

DEPARTMENT OF HEALTH SERVICES
PUBLIC COMMENT ON MEDICAL MARIJUANA PROGRAM RULES

(Please check at least one) (optional):

- | | |
|---|---|
| <input type="checkbox"/> Prospective qualifying patient | <input type="checkbox"/> Prospective designated caregiver |
| <input type="checkbox"/> Prospective dispensary agent | <input type="checkbox"/> Prospective dispensary operator |
| <input checked="" type="checkbox"/> Other (Please state interest) <i>Grower</i> | |

1. What part of the draft rules do you believe are effective?

2. How can the draft rules be improved?

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.

4. Has anything been left out that should be in the rules?

The administrators of this Law (Medical Marijuana) need to be checked for political Appointees and Background Check!

(use back if needed)

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- 1) Leave your written comment in the box at the public meeting.
- 2) Go to <http://www.surveymonkey.com/s/H6LMK72> and submit your written comment.
- 3) Mail your written comment to:

ADHS
Attn: Thomas Salow, OACR Acting Manager
1740 W. Adams, Suite 203
Phoenix, AZ 85007

PLEASE SUBMIT ALL COMMENTS BY FEBRUARY 18, 2011

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<input type="checkbox"/> Prospective dispensary agent	<input checked="" type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved?	
<i>We need more information on how the application process will be handled. How can they be electronically submitted? What will be the screening process? If the application is several pages it may be too large to submit.</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
4. Has anything been left out that should be in the rules?	
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<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved? <i>Please be more specific on how the applications will be processed. What criteria will AZDHS use to screen dispensary applications. Explain the on-line process. What will it look like. For example if you get 5000 applications, it would take forever to read them. So what things will you look @ to eliminate unqualified applicants? Also with the applications being done electronically</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. <i>it is possible these files will be too large to send. How will you handle this situation? Will you require a financial statement? Again, please be more specific about how the application process will work.</i> <i>Thank you</i>	
4. Has anything been left out that should be in the rules?	
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<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved? <div style="text-align: center; margin-top: 10px;"><i>1.) grow your own 2.) decriminalize 3.) protection of doctors</i></div>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
4. Has anything been left out that should be in the rules?	
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*Lanae
&
Chad Graham
"le"*

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<input type="checkbox"/> Other (Please state interest)	

1. What part of the draft rules do you believe are effective?
most of them - with a little tweaking to incorporate the mindset of it truly being supported as a wholistic Alternative to opiate based Narcotics.

2. How can the draft rules be improved?
Increase the number of licenses and change the process from lottery to Review. Put as much energy into reviewing Motive, Vision & Business plan for licensing objectives as indicated for qualifying Ailment.

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.
*2. Continued. - Change the strict Restrictions on locations for Both Cultivation & Dispensarys -
 Is it medicine ... or an illicit drug incognito???*

4. Has anything been left out that should be in the rules?
Testing for quality Regulations should be implemented.

(use back if needed)

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<input type="checkbox"/> Other (Please state interest)	

1. What part of the draft rules do you believe are effective?

2. How can the draft rules be improved?
Treat it Like A MEDICATION
it is a Medication

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.

4. Has anything been left out that should be in the rules?
*To be Dispensed by PHARMACY under
PRESCRIPTION*
(use back if needed)

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Prospective qualifying patient

Prospective designated caregiver

Prospective dispensary agent

Prospective dispensary operator

Other (Please state interest) Evaluation Clinic

1. What part of the draft rules do you believe are effective?

2. How can the draft rules be improved?

PA's should be allowed to give recommendations
Why can a natural path DR. do it but not a PA?
Application discounts should be given to people on disability
patients should not be allowed 2.5 ounces every two weeks that is over

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.

100 joints, that is way too much

4. Has anything been left out that should be in the rules?

(use back if needed)

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<input checked="" type="checkbox"/> Other (Please state interest) <u>Cultivation Site Operator</u>	
1. What part of the draft rules do you believe are effective?	
The security measures seem adequate for the protection of the site.	
2. How can the draft rules be improved?	
Separate the cultivation aspect from the dispensary licence since they are distinctly different businesses from one another. No public access is required so there should be less demands placed on growers.	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
You must separate <u>growers</u> from <u>dispensaries!</u> No lottery system!! Merit Based!! R9-17-302	
4. Has anything been left out that should be in the rules?	
What measures are being taken to keep out of state businesses from dominating this new industry. How do we ensure this business will benefit Arizona and Arizonans. Also no address should be required to qualify for a license. (use back if needed)	
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Other (Please state interest) EMPLOYER

1. What part of the draft rules do you believe are effective?

2. How can the draft rules be improved?

- Please MAKE sure MEDICAL CARDS ARE FRAUD PROOF
- POSSIBLE Biometrics

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.

