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Medical Marijuana in Nevada

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Nevada State Board of Massage Therapists
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Brief History: MM in Nevada

- October 2001: Patient registry for home cultivation became legal
- June 2013: NRS 453A modified to include MM establishments
- March 2015: First MM establishments opened for business in Nevada



Nevada MM Patient Demographics

July, 2016

- Nevada patients with cards: 20,773
 - Carson-Lyon-Douglas: 1,591
 - Clark County: 14,347
 - Washoe County: 3,302
 - Details are in Monthly Reports on Patient homepage



What is “Medical” Marijuana?

- Cannabis is cannabis, but...
- Nevada law requires all medical marijuana products to be laboratory tested, hence “medical grade”
- Testing is done for
 - Potency analysis of cannabinoids and terpenoids
 - Foreign matter inspection
 - Microbial and mycotoxin screening
 - Heavy metal testing
 - Pesticide residue analysis
- Batches that fail must be destroyed
- Packages of MM must have labels with laboratory findings



How to Get a Medical Marijuana Card



Getting a MM Card

- Nevada Medical Marijuana Registry is for Nevadans
 - Patients must have a current Nevada DL or ID card
 - Current address required



Getting a MM Card

- Physician recommends using MM
 - Hot tip: bring the Physician Statement page of MM card application to annual checkup. It is OK for patients to start the conversation
 - Some physicians do, some do not write recommendations (*not* prescriptions).
 - There is **not** a subset of MM physicians
 - The recommendation must come from a Nevada licensed MD or DO
 - Division does not refer physicians



Approved Conditions for Medical Marijuana in Nevada

- Acquired immune deficiency syndrome (AIDS)
- Cancer
- Glaucoma
- Post-traumatic stress disorder (PTSD)
- Cachexia (general physical wasting and malnutrition from chronic disease)
- Persistent muscle spasms (including multiple sclerosis)
- Seizures (including epilepsy)
- Severe nausea
- Severe pain (the most commonly reported condition)
- Additional conditions, subject to approval by the Division



Two Ways to Apply

- Email the Division at medicalmarijuana@health.nv.gov
- Online Patient Registry
 - Go to Patient Registry homepage (accessed at <http://dpbh.nv.gov>)
 - Online registry: apply, pay, get letter of approval online



Brand New Breakthrough

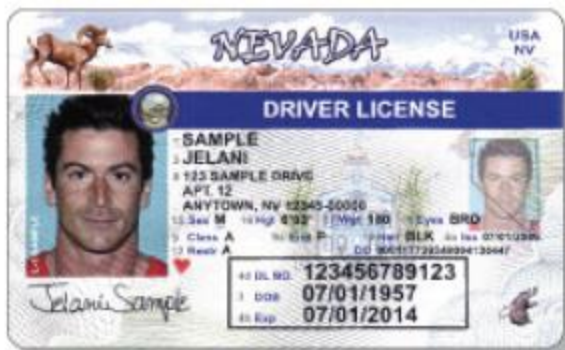
- Visits to DMV no longer necessary
- Cards are mailed directly to approved patients



Division Fee for MM Cards

First card: \$100.00

Renewals: \$75.00





Why Pay Extra?

- Some patients unnecessarily hire consultants to assist with getting their card
- Widespread myth: MM-only physicians
- Consultants are legal; abound in Clark County
- Cost to consultants can exceed \$500



There are rules!

- Yes, prosecution exemptions are in place for cardholders, but patients may not
 - Use MM in public
 - Possess on school property or in jail
 - Share with non-MM cardholders
 - Drive vehicles, fly planes or operate watercraft while under the influence
 - Possess firearms while under the influence
 - Amusement ride, water ski, or surf while under the influence
 - Exceed 2 ½ ounces; 12 plants possession limits



Patients Can Grow if...

- The dispensary in their county closed or is unable to supply the quantity or strain they need
- Patient and caregiver are “unable reasonably to travel” to a dispensary due to illness or lack of transportation
- No dispensary was operating within 25 miles of their home when they first applied
- SB 447



Topical Application of Medical Marijuana



What are Cannabinoids?

- Active compounds in cannabis
- Terpenoids are also involved
- Many have medicinal benefits
- Most commonly mentioned
 - THC - the psychoactive ingredient
 - CBD - cannabidiol is more associated with medical benefits



CBD Products

- Legal, available in local stores
- By NRS, must contain $<.3\%$ THC
- Not regulated by NRS 453A





How Do MM Topicals Work?

- Absorbed effect is reported to be fairly quick
 - Targeted relief; psychoactive effects minimal
 - THC absorption reported to be low
 - There is some evidence that CBD absorption is higher
 - *Journal of Pharmacy and Pharmacology*, 56, no. 3 (2004): 291-97
 - Used for conditions such as arthritis, joint or muscle pain, sports injuries
 - Lotions, sprays, creams, oils, balms, salves



From cannabismassagecolorado.com

- **Q- Will I fail a drug test after a cannabis infused massage?**
- A. No, to date no one has failed a drug test from the topical absorption of cannabis.

- **Q- How is marijuana actually a part of the treatment?**
- A- The lotions, salves and oils we use are infused with organic cannabis. The topicals all contain the cannabinoids THC, CBD, and CBN for the most therapeutics effects.

- **Q-Will I get high?**
- A-No, there are no psychoactive effects from the use of topicals. Patients do report a deeper induced sense of relaxation then what is felt with standard massage therapy.

- **Q- Will cannabis infused massage help my pain, arthritis or other condition?**
- A- Yes, we have had incredible success with many types of diseases and disorders. Pain is one of the many symptoms we have seen relieved. If there is a specific condition you are concerned about please don't hesitate to contact us.



From medicaljane.com

- Topicals can be absorbed through the skin
- Research indicates topical application
 - Onset is within minutes
 - Relief can last hours



From safeaccessnow.org

- Cannabinoids combined with a penetrating topical cream can enter the skin and body tissues and allow for direct application to affected areas (e.g. allergic skin reactions, post-herpes neuralgia, muscle strain, inflammation, swelling, etc.)
- Cannabinoids in cannabis interact with CB1 and CB2 receptors that are found all over the body, including the skin.
- Both THC and cannabidiol (CBD) have been found to provide pain relief and reduce inflammation.
- Topical cannabis use does not produce a psychoactive effect, which is different from eating or inhaling the medicine.



So can we use them?

- Here is what we know
 - Patients may not use in public
 - Patients have possession limits
 - Patients should not use while they are surfing, etc.
 - May not use at school
 - May not share their MM with non-registry persons



Affirmative Defense

- An affirmative defense to a charge is used when
 - There are facts that defeat, negate or mitigate the legal consequences of the “otherwise unlawful conduct”
 - Facts must be proven by the defendant
 - E.g., self-defense



NRS 453A.310

Affirmative Defense

- 3. “...a person engaged or assisting in the medical use of marijuana who is charged...is not precluded from
 - (a) Asserting a defense of medical necessity; or
 - (b) Presenting evidence supporting the necessity of marijuana for treatment of a specific disease or medical condition...”



SUGGESTIONS

- Ensure the client is a MM patient, has an unexpired card
- The product is the property of the patient
- Have a policy in place that states the above
 - AG input?
 - Local law enforcement input?



Thank you!



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