Medical Marijuana in Nevada

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Medical Marijuana Program

Nevada State Board of Massage Therapists
Carson City, Nevada
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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
• 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 therapeutic 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.
• 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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