- SAFE SENSITIVE POSITIONS - DRIVING HEAVY MACHINERY THAT DOES NOT REQUIRE DOT LICENSE

4. Has anything been left out that should be in the rules?

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<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved? <i>No lottery process - it is unreasonable and dangerous Applicants should be financially & otherwise qualified - The cost to vet off poor operators is high - The law provides that the director can accept donations - -use the law -</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. <i>Do not use CHAA - it does not represent</i>	
4. Has anything been left out that should be in the rules?	
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<input checked="" type="checkbox"/> Other (Please state interest) <i>Advocate</i>	
1. What part of the draft rules do you believe are effective? <i>The majority is very pragmatic and seems to encompass the issues well</i>	
2. How can the draft rules be improved? <i>Their must be a separate license for cultivation. Do not force a farmer to be a shopkeeper or vice versa.</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. <i>I am not a lawyer or qualified to write rules, but, If we do not allow for separate licensing we will limit the supply thereby driving up the final price.</i>	
4. Has anything been left out that should be in the rules? <i>Separate license for cultivation. A large well structured grow supply will ensure quality product and consistent supply</i>	
(use back if needed)	
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<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective? Security	
2. How can the draft rules be improved? CHAA'S - Gilbert should be Allowed 5 dispensaries - Zoning has managed to allow in reality 2 at most.	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. Product labeling - States edibles need to include a smoking warning. Edibles are not smoked.	
4. Has anything been left out that should be in the rules? <p style="text-align: center;">(use back if needed)</p>	
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Prospective dispensary agent Prospective dispensary operator

Other (Please state interest)

1. What part of the draft rules do you believe are effective?

→ All in all, well done and thought out; especially considering
the time everyone had.

2. How can the draft rules be improved?

→ Do away with "Lottery" for licenses. Should be based on quality
business plans; not luck.

→ Quality control & testing of Medicine by private Labs.

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.

4. Has anything been left out that should be in the rules?

→ Dispensaries need a medium to obtain seeds & clones at the onset of this
industry.

→ Private Testing Labs → Infusion facilities
(use back if needed)

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<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved?	
<ul style="list-style-type: none"> - let our treating doctors decide if we need m-m. -not strangers - let card holders grow their own, not only those living more than 25 miles from a dispensary. - create patient education workshops -ie, dosing, making edibles, safety (driving, reduce risk of theft), the growing and security, etc. - DO NOT let this become a rich getting richer issue!!! 	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
<ul style="list-style-type: none"> - reduce the cost for the first application. There can NOT be over \$100⁰⁰ in paperwork and filing cost! - lower lower the cost of the renewal of card on following years. 	
4. Has anything been left out that should be in the rules?	
<p>Allow any cardholder, at least low income, to grow their own for their own use.</p> <p align="right">(use back if needed) SEE BACK PLEASE →</p>	
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I suffer constant chronic debilitating pain. I was dx-ed with fibromyalgia nearly 12 years ago & still spend months on end bed ridden. I am a single mother who now lives on less than \$700⁰⁰ a month from SSDI. Many times, ~~the~~ doctors have recommended that I use marijuana medicinally, followed by a disclaimer that if caught, to note that "you did not hear this from me". The medications that I currently take are toxic, not to mention addictive. I will now need to be hospitalized to come off of them. Percocet, morphine, and vialin to name a few. I would like to have other options available to me - more natural options. The long-term use of these narcotics are taking a huge toll on my body and my ^{life} ~~life~~. I no longer want to suffer just to reduce my suffering.

- While I am certain that I am a qualifying patient, I want to voice some concern about how this will impact me and my family. Why can only people who live more than 25 miles from a dispensary grow their own plants? While I would never imagine using the allowed 5oz per month, where am I supposed to get the estimated \$400 just for a single ounce? I already suffer the humiliation of needing food stamps and free food boxes to feed my children, charity to put clothes and shoes on them, and AHCCCS to keep them healthy. What measures do you expect me to take to come up with the money to purchase my medicine? I do not wish to become a criminal or engage in criminal acts. Please allow anyone who has a card, or at very least those like myself who will never be able to afford this medication, grow their own. This also allows us to control rate of growth needed for our own personal use, as well as control what chemical are added to the plants. - You MUST consider this very seriously! If you do not allow this, you are guaranteeing that marijuana will become ^{even} more sought after on the streets. You will create more demand, and the sellers WILL have the supply. Please, be

this a medicine available to only the wealthy or

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<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved?	
<p>I believe that chaa Areas should not be hard + fast - where we would like to be as a Dispensary is Jerome - chances are cottonwood will be awarded one But we would not be left with enough people in</p>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
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The given Area. I submit that Jerome
be given special consideration since
we are on the outskirts of Yavapai County
& many tribes live around the area.
Also, we receive the third largest draw
of tourists in AZ who constantly ask
if we will have a dispensary.

