

Medical Marijuana Act Oversight Committee Meeting

Monday, February 29, 2016
5:00 p.m. - 6:30 p.m.

Welcome Chairman's Comments

Senator Margaret Rose Henry
Committee Chairman

Adoption of Agenda

Senator Margaret Rose Henry
Committee Chairman

October 2015 Minutes

Discussion and Approval
Senator Margaret Rose Henry

New Business Program Challenges

Program Challenges
Bona-Fide Physician-Patient Relationship

Dr. Karyl Rattay
Director, Division of Public Health

Bona-Fide Physician-Patient Relationship

What Are We Looking For to Meet the Intention of the Law?

- The patient must be under the care of the certifying physician for 6 months or more;

AND

- During this time the certifying physician must have cared for the patient's qualifying condition.

**If the above cannot be demonstrated,
then 1 of the following 3 documentation
items are acceptable...**

Option 1:

Progress Notes From Another Physician or a Physician-Specialist are Acceptable

The progress notes must

- demonstrate a bona-fide patient relationship as described above

AND

- must validate the qualifying condition.

With respect to validating the qualifying condition...

Validation of Qualifying Condition in Progress Notes from Another Physician

- Radiological reports alone are not acceptable because many individuals have abnormalities on radiological assessments which are unrelated to qualifying conditions (e.g. chronic pain).
- Laboratory reports for HIV/AIDS are acceptable.
- Laboratory reports alone for hepatitis are not acceptable because the law specifies that cirrhosis must be decompensated to be a qualifying condition.

Validation of Qualifying Condition in Progress Notes from Another Physician

- Acupuncturists, massage therapists, physical therapists and chiropractor reports are not acceptable.
- Progress notes provided by APNs or PAs can be used to demonstrate a qualifying condition if they are acting under the direction of a physician.
- The last patient visit must be no more than 12 months from the date of the application.

OR

Option 2:

A Letter From Another Physician Affirming That the Patient Has a Qualifying Condition Which the Physician has Treated for at least Six Months

- The letter must be on the physician's letterhead.
- The last patient visit must be no more than 12 months from the date of the letter.

OR

Option 3:

Progress Notes or a Letter from a Physician-Specialist Affirming That the Patient has a Qualifying Condition Within the Physician's Specialty Area

- Examples: (1) oncologist diagnosing/caring for a patient with cancer; (2) neurologist diagnosing/caring for a patient with ALS or MS.
- In this situation, the 6 month requirement for a physician-specialist is waived.

