA has a strict confidentiality statute
- ADHS cannot disclose information to anyone regarding:
 - Applications (content & supporting info)
 - Physical addresses of dispensaries
 - Cardholder names
 - Physicians who certify

Protections Under the Medical Marijuana Act

- No school, landlord, or employer may be penalized or denied any benefit under state law for enrolling, leasing to, or employing a registered qualifying patient or a registered designated caregiver

Limitations Under the Medical Marijuana Act

- MM Act does not authorize or prevent the imposition of penalties for engaging in the following:
 - Undertaking any task under the influence of marijuana that would constitute negligence or malpractice
 - Possessing or engaging in the medical use of marijuana:
 - On a school bus
 - On the grounds of any preschool or primary or secondary school
 - In any correctional facility
 - Smoking marijuana:
 - On any form of public transportation
 - In any public place



Limitations Under the Medical Marijuana Act

Operating, navigating, or being in actual physical control of any motor vehicle, aircraft, or motorboat while under the influence of marijuana, except that a registered QP shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment



“Public Place” Defined

- Location, facility, or venue that is not intended for the regular exclusive use of an individual or a specific group of individuals
- Includes, but is not limited to:
 - Airports, banks, bars, restaurants, child care facilities, common areas of multifamily housing facilities, educational facilities, office buildings, parking lots, parks, sidewalks, retail service establishments, shopping malls, waiting rooms, etc...

“Public Place” Defined

- Does **not** include:
 - Nursing care institutions*
 - Hospices*
 - Assisted living centers*
 - Assisted living homes*
 - Adult day health care facilities*
 - Adult foster care homes*
 - Private residences

* As defined in A.R.S. § 36-401



Medical Marijuana Act: Discrimination

- Unless a failure to do so would cause an employer to lose a monetary or licensing related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination, or imposing any term or condition of employment or otherwise penalize a person based upon either:
 - The person's status as a cardholderOR...

Medical Marijuana Act: Discrimination

- A registered QP's positive drug test for marijuana components or metabolites, unless the patient used, possessed, or was impaired by marijuana on the premises of the place of employment or during the hours of employment

Medical Marijuana Act: Acts Not Required

- Nothing in the Act requires:
 - Any person or establishment in lawful possession of property to allow a guest, client, customer, or other visitor to use marijuana on or in that property
 - An employer to allow the ingestion of marijuana in any workplace or any employee to work while under the influence of marijuana, except that a registered QP shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment

Medical Marijuana Act: Acts Not Prohibited

- Nothing in the Act prohibits an employer from disciplining an employee for ingesting marijuana in the workplace or working while under the influence of marijuana



References

- Marijuana as Medicine?: The Science Beyond the Controversy:
 - <http://iom.edu/Reports/2000/Marijuana-as-Medicine-The-Science-Beyond-the-Controversy.aspx>
- Marijuana and Medicine: Assessing the Science Base (1999)
 - http://www.nap.edu/openbook.php?record_id=6376
- Arizona Medical Marijuana Website:
 - www.azdhs.gov/medicalmarijuana
- The DEA Position on Marijuana
 - http://www.justice.gov/dea/marijuana_position.pdf
- DEA Drug Fact Sheet: Marijuana
 - http://www.justice.gov/dea/pubs/abuse/drug_data_sheets/Marijuana.pdf

Questions?

Please visit our website at:

www.azdhs.gov/MedicalMarijuana/



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