So, please consider
us.

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<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved?	
<p><i>In regards to edibles/infusions - there needs to be some avenue to license wholesale food service establishments to produce medical edibles, perhaps as a sub-licensed contractor of the dispensary. Due to the prohibitive costs of opening</i></p>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
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a dispensary, it seems unrealistic to require a dispensary to have an in-house commercially licensed kitchen). This would, of course, require rules about procurement of marijuana for edible production as well as transportation.

Nancy Dorfki
Arizona resident - 30 years

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<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
<p style="font-family: cursive;">They are coming together very nicely. I appreciate the department's responsiveness to public input. I am hopeful that Arizona will create the model for administrating a workable medical marijuana program.</p>	
2. How can the draft rules be improved?	
<p style="font-family: cursive;">I applaud your separating the application process for licensing a dispensary into a 2 stage process. The first phase application, however, still requires listing both the 'physical address of the proposed dispensary' and 'the name --- of the medical director'. Why not remove these 2 requirements from the first to the second half of the application process, as only the CHAA being applied for is relevant in the first part of the application process.</p>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
<p style="font-family: cursive;">Cont from above. The onerous requirement for each dispensary applicant to tie up a specific address will limit other applicants ability to secure a potential site, particularly in smaller areas with few suitable vacant locations and multiple applicants. Also I support a much higher standard for dispensary applicants, and that those higher standards be very well identified so all potential applicants are aware of these minimum requirements.</p>	
4. Has anything been left out that should be in the rules?	
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<input checked="" type="checkbox"/> Other (Please state interest) COMMERCIAL INSURANCE AGENT	
1. What part of the draft rules do you believe are effective? "ACCOUNTING PRINCIPLES" GOOD, SPECIFIC KNOWIT SOME FOR TRANSPORTATION / DELIVERY LANGUAGE " " SECURITY	
2. How can the draft rules be improved?	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
4. Has anything been left out that should be in the rules? GUIDANCE FOR CULTIVATION SITES	
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<input checked="" type="checkbox"/> Other (Please state interest) <i>Elect-ed official - City of Flagstaff</i>	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved? <i>① Allow local jurisdictions to weigh in on responsiveness of applicants and allow for a ranking of responses by officials. DHS could choose to accept or not accept those recommendations</i> <i>② Allow local PD to verify caregiver education address so to ensure protection of caregivers and their patients.</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
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Other (Please state interest) *Cococovino Co. Public Health Services District*

1. What part of the draft rules do you believe are effective?

2. How can the draft rules be improved?

- 1) Address security for edible processors.
- 2) Specifically address where edible processing may occur.
- 3) Address "chain-of-custody" for disposal of infused edibles.

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.

4. Has anything been left out that should be in the rules?

See item (2)

(use back if needed)

To submit:

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- 2) Go to <http://www.surveymonkey.com/s/H6LMK72> and submit your written comment.
- 3) Mail your written comment to:

ADHS
Attn: Thomas Salow, OACR Acting Manager
1740 W. Adams, Suite 203
Phoenix, AZ 85007