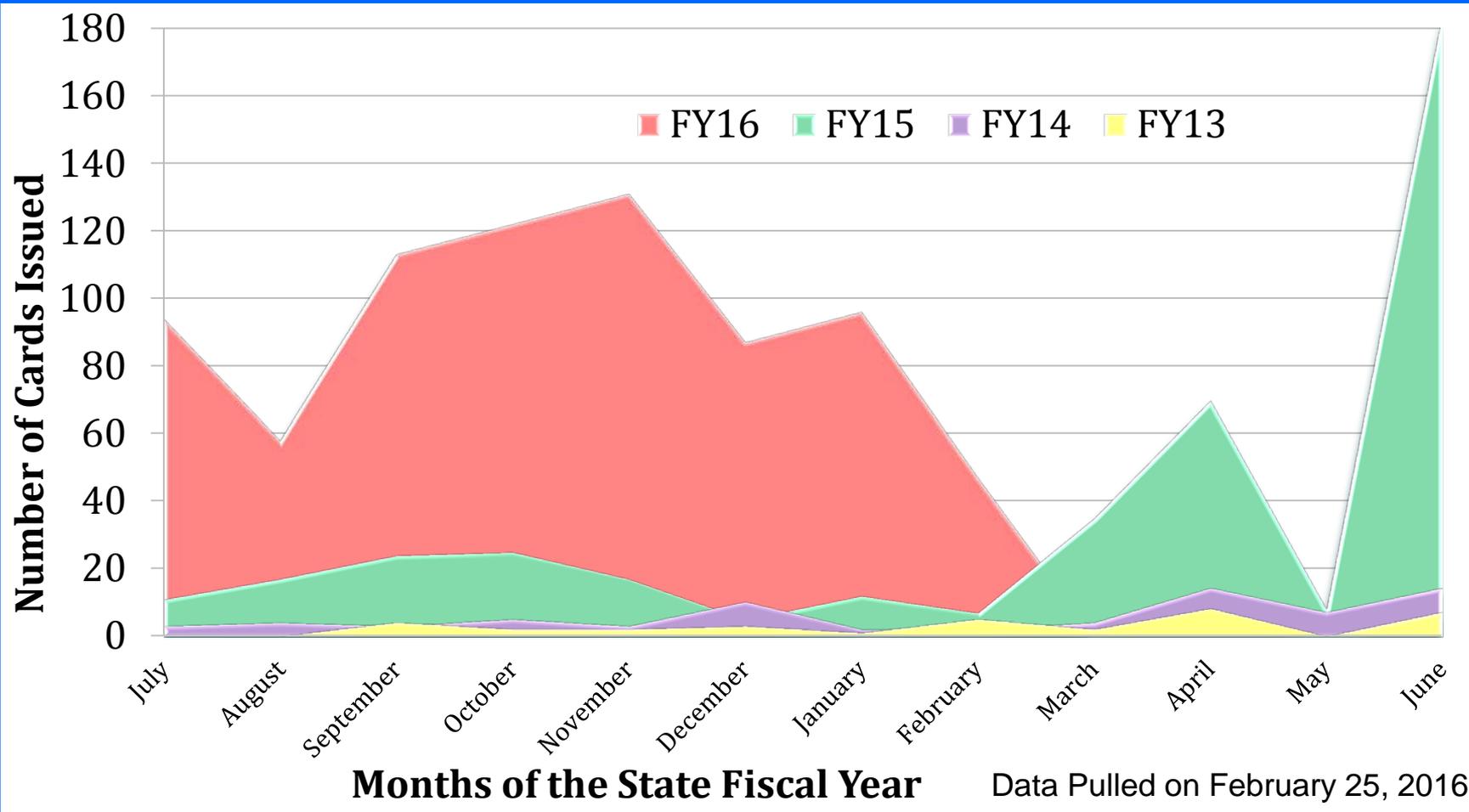
Program Status Update

Quick Statistics

Dawn R Brubaker

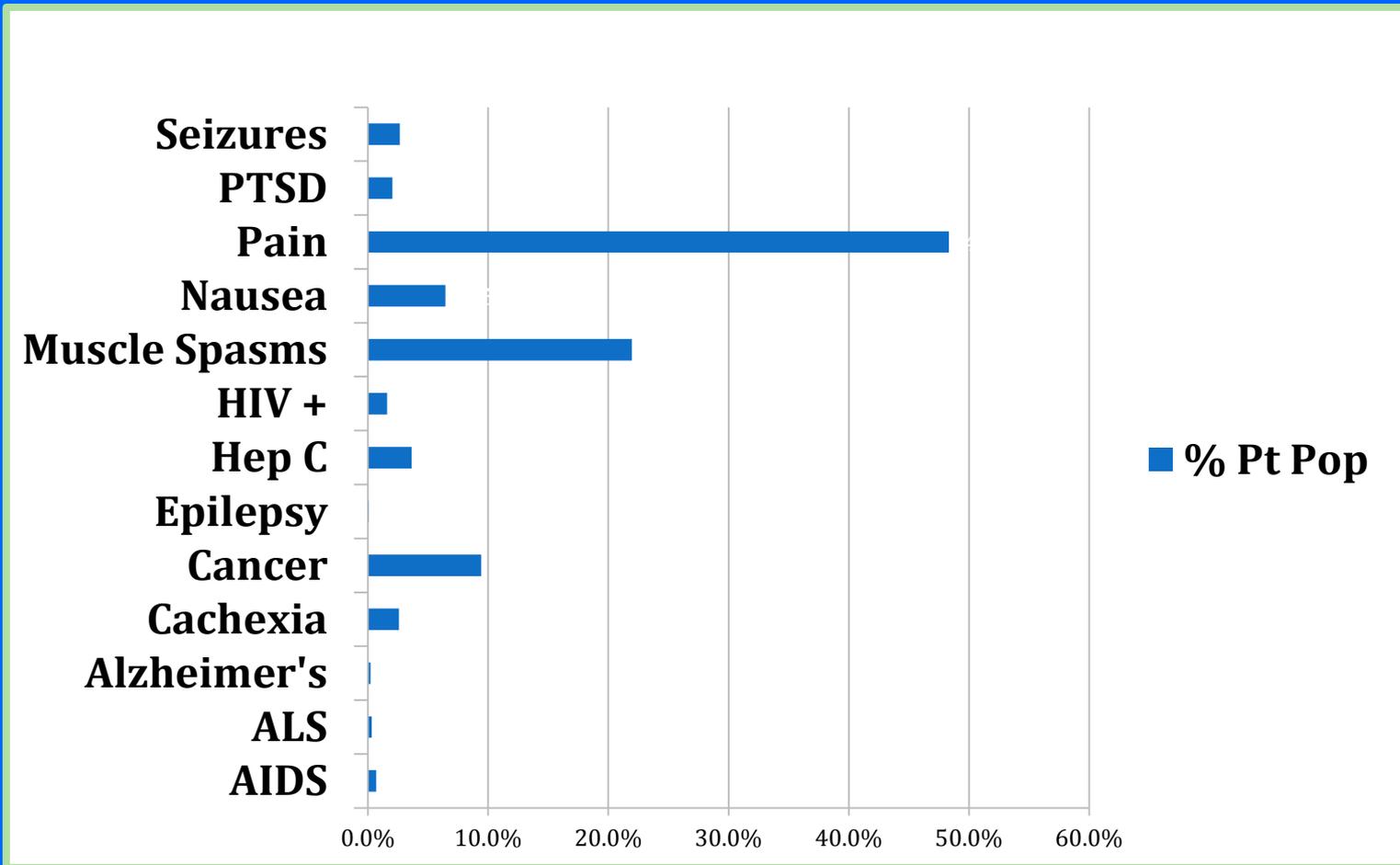
Management Analyst

Delaware Medical Marijuana Patient Cards Issued, FY 13 - FY 16 (partial)



Data Pulled on February 25, 2016

Debilitating Conditions (Percentages of Total Applicant Patients)



Patient Demographics

Age

<u>Age</u>	<u>% of Patient Population</u>
Under 18	0.4%
18-25	3.3%
26-30	4.6%
31-40	14.7%
41-50	21.5%
51-60	30.8%
61-70	19.0%
71-80	4.4%
Over 80	1.1%

Gender

Male	56.7%
Female	43.3%

County

NCC	67.0%
Kent	15.2%
Sussex	17.5%

New Business

New Compassion Centers

Request for Proposal HSS16-003-MEDCOMPCTR
Registration and Operation of Two Medical
Marijuana Compassion Centers in Delaware

Dawn R Brubaker
Management Analyst

Request for Proposal HSS 16-003

- Mandatory Pre-bid Meeting held February 1, 2016
 - 44 people in attendance representing 29 entities
 - Proposals accepted only if representative attended meeting
 - Answers to 100+ questions posted on RFP website ASAP
- Proposals are due March 30 11:00 a.m. to DHSS
 - Separate proposal for each county if bid on both
 - \$5,000 bid fee for each proposal submitted

Request for Proposal HSS 16-003

- Proposals are due March 30 11:00 a.m. to DHSS
 - Separate proposal for each county if bid on both
 - \$5,000 bid fee for each proposal submitted
- Contracts tentatively scheduled August 2016
 - Opening date depends on facility preparation/grow process
