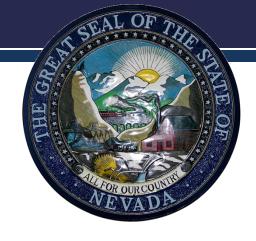
Brian Sandoval Governor

Richard Whitley, MS
Director



Cody L. Phinney, MPH Administrator

John DiMuro, DO, MBA Chief Medical Officer

## Medical Marijuana in Nevada

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Division of Public and Behavioral Health

Medical Marijuana Program

Nevada State Board of Massage Therapists
Carson City, Nevada
August 26, 2016



## 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 <u>not</u> 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 <a href="http://dpbh.nv.gov">http://dpbh.nv.gov</a>)
  - Online registry: apply, pay, get letter of approval online



### Brand New Breakthrough

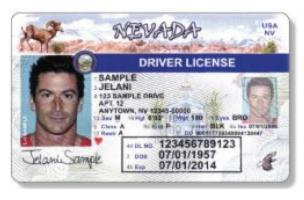
- Visits to DMV no longer necessary
- Cards are mailed directly to approved patients



#### 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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