PLEASE SUBMIT ALL COMMENTS BY FEBRUARY 18, 2011

**DEPARTMENT OF HEALTH SERVICES
PUBLIC COMMENT ON MEDICAL MARIJUANA PROGRAM RULES**

(Please check at least one) (optional):	
<input type="checkbox"/> Prospective qualifying patient	<input checked="" type="checkbox"/> Prospective designated caregiver
<input type="checkbox"/> Prospective dispensary agent	<input checked="" type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective? <i>I for one love the idea of a Lottery which will allow anyone who is <u>Qualified</u> and interested in obtaining license 3 years of Tax records from Arizona is a great way to keep the large outside interest out of Arizona</i>	
2. How can the draft rules be improved? <i>Clarify the Infusion sites -</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. <i>I do believe that the Location of CHA's should be 25 Ground Miles rather than air miles.</i>	
4. Has anything been left out that should be in the rules? <i>Please Clarify the wording in the "Conditional License" what exactly is this and what does that entail? ② It is imperative for an <u>applicant</u> to have a structure or hard address to be considered for a License? ③ It is grossly unfair to require a \$4,000.00 just to apply for a license. It (use back if needed) <u>precludes the small businesses that wish to apply.</u></i>	
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<input type="checkbox"/> Prospective dispensary agent	<input type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved?	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
4. Has anything been left out that should be in the rules? <i>ARIZONA Should Reciprocate with other States AS someone Having a usercard From Colorado or California Should Be Allowed to Buy in ARIZONA</i> <p style="text-align: center;">(use back if needed)</p>	
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<input checked="" type="checkbox"/> Prospective dispensary agent	<input type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	
<p>1. What part of the draft rules do you believe are effective? <i>The amount allowed per patient every 2 weeks. Level of security & precautions. Maintenance of sanitary environment, State authorization of purchase.</i></p>	
<p>2. How can the draft rules be improved? <i>Eliminate the requirement of a Medical Doctor on the Board &/or staff. This is not a requirement of pharmacies in this state, why should it be of dispensaries? If requirement stays, what about a P.A., Homeopathic, etc. For rural areas this is a bit more difficult to implement than in Phoenix or Tucson.</i></p>	
<p>3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. <i>The Dispensary owner should possess more "right of decision" & arbitrate discretionary rights.</i></p>	
<p>4. Has anything been left out that should be in the rules? <i>more rights and choices for the Dispensary owner. No where in the rules, does it address transfer of the dispensary license.</i></p> <p align="center">(use back if needed)</p>	
<p>To submit:</p> <p>1) Leave your written comment in the box at the public meeting. 2) Go to http://www.surveymonkey.com/s/H6LMK72 and submit your written comment. 3) Mail your written comment to: ADHS Attn: Thomas Salow, OACR Acting Manager 1740 W. Adams, Suite 203 Phoenix, AZ 85007</p>	
<p align="center">PLEASE SUBMIT ALL COMMENTS BY FEBRUARY 18, 2011</p>	

DEPARTMENT OF HEALTH SERVICES
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<input checked="" type="checkbox"/> Prospective qualifying patient	<input type="checkbox"/> Prospective designated caregiver
<input type="checkbox"/> Prospective dispensary agent	<input type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved? R9-17-202 F... S. PLEASE Change to A WRITTEN CERTIFICATION DATED AND SIGNED BY A PHYSICIAN WITHIN THE LAST 12 MONTHS.	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. R9-17-202 F... S... E. PLEASE DELETE ALL TOGETHER.	
4. Has anything been left out that should be in the rules? (SEE ATTACHED)	
(use back if needed)	
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R9-17-202. Applying for a Registry Identification Card for a Qualifying Patient or a Designated Caregiver

F. Except as provided in subsection (G), to apply for a registry identification card, a qualifying patient shall submit to the Department the following:

5 A written certification dated and signed by a physician within the last 12 months ~~physician's written certification in a Department-provided format dated within 90 calendar days before the submission of the qualifying patient's application that includes:~~

- a. The physician's:
 - i. Name,
 - ii. License number including an identification of the physician license type,
 - iii. Office address on file with the physician's licensing board,
 - iv. Telephone number on file with the physician's licensing board, and
 - v. E-mail address;
- b. The qualifying patient's name and date of birth;
- c. A statement that the physician has made or confirmed a diagnosis of a debilitating medical condition as defined in A.R.S. § 36-2801 for the qualifying patient;
- d. An identification of one or more of the debilitating medical conditions in R9-17-201 as the qualifying patient's specific debilitating medical condition;
- e. ~~A statement, initialed by the physician, that the physician agrees to assume responsibility for providing management and routine care of the qualifying patient's debilitating medical condition after conducting a full assessment of the qualifying patient's medical history;~~
- f. A statement, initialed by the physician, that the physician:
 - i. Has established a medical record for the qualifying patient, and
 - ii. Is maintaining the qualifying patient's medical record as required in A.R.S. § 12-2297;
- g. A statement, initialed by the physician, that the physician has conducted an in-person physical examination of the qualifying patient appropriate to the qualifying patient's presenting symptoms and the qualifying patient's debilitating medical condition diagnosed by the physician;
- h. A statement, initialed by the physician, that the physician reviewed the qualifying patient's:
 - i. Medical records including medical records from other treating physicians from the previous 12 months;
 - ii. Response to conventional medications and medical therapies; and
 - iii. Profile on the Arizona Board of Pharmacy Controlled Substances Prescription Monitoring Program database;
- i. A statement, initialed by the physician, that the physician has explained the potential risks and benefits of the medical use of marijuana to the qualifying patient;
- j. A statement, initialed by the physician, that the physician plans to continue to assess the qualifying patient and the qualifying patient's use of medical marijuana during the course of the physician-patient relationship;
- k. A statement, initialed by the physician, that, in the physician's professional opinion, 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;
- l. A statement, initialed by the physician, that, if the physician has referred a qualifying patient to a dispensary, the physician has disclosed to the qualifying patient any personal or professional relationship the physician has with the dispensary;
- m. An attestation that the information provided in the written certification is true and correct; and
- n. The physician's signature and the date the physician signed;

