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 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
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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