- Proposal review team
 - Diverse group to ensure many perspectives are considered
 - Last RFP, these agencies were represented in review team

RFP Proposal Review Team Perspectives

- Department of Agriculture
- Department of Homeland Security
- Medical Director from DHSS
- DHSS Division of Services for Aging and Adults with Physical Disabilities
- DHSS Division of Management Services
- DHSS Information Resource Management
- DHSS Laboratory

New Business IT Enterprise System RFP

Dawn R Brubaker
Management Analyst

Enterprise IT System RFP

- Automate application processing
 - Decrease application processing time
 - Increase number of applications processed daily
- Interface with all facilities
 - Current inventory and sales data
 - Track seed to sale process to minimize diversion and monitor any potential recalls
- Goal: IT system delivered prior to new compassion centers opening

New Business Product Testing Options

Paul Hyland
Program Manager

Future Agenda Topics Discussion Items

Senator Margaret Rose Henry
Committee Chairman

Public Comments

Rich Jester – Bob's Bill
Others

Next Meeting
Tuesday, October 11, 2016
5:30 p.m.
Location Discussion

Senator Margaret Rose Henry
Committee Chairman

Adjournment

For more information

**Division of Public Health
Office of Medical Marijuana
302-744-4749**



Newly updated website – information, up to date reports, presentations, and resources

<http://dhss.delaware.gov/dhss/dph/hsp/medmarhome.html>