SECTION 5. HAS BEEN CHANGED TO READ "A written certification dated and signed by a physician within the last 12 months that includes:"

SECTION e. HAS BEEN DELETED ALLTOGETHER

**DEPARTMENT OF HEALTH SERVICES
PUBLIC COMMENT ON MEDICAL MARIJUANA PROGRAM RULES**

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<input type="checkbox"/> Prospective qualifying patient	<input type="checkbox"/> Prospective designated caregiver
<input type="checkbox"/> Prospective dispensary agent	<input type="checkbox"/> Prospective dispensary operator
<input checked="" type="checkbox"/> Other (Please state interest) <i>LICENSOR OF SYSTEMS</i>	
1. What part of the draft rules do you believe are effective? <i>Most of them</i>	
2. How can the draft rules be improved? <i>There is no provision for transferability in the event of the sudden death of a sole proprietor.</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. <i>In the event of death of a dispensary operator shall notify the Department within 48 hrs. The dispensary operator shall have 30 days to apply for a new license.</i>	
4. Has anything been left out that should be in the rules? <i>You have no provision for testing facilities. Testing facilities should have to become agents if a wants to test off-site</i> (use back if needed)	
To submit:	
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work with companies like Arizona
Analytical, Kross and for Cultivation
Management Services to ensure cultivators
get inspected.

DEPARTMENT OF HEALTH SERVICES
PUBLIC COMMENT ON MEDICAL MARIJUANA PROGRAM RULES

(Please check at least one) (optional):

- | | |
|---|---|
| <input type="checkbox"/> Prospective qualifying patient | <input type="checkbox"/> Prospective designated caregiver |
| <input type="checkbox"/> Prospective dispensary agent | <input type="checkbox"/> Prospective dispensary operator |

Other (Please state interest) **SYSTEM LICENSOR**

1. What part of the draft rules do you believe are effective?

2. How can the draft rules be improved?

NEED TO ADDRESS WHAT HAPPENS WHEN A DISPENSARY OWNER (LICENSEE) DIES OR BECOMES INCAPACITATED? IS THERE ANY THOUGHT GIVEN TO HOW TO LEGALLY PROVIDE FOR SUCCESSOR / TRANSFER?

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.

4. Has anything been left out that should be in the rules?

TRACKING/ACCOUNTABILITY-PROCEDURE/SYSTEM

(use back if needed)

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<input checked="" type="checkbox"/> Prospective dispensary agent	<input type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved? <i>There is some ambiguity between growing + dispensing. Are there multiple sites for a single dispensary? Application? Why aren't those separated, or do you expect (and want) them to be in the same place?</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
4. Has anything been left out that should be in the rules?	
(use back if needed)	
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| <input type="checkbox"/> Prospective dispensary agent | <input type="checkbox"/> Prospective dispensary operator |
| <input type="checkbox"/> Other (Please state interest) | |

1. What part of the draft rules do you believe are effective?

2. How can the draft rules be improved?

R9-17-101 #10 seems to suggest there is a limit of one for the number of cultivation sites a dispensary is allowed to have. Should be "Cultivation site means any additional location(s) where..."

~~R9-17-102 F.S.D.~~
R9-17-202 F.S.D. "an identification of one or more of the medical conditions" seems to violate patient privacy laws. HIPAA Ref.

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.

#4 On pg 3 R9-17-101, it should be left at "planted at the same time because it's not certain that all plants will be ready for harvest at the same time."

pg 6 R9-17-102 A.1: Should say "for registration of a dispensary and it's cultivation sites to avoid confusion"

4. Has anything been left out that should be in the rules?

(use back if needed)

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<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved? <i>In many places in the draft the wording "principal officer or board member" implies a corporation but R9-17-302 A 1-7 implies it's wide open to any business types. R9-17-102 F. 1. b. i, ii makes it so Agents have to disclose private medical info. This is an invasion of privacy.</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
4. Has anything been left out that should be in the rules?	
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<input type="checkbox"/> Prospective dispensary agent	<input type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved? <p>R9-17-306 A: the dispensary should not be forced to stay at one location for 3 years. It seems excessive and arbitrary.</p> <p>R9-17-316 A.3: There is no proof that marijuana causes addiction physically. Psychological addiction can come from any and every thing.</p>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. <p>R9-17-315 B, 4, c: Says the dispensary cannot get seeds or cuttings from any where else besides A dispensaries, patients, or caregivers. But that the "origin" of seeds + plants must be reported makes it so that dispensary agents must go on record breaking a Federal law in order to grow plants.</p>	
4. Has anything been left out that should be in the rules?	
(use back if needed)	
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<input checked="" type="checkbox"/> Prospective dispensary agent	<input type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	

1. What part of the draft rules do you believe are effective?
 The certificate approval allowing for 60 days to prepare for a inspection.

2. How can the draft rules be improved?
 The following areas could use some additional review:
 1) The requirement for entering these lease prior to certificate approval.
 2) There should some chance to open just cultivation
 3) Keeping \$4000 of the application fee without any waiting list or reasons why your were not chosen

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.
 There needs to be clear language on the requirement of surety bond for the board members of the non-profit. It was taken out in some portions but it remain in the final licensing process. when the final licensing process happens after you have received certificate what will be inspected exactly. what you be looking for?

4. Has anything been left out that should be in the rules?
 How soon after you receive certificate will the auth. personnel ID be need & will maintenance people need an ID?
 when will you write some type of regulations that limits the unreasonable city planners are putting in place that do not match up with your CHAA requirements.

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| <input type="checkbox"/> Prospective dispensary agent | <input checked="" type="checkbox"/> Prospective dispensary operator |
| <input type="checkbox"/> Other (Please state interest) | |

1. What part of the draft rules do you believe are effective?

2. How can the draft rules be improved?

*- Medical Director position, information & education are important but it says that the medical director only advises dispensary agents every 12 months & a.k.a. informational pamphlet.
- Reinstate 70/30 cultivation rule.
- Where to get initial supply of clones & seeds? if not from California or another state then where?*

3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.

4. Has anything been left out that should be in the rules?

~~Arizona~~ *Arizona. Not for profit, what to do with revenue?*

(use back if needed)

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<input type="checkbox"/> Prospective dispensary agent	<input type="checkbox"/> Prospective dispensary operator
<input checked="" type="checkbox"/> Other (Please state interest) <i>Prospective Provider of Analytical/QC Lab Services</i>	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved?	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated. <i>Please see the attachments.</i>	
4. Has anything been left out that should be in the rules?	
(use back if needed)	
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R9-17-316

E Any dispensary, dispensary agent, designated caregiver, or registered qualifying patient may submit samples of 5 grams or less of cannabis or edible food product to a *bona fide* analytical laboratory for the purpose of testing the product for potency or contamination

Any analytical laboratory within the State of Arizona that holds a license from the federal government to possess and handle controlled substances shall be permitted to conduct analyses of medical marijuana or edible food products containing medical marijuana on the behalf of licensed dispensaries, dispensary agents, designated caregivers, or registered qualifying patients. Any analytical laboratory that provides analytical services of medical marijuana or edible food products shall maintain secure storage of medical marijuana products prior to and after analysis. In addition the laboratory shall be responsible for keeping complete chain of custody records that identify the sample by batch number, source, the amount received, secure storage location within the laboratory, the amount extracted for analysis, and the amount of product returned to source or destroyed, with dates and certifying signatures for each of these events. Medical marijuana remaining in the custody of an analytical laboratory subsequent to analysis shall be returned to the original provider or destroyed by the laboratory at the option of the original provider. The laboratory shall provide a printed report of the analytical results to the dispensary, dispensary agent, designated caregiver, or qualifying patient who has requested analysis of medical marijuana or edible food product. All records concerning handling and analysis of each sample shall be kept on file at the laboratory, available for inspection for a minimum of 3 years

Those of us who are serious about cannabis as medicine for patients with intractable pain, nausea, and so forth, should recognize that we need quality control of medicinal cannabis products. This QC could be at either the level of production, or at the level of distribution. It could even be available to the consumer. The draft regulations as written today DO NOT allow for 3rd party testing. If cannabis is to be treated as a medicinal product the regulators should provide for voluntary analysis by accredited laboratories. With access to laboratory testing, potency, and possible contamination could be verified. Patients and providers would all benefit.

Third party lab testing would be the best option to make good quality control possible and practical. Since there are legal barriers to interstate transportation of even small quantities of cannabis product samples, local or regional analysis could be a practical option.

There are at least two laboratories interested in the possibility of providing analytical services to cannabis providers in Arizona. However, even with licenses from the DEA in hand, the draft regulations do not yet specifically allow for transfer or custody of samples required for cannabis analysis at independent laboratory facilities. Without this regulatory allowance, laboratory service providers would face potential criminal and/or civil penalties.

So, I suggest that the DoHS make specific allowance for *bona fide* analytical laboratories to possess and analyze small samples of medical cannabis at the request of any licensed dispensary, dispensary agent, caregiver, or registered, qualifying patient.

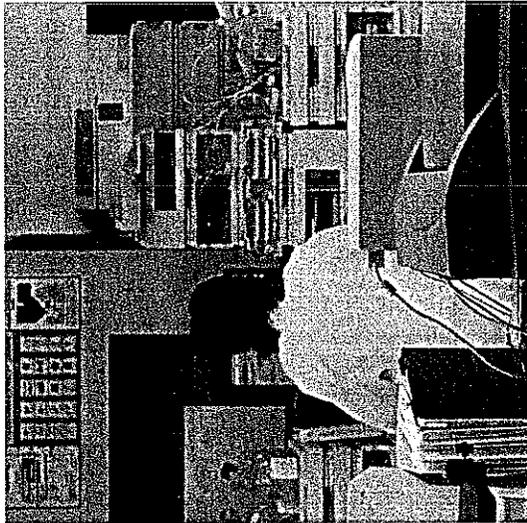
Thanks for your attention.

Please contact the Arizona Department of Health Services for feedback by Friday February 18 at:

<http://www.azdhs.gov/prop203/comments.htm> OR <http://www.surveymonkey.com/s/H6LMK72>

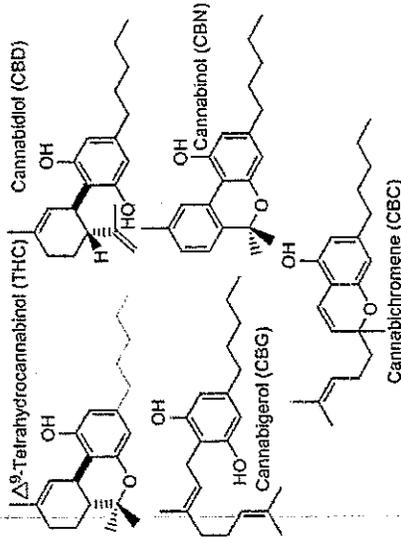
Medical Marijuana Analysis

Because you should
know what is in the
medicine you take



KRONOS SCIENCE

Medical Marijuana Analysis



KRONOS[®] Science

2222 E. Highland Ave., Ste 220
Phoenix, AZ 85016

Phone: 877-576-6675 Fax: 602-667-5623
www.KronosScience.com

Medical Marijuana Analysis

Kronos Science Laboratory plans to offer analytical services to the medical cannabis industry.

Kronos Science is a premier national reference and contract research laboratory located in Phoenix, AZ. Kronos Science has a proven track record of providing quality analytical services to the pharmaceutical industry and academic research centers.

Kronos Science is CLIA-certified; developing and conducting analysis under the most rigid and comprehensive standards.

Kronos is fully equipped and staffed to determine:

- Levels of active ingredients
 - THC
 - Cannabidiol
 - Other Analytes as needed
- Possible contaminants
 - Pesticides
 - Fungicides
 - Fungus

Why Testing?

Its important for dispensaries and patients to know the content of the product:

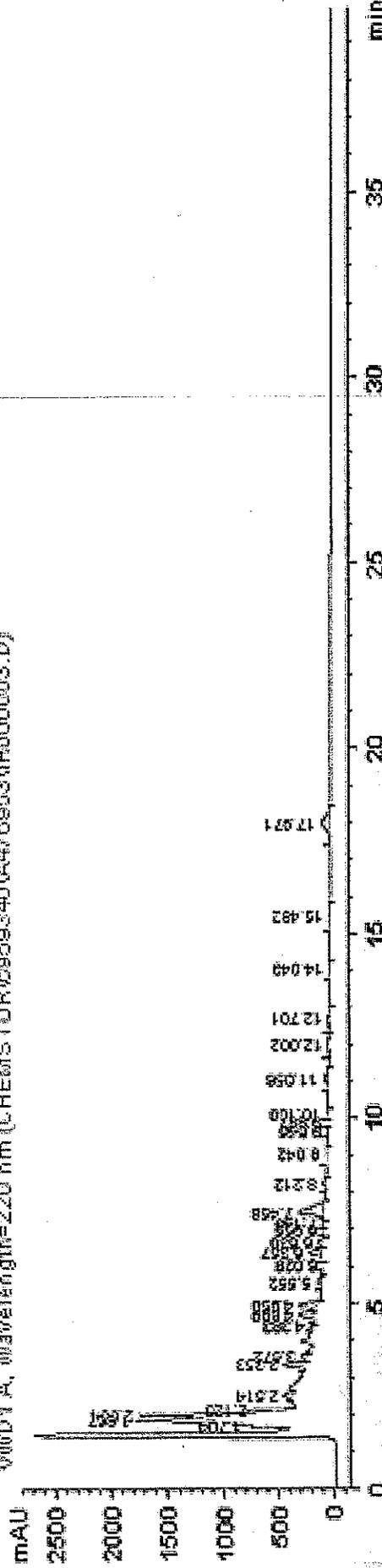
- What dose is provided?
- What are the levels of active ingredient?
- What is the best strain for the patient's medical problem?
- Is the product safe?

For more information about the Kronos Science testing program; email us at:

info@kronoslaboratory.com

or call: 602-667-5625

WWD1 A, Wavelength=220 nm (CHEMSTOR6959340VA476953NH000003.D)



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PUBLIC COMMENT ON MEDICAL MARIJUANA PROGRAM RULES**

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<input type="checkbox"/> Prospective dispensary agent	<input checked="" type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved? <i>IDENTIFY EXACTLY who is a RESIDENT, is there such a thing as PART TIME RESIDENT. IS A LICENSED ARIZONA PHYSICIAN who lives HERE PART TIME APPROVED as a BOARD MEMBER AND/OR A MEDICAL DIRECTOR</i>	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
4. Has anything been left out that should be in the rules? <i>QUALIFICATIONS, EDUCATION, & EXPERIENCE should BE A PRIME CONSIDERATION IN GRANTING OR NOT GRANTING A LICENSE</i>	
(use back if needed)	
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(Please check at least one) (optional):	
<input checked="" type="checkbox"/> Prospective qualifying patient	<input type="checkbox"/> Prospective designated caregiver
<input type="checkbox"/> Prospective dispensary agent	<input type="checkbox"/> Prospective dispensary operator
<input type="checkbox"/> Other (Please state interest)	
1. What part of the draft rules do you believe are effective?	
2. How can the draft rules be improved?	
3. Do you have any specific language to improve the rules? Please include where the language could be incorporated.	
<p>RE: R9-17-202 PARAGRAPH F, SECTION 5, sub-section e: ... "THE PHYSICIAN AGREES TO ASSUME RESPONSIBILITY..."</p> <p>(NOTE: SECTION E. SHOULD BE DELETED ALL TOGETHER FROM THE 2nd DRAFT RULES. DUE TO ANY ADDITIONAL "RESPONSIBILITY" BY THE RECOMMENDING PHYSICIAN, WILL BEAR MORE COSTS FOR THE PATIENT. (OTHER THAN JUST CERTIFYING THE PATIENT),</p>	
4. Has anything been left out that should be in the rules?	
(use back if needed)	
To submit: 1) Leave your written comment in the box at the public meeting. 2) Go to http://www.surveymonkey.com/s/H6LMK72 and submit your written comment. 3) Mail your written comment to: ADHS Attn: Thomas Salow, OACR Acting Manager 1740 W. Adams, Suite 203 Phoenix, AZ 85007	
PLEASE SUBMIT ALL COMMENTS BY FEBRUARY 18, 2011	

Submitted Comments to AZDHA 02/016/11 11:27am.

RE: R9-17-202, Paragraph F, section 5, Please clarify what type of Physician Certification will the AZDHS deem appropriate. Also, Please clarify the 90 day rule regarding signed Physician Written Certification, as some Physicians Written Certifications are valid for up to 12 month. Having a patient to go back to their doctor for a Written Certification, if they have a signed Written Certification dated greater than 90 days prior to submission of the qualifying patients application will be burdensome for some patients and prevent them from obtaining the medicine they need in an expeditious manner.

RE: R9-17-202, Paragraph F, section 5, subsection e, Please clarify the difference in your first draft rules which state..."Has assumed primary responsibility..." vs. your most recent draft rules which state "...the physician agrees to assume responsibility...". This section e, if no further clarification of PRIMARY RESPONSIBILITY vs. RESPONSIBILITY is provided, should be deleted altogether.